

THE NEW-BRUNSWICK ROYAL GAZETTE.

[Volume VII.]

TUESDAY, 15th MAY, 1821.

[Number 11]

The Gazette.

NEW-BRUNSWICK,
In Chancery.

The tenth day of March, in the second year of the Reign of King George the Fourth, A.D. 1821.

Between { *David Hatfield*, Plaintiff,
and
James Craft, Defendant.

FORASMUCH as the Court was this day informed by Mr. *Peters*, of Counsel for the Plaintiff, that the Plaintiff on the twenty-seventh day of October, A.D. 1819, filed his Bill in this Court against the Defendant, as by the certificate of the Clerk in Court appears, and took out Process of Subpoena, returnable on the third Tuesday in February then next, requiring the said Defendant to appear to and answer the same; but that the said Defendant could not be found so as to be served with such Process, and is gone out of this Province or doth otherwise abscond to avoid being served therewith, 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 said Court,

It is ordered, that the Defendant do appear to the Plaintiff's Bill, on or before the first day of August next.

By the Court,

WM. F. ODELL, Register.

R. PARKER, Jun.
Solicitor.

NEW-BRUNSWICK,
In Chancery.

The tenth day of March, in the second year of the Reign of King George the Fourth, A.D. 1821.

Between { *William Ledden*, and } Plaintiff,
James Ledden, and
and
James McClelland, Defendant.

FORASMUCH as the Court was this day informed by Mr. *Peters*, of Counsel for the Plaintiff, that the Plaintiff on the thirtieth day of May, A.D. 1818, filed his Bill in this Court against the Defendant, as by the certificate of the Clerk of the Court appears, and took out Process of Subpoena, returnable on the second Tuesday in July then next, requiring the said Defendant to appear to and answer the same; but that the said Defendant could not be found so as to be served with such Process, and is gone out of the Province or doth otherwise abscond to avoid being served therewith, 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 said Court,

It is ordered, that the Defendant do appear to the Plaintiff's Bill, on or before the first day of August next.

By the Court,

WM. F. ODELL, Register.

R. PARKER, Jun.
Solicitor.

By the Honourable WARD CHIPMAN, Esq. one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick.

NOTICE is hereby given, that upon the application of Malcolm Wilmot, of the Parish of Moncton, in the County of Westmorland, Esquire, 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 Thomas Dawson, late of the Parish of Hillsborough, in the said County of Westmorland, Farmer, (which said Thomas Dawson, hath departed from this Province, with intent and design, to defraud the said Malcolm Wilmot, and the other Creditors of the said Thomas Dawson, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of law, as is alleged against him,) to be seized and attached,

and that unless the said Thomas Dawson, do return and discharge his debts, within three months from the publication hereof, all the Estate as well real as personal of the said Thomas Dawson, within this Province, will be sold for the payment and satisfaction of the creditors of the said Thomas Dawson.

Dated this fifteenth day of March in the year of our Lord one thousand eight hundred and twenty one.
WARD CHIPMAN, J. S. C.

NOTICE.

SECRETARY'S OFFICE,
13TH APRIL, 1821.

IT having been ordered by Government that no accounts for Postage on Letters, addressed to the Public Offices solely for the benefit of Individuals, be in future allowed. All Persons sending Letters to the Secretary's Office are hereby notified that, unless such Letters are exclusively on Public Business, the Postage must be paid, otherwise they will not be received; and Persons sending Letters to the Office on Public Business are requested to mark them on the outside "on Public Service."

PUBLIC NOTICE is hereby given to all persons interested in twenty-three Lots of Land, described in the King's Grant to Daniel Sawyer, Daniel Fuller, Jacob Farrington, Thomas Farrington, Peter King, Francis Sawyer, Frederick Fox, Peter Barnes, Leonard Reed, Elias Quereau, James Gieu, Isaac Gieu, Peter Clements, Stephen Vincent, Gardner Gifford, William Church, Timothy Ryans, Charles Ryans, William Lambert, and John Ryans, dated 9th November 1787, situated partly on the River Nashwalkie, in the Parish of Saint Mary, in this County, that in obedience to His Majesty's writ to me directed and delivered, an Inquest will be holden at the County Court-House in Fredericton, on Wednesday the 16th day of May next, at eleven o'clock in the forenoon, to ascertain whether the conditions upon which the same lands were granted, as expressed and contained in the same grant, have been performed.

Dated at Fredericton, the 14th day of April 1821.
E. W. MILLER,
Sheriff of York.

LONDON.

CATHOLIC QUESTION.

HOUSE OF COMMONS, MARCH 2.

RESOLUTIONS.

Reported from the Committee of the whole House, to whom it was referred to consider the state of the Laws by which Oaths or Declarations are required to be taken or made as qualifications for the enjoyment of Offices, or for the exercise of Civil Functions, so far as the same affect His Majesty's Roman Catholic subjects; and whether it would be expedient, in any and what manner, to alter or modify the same, and subject to what provisions or regulation; and which Resolutions were agreed to by the House.

1. Resolved, That it appears to this Committee, that by certain Acts passed in the Parliaments of Great Britain and Ireland respectively, certain declarations and affirmations are required to be made, as qualifications for the enjoyment of certain offices, franchises, and civil rights, therein mentioned.

2. Resolved, That such part of said oaths as require a declaration to be made against the belief of transubstantiation, or that the invocation or adoration of the Virgin Mary, or any other Saint, and the sacrifice of the Mass as used in the Church of Rome, are superstitious and idolatrous, appear to this Committee to relate to opinions merely speculative and dogmatical, not affecting the allegiance or civil duty of the subject; and that the same may, therefore, safely be repealed.

3. Resolved, That it appears to this Committee, that in several Acts passed in Parliaments of Great Britain and Ireland respectively, a certain Oath, commonly call-

ed the oath of supremacy, is required to be taken, as a qualification for the enjoyment of certain offices, franchises, and civil rights, therein mentioned.

4. Resolved, That in the said Oath and Declaration is contained, that no foreign Prince, Person, Estate, State, or Potentate, ought to have any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within these realms.

5. Resolved, That it appears to this Committee, that scruples are entertained by his Majesty's Roman Catholic subjects with respect in taking the said oath, merely on account of the word "spiritual" being inserted therein; and that for the purpose of removing such scruples it would be expedient to declare the sense in which the said word is used, according to the injunction issued by Queen Elizabeth, in the first year of her reign, and recognized in the Act of the fifth of her reign, and which, as explained by the thirty-seventh of the articles of the Church of England, imports merely, that the Kings of this realm should govern all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and evil doer.

6. Resolved, That it is the opinion of this Committee, that such act of repeal and explanation should be accompanied with such exceptions and regulations as may be found necessary for preserving unalterably, the Protestant succession to the Crown, according to the Act for the further limitation of the Crown, and better securing the rights and liberties of the subject, and for maintaining inviolate the Protestant Episcopal Church of England and Ireland, and the doctrine, government, and discipline thereof, and the Church of Scotland, and the doctrine, worship, government, and discipline thereof, as the same are by law respectively established.

Proclamation, from the National Parliament of the Two Sicilies, to the Sicilians beyond the Pharos.

"SICILIANS!—All your brethren are flying impatiently to arms. Three great Monarchs have determined on the invasion of Southern Italy. Our good faith, our loyalty, our respect for the religion of our ancestors, our attachment for the immortal Constitution to which we have sworn, are considered as crimes. Our august and venerable Monarch, who, in spite of his age and the rigour of the season, proceeded to entreat for peace, and to avert the tempest threatened us from the other side of the Julian Alps, is in a state of duress and captivity.

"Europe groans; thy People, who have a Constitution, also groan. We shall be revenged: and if human force is not sufficient to obtain vengeance, we shall obtain it from HEAVEN. The remotest posterity will hardly believe, and will never forgive, the execrable crime attempted to be committed against us.

"Beautiful and fertile countries are destined to be the theatre of war and desolation. The idea has been first to attack the weakest, in order afterwards to reduce the strongest to subjection. Our enemies deceive themselves: we are not so weak as they imagine; and other people will not remain idle spectators of our destruction, only to wait for the ruin which must afterwards fall upon themselves. All arguments have been exhausted; all the guarantees of peace have been offered for the purpose of averting from our country the terrible wrath of our enemies. But they have been increased even by our moderation; they looked upon our open and candid declaration of our right to a National Constitution, and to an independent Legislature, as a proof of weakness and cowardice. Instead of reasoning, and instead of an answer suitable to the sincere ex-

position of our interior situation, there has issued from Laybach the signal of our extermination; and even before the signal came forth, the Austrian phalanxes were already on the march; and the horrible sound of discord was already heard from the bosom of the Adriatic, from the Liguarian Sea, and the Julian Alps, as far as the last of the Appenine mountains.

"The Hungarians and the People of Istria, are marching in the first line; the Sarmatians are following them; but he who inherits the liberal principles of Catharine will listen to the voice of peace—he who inherits the valour of the Solomon of the North, will conduct himself with moderation; and we shall only have opposed to us the Emperor of Austria, or rather the Ministers of the Cabinet of Vienna will be the only persons who are to make war against us. Meanwhile, we shall remain firm, and this menacing aspect shall not make us tremble. God, and the justice of our cause, are on our side. We shall all fly to arms.

"The aged men and the tender mothers no longer keep their sons at home. The chaste wives and the timid virgins are no longer entwined in the embrace of their husbands or their brothers; they call out 'To arms!' It appears as if all the ardent youth of Magna Grecia, of Lucania, of Dania, of Samnium, and of Campania, had but one and the same soul—one and the same will—and was resolved to form but one single phalanx to fight and to conquer.

"The generous youths will conquer; and you, Sicilians, shall partake of the victory. Our youths shall return, covered with glory; and shall come back, entwined with laurels, to obtain the civic crowns and the honours which a grateful country intends to bestow upon them. The *Spolia Opima* shall be brought away from the field of battle; trophies shall be raised over this classic land. This will be a subject of envy for you. Then you will say in your hearts—'We have not been present—we have not participated in the safety of our country.' Your fathers and your wives repel you from their embraces. What then prevents you from coming forth? Fly to arms!—let the cry of war resound through your valleys, and chaunt the hymn of victory.

"If discord has been so ready to raise on its baneful wings the declaration of war, the Angel of Concord will be still more ready to announce to us the timely succour which is to come to us from the promontories of Sicily.

"Sicilians—to arms! Do not suffer your brethren of the Continent to be the only victors, or to have alone to boast of conquering their enemies. They wish to conquer along with you. If they boast of having a Telesinus, a Marius, or a Perennus, you can also boast of having had an Agathocles and a Dion. In imitating, as you do, the valour and wisdom of your ancestors, hasten, as they were wont to do, to arms. Fly with the impetuosity of the tempest, and rush like thunder. Come forth without delay, otherwise you will be too late to partake of victory."—(Here follow the signatures of the President and Secretary.)

BOSTON, APRIL 18.

Latest from South America.

By the arrival at New-York of the *Ladra's* Delight, from Curacao, papers of that place to the 17th March have been received at the office of the National Advocate. They furnish an interesting article from the *Gazette* of Bogota of the 7th Jan. by which it appears that the power of Spain has nearly reached its last stage throughout the whole provinces of South America. The entire province of Cuenca, the districts of Ambato, Rimbamba, Quaranda, and the pro-