

In Honor to the President

THE NEW-BRUNSWICK

ROYAL GAZETTE.

[Volume IX.]

TUESDAY, 26th AUGUST, 1823

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The Gazette.

By His Honor WARD CHIPMAN, Esquire, President and (L.S.) Commander in Chief of the Province of New-Branswick, &c. &c. &c.

A Proclamation.

WARD CHIPMAN:

WHEREAS the General Assembly of this Province stands Prorogued to Wednesday, the twenty-fifth day of June next, then to meet for the dispatch of Business: AND WHEREAS for divers weighty and important considerations, it has been deemed expedient further to prorogue the same General Assembly: I do therefore further prorogue the said General Assembly, and the same is hereby prorogued to WEDNESDAY the TENTH day of SEPTEMBER next ensuing; whereof all persons concerned will take due notice and govern themselves accordingly.

Given under my Hand and Seal at Fredericton, the 26th day of May, in the year of our Lord one thousand eight hundred and twenty-three, and in the Fourth year of His Majesty's Reign.

By The President's Command. W.M. F. ODELL.

NOTICE is hereby given, that we the Subscribers have been duly appointed Trustees for all the creditors of James Turnbull, late of St. Andrews in the County of Charlotte, an absconding debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Act of Assembly in that case made and provided, and we do hereby require all persons indebted to the said James Turnbull, on or before the 28th day of July next ensuing the date hereof, to pay to us, or some or one of us, all such sums of money or other debt, duty or thing which they owe to the said James Turnbull, and to deliver the said effects of the said James Turnbull, which they or any of them may have in his, her or their hands, power, or custody, to us, or some one of us as aforesaid, and we do also desire all the creditors of the said James Turnbull, on or before the 28th day of September next, to deliver to us, or some or one of us as aforesaid, their respective accounts and documents against the said James Turnbull, in order that right and justice may be done agreeable to the form of the said Act of Assembly in such case made and provided.

Given under our hands at Saint Andrews aforesaid, in the County aforesaid, the twenty-sixth day of April, A. D. 1823.

JOSEPH CLARKE, ROBERT S. MOWAT, WILLIAM GARNETT. Trustees.

NEW-BRUNSWICK, } MAY 16th 1823. In CHANCERY.

Between HUGH JOHNSTON, } Complain- HUGH JOHNSTON, Junt } ants, And JOSHUA E. FREEMAN, Defendant.

FORASMUCH as the Court was this day informed by Messrs Charles I. Peters and James Peters, Junt, of Council for the Plaintiffs, that the Bill in this cause was filed on the 27th day of February last, as by the Certificate of their Clerk in Court appears, and process of Subpoena taken out against the said Defendant, but that the said Defendant now resides without the limits of this Province, or doth otherwise abscond to avoid being served with such Process, as by affidavit appears; and the said Certificate and affidavit being read, the truth of the above allegations made out to the satisfaction of the Court: IT IS ORDERED, that the Defendant do appear and answer to the Complainant's Bill on or before the 28th day of August next.

By the Court. D. L. ROBINSON Registrar.

NEW-BRUNSWICK, } MAY 20th, 1823. In CHANCERY.

Between } HENRY SMITH, Administrator of JAMES BELL, deceased, Plaintiff, and THOMAS HUMPHREYS, ROBERT BOSWELL and BETSY his Wife, and others, Defendants.

FORASMUCH as the Court was this day informed by Mr ROBINSON of Council for the Complainant, that the Complainant's Bill in this

cause was filed on the fourteenth day of August last, as by Certificate of his Clerk in Court appears, and Process of Subpoena taken out against the said Defendant ROBERT BOSWELL and BETSY his Wife, but that the said Defendant, ROBERT BOSWELL and BETSY his Wife, now resides without the limits of this Province, or doth otherwise abscond to avoid being served with such Process, as by affidavit appears; and the said Certificate and affidavit being read, and the truth of the above allegation being made out to the satisfaction of the Court: IT IS ORDERED, That the said Defendant ROBERT BOSWELL and BETSY his WIFE, do appear and answer to the Complainant's Bill on or before the first day of September next.

By the Court, D. L. ROBINSON, Registrar.

By the Hon. William Boyford, Esquire, one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Branswick.

TO ALL WHOM IT MAY CONCERN, GREETING:

NOTICE is hereby given, that upon application of William Harper, of Monkton, in the County of Westmoreland, Trader, to me duly made according to the form of the Act of Assembly in such case made and provided, I have directed all the Estate, as well real as personal within this province of David Mills, late of Monkton, in the County of Westmoreland, (which same David Mills is departed from and out of the limits of this Province, or else remains concealed within the same, with intent and design to defraud the said William Harper and the other creditors of the said David Mills, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the Law as it is alleged against him), to be seized and attached; and that unless the said David Mills does return and discharge the said debt or debts within three months from the publication hereof, all the Estate as well real as personal of the said David Mills, within this Province, will be sold for the payment and satisfaction of the creditors of the said David Mills.

Dated at Sarkville the twenty-first day of July, in the year of our Lord one thousand eight hundred and twenty-three.

A. W. DES BARRÉS, Adv.

By Alexander Davidson, Esq. one of His Majesty's Justices of the Inferior Court of Common Pleas for the County of Northumberland.

NOTICE is hereby given, that upon the application of James Ledden and James Abbott, of Miramichi, in the County of Northumberland, Merchants, to me duly made, pursuant to the directions of the Act of Assembly in such case made and provided; I have directed all the Estate, as well real as personal, of James Graham, late of the Parish of N. W. Castle, in the County of Northumberland aforesaid, Yeoman, (which said James Graham hath departed from this Province, or concealed within it, with intent and design to defraud the said James Ledden and J. Abbott, and the other Creditors of the said James Graham, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the Law, as is alleged against him) to be seized and attached; and unless the said James Graham do return and discharge his debts, within three months from the publication hereof, all the Estate as well real as personal, of the said James Graham, within this County of Northumberland, will be sold for the payment and satisfaction of the Creditors of the said James Graham.

Dated at Nelson, the 4th day of August, in the year of our Lord, one thousand eight hundred and twenty-three.

ALEX. DAVIDSON, J.C.P. J. A. STREET, Attorney.

NOTICE is hereby given, that We the Subscribers having been duly appointed Trustees of all the Creditors of JESPER UNDERHILL, late of Northumberland, Yeoman, an absconding debtor, and

have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Act of Assembly in such case made and provided: And we do hereby require all persons indebted to the said JESPER UNDERHILL, on or before the 18th day of October next ensuing the date hereof, to pay to us, or some, or one of us, all such sum or sums of money or other debt, duty or thing, which they owe to the said JESPER UNDERHILL; and to deliver all other effects of the said JESPER UNDERHILL, which they, or either, or any of them may have in his, her, or their hands, power or custody, to us, or some or one of us as aforesaid: And we do desire all the Creditors of the said JESPER UNDERHILL, on or before the same day, to deliver to us, or to some or one of us as aforesaid, their respective accounts and demands against the said JESPER UNDERHILL, in order that right and justice may be done pursuant to the form of the Act of Assembly in such case made and provided.

Given under our hands at Fredericton the 18th day of August, in the year of our Lord, one thousand eight hundred and twenty-three.

WM. TAYLOR, GEO. K. LUGRIN, } Trustees. JAMES TAYLOR, jr. }

PUBLIC NOTICE.

IS hereby given, that at the County Court House in Fredericton, all the Estate of JESPER UNDERHILL, late of Northumberland, hath in a Tract of Land upon the Madamswick, within the Parish of Saint Mary, called Lot No. 3: to wit, his equity of redemption of a certain Mortgage thereon, will be sold at Public Auction on Saturday the ninth day of September next, without reserve, by us,

WM. TAYLOR, } Trustees for all the GEO. K. LUGRIN, } Creditors of Jesper JAMES TAYLOR, jr. } Underhill. Fredericton, 19th Aug 1823

NOTICE.

THE Subscribers, Trustees for the Creditors of William Dougald, late of the City of St. John, Mariner, an absconding debtor, hereby request a general meeting of all the Creditors of the said absconding debtor, at the office of W. Tyng Peters, in the City of St. John, on Saturday the 18th day of October next, between the hours of ten and two o'clock, at which time, the debts due to each person will be examined and ascertained, and a division made among the Creditors in proportion to their respective just demands.

Dated at the City of St. John, the sixth day of August, one thousand eight hundred and twenty-three. DANIEL SCOVIL, WM TYNG PETERS, STEPHEN SMITH.

BOSTON, AUGUST 6.

TRANSLATIONS FROM CADIZ PAPERS, CADIZ, JUNE 17.

Yesterday His Majesty the King, and suite, arrived in this city, from Seville. He entered at half past 6, p. m. The troops in garrison, and the national militia, occupied the public square, and an immense crowd filled the streets, windows, and balconies. The municipal authorities received the King at the entrance, when the Governor delivered to him the keys of the city, in form, and congratulated him on his arrival, in the name of the inhabitants. The enthusiasm which was manifested on this memorable occasion, confirmed the opinion we entertained of the patriotism and sensibility of the people. Union and harmony were seen on every side—not the least disorder or excess was committed—the sounds repeated in innumerable acclamations were most dear to every good Spaniard, to independence, and to liberty. The Royal Family took private

lodgings until the palace at the Custom House could be got ready for them.

The Cortes assembled here the 15th. Eighty-eight members answered to their names, and most of the rest were said to be on their way.

HISTORY OF LATE EVENTS AT SEVILLE.

On the 11th June, on opening the session of the Cortes, Senor Galiano rose, and remarked, that it was now no longer a time to debate, but to act and to draw aside the veil which had concealed their real situation: That the Country was in imminent danger; but that the Constitution might yet be saved; and for this purpose it was necessary to put the King and Cortes, at once, in a place of security. He proposed that the Ministers should be forthwith required to report on the existing state of things, and decide on statching the King from the precipice over which perfidious advisers were impelling him. Adopted.

Senor Arguella, the leader of the Cortes, moved, that the session be declared permanent until the object of the Cortes was achieved. Adopted.

The Ministers soon entered, and one of them related, that as soon as it was seen that the French might invade Andalusia, a Council of War was convened, at which the most confidential Patriots assisted.—Which Council unanimously decided, that the means of preventing the march of the French were wanting; and that the island of Cadiz was the only point to which the Government and Cortes could be removed.—That the report was communicated to the King, who referred it to his Council of State.—The Council preferred Algeiras, as the place of removal; and the Minister concluded, that when he left the King, his Majesty had not come to any resolution on the subject.

The Cortes then voted, that the removal should take place the next day, and a Committee was immediately appointed to report the same to the King.

The Committee, having returned, the Chairman reported the following dialogue with the King:—

Chairman.—Sire—The Cortes, being in permanent sitting, and having received information of the approach of the enemy, intreat your Majesty to remove, with the Cortes, to the island of Cadiz, for the security of your sacred person, and that of the National Representation.

THE KING.—Neither my conscience nor the love of eleven millions of my subjects, allow me to leave Seville.

The Chairman.—The political conscience of your Majesty is not responsible, because your public conduct is subject to that of your Councilors; and the Committee can make more convincing observations to your Majesty, if what has been said does not suffice.

THE KING.—"I HAVE SPOKEN." His Majesty then retired.

This report having been made, the Cortes resolved, That the case of the moral incompetency of the King, provided for in the 187th article of the Constitution, had occurred, and that a provisional Regency be created for the purpose of exercising the Executive Authority only as regarded the removal of the King and Cortes.

A Regency was then chosen, consisting of Señors VALDES, CISCAR, and VICOFLET, who took the oaths of office at once, in the midst of the most lively acclamations from the Members in the Gallery.

The Regency proceeded forthwith to make arrangements for the general departure, and the Cortes remained in session throughout the day and night of the 11th, acting in concurrence with the Regency. The Ministers objected to accept their offices under the Regency, and did not yield until five o'clock in the morning of the