

"At the time the Cuttle failed, we deemed it expedient to dispatch a party of the Nova-Scotia Regiment, under the command of Lieut. Cartwright, over land, for the purpose of preventing the possibility of any of the crew effecting their escape; and, on the road between Petty Harbor and the Bay of Bulls, he met the prisoner KELLY, whom he took into custody, and brought hither."

Nov. 9.—At a meeting of the Society of Merchants held this day at the Hall, it was resolved, that Twenty Guineas should be given to Lieut. Cartwright, and Five Guineas to each of the soldiers of the Nova-Scotia Regiment, who composed the party that took Kelly; and, it was resolved, that the sum of Thirty Guineas, as a reward, should be paid for the apprehending and lodging in a place of safety, the person of Jordan.

Extract of a letter from St. John's, Newfoundland, Nov. 13. "A vessel has just arrived from Lisbon; by which we have received letters from thence, to the 26th ult.—Every thing was perfectly quiet in Spain, to that date; and the French were merely acting on the defensive."

DECEMBER 4.—We were this day politely favored with Jamaica papers to the 21st October, but find nothing of particular moment in them from that quarter: the following article, however, affords satisfaction:—

KINGSTON, OCTOBER 21.

His Majesty's ship Eurydice, of 24 guns, Capt. Bradshaw, and Holly Schooner, of 8 guns, Lieut. Teacher, arrived at Port Royal yesterday from St. John, New-Brunswick; they sailed from thence on the 6th ult. with the following transports under their protection, having on board the 101st regt. of foot. Ships Navigator, Clarkson; and Mercator, Foster:—Brigs Vovager, Thompson, and John and Robert.

The 101st regiment is upwards of 700 strong; are a remarkable fine body of young men, and, with pleasure we add are in a most excellent state of health and spirits.

WASHINGTON, NOVEMBER 13.

RUPTURE OF NEGOTIATION.

In the course of the correspondence, which, it seems has taken place between the Secretary of State and Mr. Jackson, we understand that Mr. Jackson had stated that the dispatch from Mr. Canning to Mr. Erskine of the 29d January was the only dispatch by which the conditions were prescribed to Mr. Erskine for the conclusion of an arrangement with this country on the matter to which it related—that Mr. Smith in his reply had assured Mr. Jackson that no such declaration had ever before been made to the government, and added that if that dispatch had been communicated at the time of the arrangement, or if it had been known that the propositions contained in it were the only ones on which he was authorized to make an arrangement, the arrangement would not have been made—that, notwithstanding this assurance, Mr. Jackson in his next letter indecorously used a language implying that Mr. Erskine's instructions were at the time made known to this government—that in Mr. Smith's answer an intimation was distinctly given to him that such an insinuation was inadmissible, and especially after the explicit avowal of this government that they had no such knowledge and that with such knowledge such an arrangement would not have been made—that in Mr. Jackson's next letter the same gross insinuation having been reiterated, and even aggravated, it only remained, in order to preclude opportunities, which had been thus abused, to inform Mr. Jackson, as Mr. Smith did, that no further communications would be received from him, and that the necessity of this determination would without delay be made known to his government, with an assurance to it at the same time, that a ready attention would be given to any communications affecting the interests of the two nations through any other functionary that may be substituted.

REMARK.—Thus far the National Intelligencer of the 13th inst.—Though from this article it is evident that a Negotiation, in the success of which every American heart was deeply interested, has been abruptly broken off; and the unusual measure of the INTERDICTION of a Public Accredited Minister adopted, an acknowledged "IMPLICATIONS," "INTIMATIONS," and "INSINUATIONS," in a diplomatic correspondence;—though we repeat this is evident—we should have copied the paragraph without much comment, had it not been followed, two days after, by an intemperate article, from the same source:—An article which makes it apparent—that the divulgers of the fact of the insult by insinuation—if the fact be as disclosed, which from former experience the public have good grounds to question—had something more in view in it than mere public information.

ROBERT SHIVES, & Co.

Have received per Ships ARGO and SUSPENSE from LIVERPOOL and LONDON; and Ship MARY, from GREENOCK.

AN ASSORTMENT OF

BROAD and narrow Cloths, Bath Coatings, Men's Silk and Beaver Hats, and a General Assortment of White and Printed Cotton Goods,—which with their Stock previously on hand will be sold very low for prompt payment. ST. JOHN, 11th DECEMBER, 1809.

TO THE PUBLIC.

SOME time since I was astonished beyond measure to find my husband had publicly forbid any one harboring or trusting me any thing on his account, because "I had left his bed and board without his consent, and wantonly making way with, and destroying all his property"—Now this beated every thing! I a poor thoughtless girl was by him seduced, and married him in the sixteenth year of my age, entirely against my parents mind—I lived with him a little more than three years; a great part of which time I suffered every thing but death; but let it be sufficient at this time to say, I was violently expelled his bed and board, and urging necessity compelled me in my trouble to seek an asylum from my offended parent. If I had any thing that justly belonged to my husband, he might have had it without great an outcry against a helpless woman: Squandering and destroying all his property, &c. is just of a piece with my leaving his bed and board—I had rather given up to the last suit of cloths on my back, than to be so daringly drawn to the bar of the public by Mr. BENNET and his kindred abettors, to exert from me what I have hitherto studiously concealed. CATHARINE BENNET.

MONROE, 4th DECEMBER, 1809.

unanimously found you guilty of the several articles of Piracy, Felony and Robbery, wherewith you are charged, and have agreed that sentence should be pronounced against you for the same accordingly.

[Here the Prisoner was asked by the Registrar if he had any thing to say, why sentence of death should not be pronounced against him—he asked if his papers had been examined.]

The Court, by which you have been tried, has examined your case with every just and merciful disposition towards you, and I have already informed you that the Commissioners have unanimously pronounced you guilty. Nothing, therefore, now remains but for me, as President of this Court, to perform the painful duty of pronouncing the dreadful sentence which the law directs to be executed upon you; not only as a just punishment for the horrid crimes of which you have been this day convicted, but as an example to all others, of the vengeance which always pursues the steps of the murderer, whom no art can save from the sword of justice in this life; and whose only hope in the world to come, must depend on the mercies of the Almighty.—You, who have shown neither mercy or compassion to your fellow creatures, can have none to expect from the hand of man. Let me, therefore, exhort you, during the short time you have to live, that you do, with a contrite and penitent heart, humble yourself before God, and seek forgiveness of your sins, through the merits and intercession of our blessed Saviour, Jesus Christ.

You, Edward Jordan, shall be taken from hence to the place from whence you came, and from thence to the place of Execution, there to be hanged by the neck until you are dead.—And may God Almighty have mercy upon your soul.

Margaret Jordan was then put to the Bar, when his Excellency the President said—that the Court had considered the charges brought against her; and, from some circumstances that had appeared in her favor on the trial, adjudged her not guilty.

HALIFAX, NOVEMBER 24.

Yesterday EDWARD JORDAN was executed pursuant to his sentence; and we are informed by the Rev. Gentlemen who attended him in his last moments, that he appeared deeply sensible of the enormity of his crimes, and died sincerely penitent.

LONDON, OCTOBER 18.

PEACE BETWEEN AUSTRIA AND FRANCE.

We have always been sceptical respecting the pretended probable renewal of hostilities between Austria and France. We only wonder that any person who marked the movements in the last campaign, and particularly the situation and circumstances of the contending armies at the period of the Armistice, could ever have expected, for a single moment, anything like a display of those energies which characterize men determined not to compromise the liberties of their common country. The doom of Austria is now sealed.

Dutch Gazettes to the 13th and private letters to the 15th inst. confirm this intelligence. The Treaty of Peace [it should be called the surrender and abdication of the House of Austria] was signed on the 3d inst. and the intelligence has been announced to the people in Holland and along the French coast by a display of flags, the roaring of cannon, and the usual announcements of victory.

The accounts now received state that this deed of humiliation on the one side and triumph on the other was signed at Altenburgh. If this be correct, it cannot be true that the Plenipotentiaries had removed to Vienna on the 9th ult.—But the deed is signed, nor does it signify whether at Altenburgh or Vienna.

Government received yesterday evening from the Commander of the troops at Walcheren, accounts of the signing of this Treaty. The subjoined statements are from Dutch Gazettes and private letters:

AMSTERDAM, OCTOBER 11.

His Majesty yesterday received the happy intelligence that peace with Austria and France was signed on the 3d instant, at Altenburgh.

This happy event has been announced to day to the inhabitants of the Capital by discharges of artillery, flags on the steeples and public buildings, and the ringing of bells. The Royal Flag was also hoisted in token of rejoicing.

The Royal Fleet, under the command of Marshal Vernueil, which has been in sight of the enemy since the 7th of this month under the Sandkreek, has reconnoitred as far as Sloe.

FRENCH PAPERS.

Monsieurs to the 11th inst. received since we wrote the above, confirm the intelligence of peace having been concluded between France and Austria: but they state, as our readers will see by the subjoined extracts, that the Treaty was signed on the night of the 29th ult. at Schoenbrunn.

The conscripts who were on the advance to the Danube, have received counter-orders; the French army is about to return; and the Emperor himself has probably by this time taken his departure from the Danube.

STUTGARD, OCTOBER 4.

According to intelligence brought to his Majesty the King, by an emissary, the peace between the two Emperors of France and Austria, was signed at Schoenbrunn, in the night between the 29th and 30th of September. The Congress of Altenburgh was dissolved on the 28th.

SAINT JOHN, December 11, 1809.

The Ship Highlander, Capt. Cooper, from Greenock for this port, was lately wrecked at Tit-Manan—crew saved.

The Ship Lady St. John, Capt. Payne, from Liverpool for this port, foundered on the 23d ult. off Cape Sable—crew saved in the boats—picked up shortly after, by the Schooner Four Sons from hence to Cork—and landed at Liverpool, N. S.

ARRIVED—Ship Pallas, Robinson, Portsmouth; Snow Mollon, Pearson, Halifax.

CLEARED—Brig Alexis, Livingston, Greenock; Brig Lady Prevost, Garrison, Halifax; Brig Dorsett, Pymon, Liverpool; Schooner Hercules, Woodworth, St. Domingo; Ship Ardent, Bouch, Liverpool; Brig Helen, Rose, Clyde; Snow Avis, Dick, Liverpool; Brig Anglim, Thornton, Dublin; Brig Jane, Walker, Liverpool.

FROM HALIFAX, DECEMBER 1.

Arrived, Tuesday, Duke of Kent packet, Capt. Bishop, 39 days from Falmouth—Passengers, John Black, Esq. and Mr. C. Morris, jun.—Wednesday, H. M. Schooner Mackarel, from St. John's, Newfoundland, with JOHN KELLY, late mate of the Schooner Three Sisters, brought up for trial.

The London papers by the Mail were to the 17th of October; and we have, since its arrival been favored with another (the STAR) received via Newfoundland, of the 18th of that month—which we are sorry to find, contains accounts of the Treaty between Austria and France, being Definitively Signed.

We will not anticipate the fate of Spain or Portugal.—The Pyrenees are yet to cross—and the season far advanced; but we cannot help wishing, that the British troops under Lord WELINGTON, were safely arrived in England.

We have been favored with the following extracts of letters from Newfoundland, received by different arrivals from thence since our last; which will shew the activity and spirit manifested to apprehend, and bring to justice, the perpetrators of the late acts of murder and piracy.

were bound to Halifax. I told him it was of no consequence, for they saw by the course we were steering, we were not bound there; he, however, again requested me to say so, and I said I would, if that would satisfy him. The vessel came up; it proved to be his Majesty's ship Cuttle, commanded by Lieut. Bury, who sent a party on board under the orders of Mr. Simpson, by whom she was brought to Halifax.

Q. Who were on board the Three Sisters at the time she was taken possession of by the Cuttle?—A. The prisoners, and their four children (3 girls and a boy); myself, John Pigor, Matthew Phelan, William Crew, Nathaniel Ryder, and Davy, an Indian.

Q. Did you hear the prisoner Edward Jordan, make any acknowledgments, or use any expression, from which you believed he had been guilty of the murders and piracy, with which he stands charged? If so, repeat as nearly as you can recollect, the words he made use of, and when and where they were spoken.

[An objection to this question was entered by Mr. ROBBE, upon the ground that the Statute of the 11th and 12th of William, having directed the hearing and determination of causes before the Court to be according to the Civil Law, the question could not be put to the witness, as, by the Civil Law, the confession of a person accused must be made by him in the presence of the Court, and could not be proved by the testimony of a witness.

This objection was answered by the SOLICITOR GENERAL, who contended, that the Court was not to be guided by the Civil Law, unless as respected its forms, and that the question was admissible by the Common Law of the Land, if not by the Civil Law.

The Court ordered the Registrar to note the objection; and the question to be put, promising to consider its effect.]

A. It was in the Cuttle—he was in irons; and his birth near mine. He used to discourse with me concerning the crimes he was accused of: He said he was not afraid of all the world, if I would only say we were bound to Halifax, to which, being rather under apprehension of my own life, as I lay to near him, I consented. He then told me that if he had shot Stairs while on the hatch, that all would have been well, but that Kelly prevented him, saying he would be drowned before he reached the shore.

Q. By the Prisoner—You said, you knew the prisoner, Edward Jordan, at Saint John, N. F.—do you recollect dining in company with him at the house of a merchant there; what was the name of the merchant, and by what name did he call the prisoner?—A. I did dine in company with him at a merchant's whose name was Goff; and whom I heard call the prisoner Ned.

Q. Did you hear Mr. Goff call the prisoner by any other name than Ned? what character did he give Jordan? and did he say that Jordan had served his uncle honestly for five years, and that every person in his employ had made money but Ned.—A. I heard Mr. Goff say, that every one who was employed in the same station Ned was by his uncle for several years, had made money but Ned.

The Register of the Three Sisters, was then produced, and read; it was proved by the Collector of the Customs, who exhibited the record: he was registered the 16th January, 1809—owners, Jonathan and John Tremain.

Q. You said that Jonathan and John Tremain were the registered owners of said schooner?—A. Jonathan and John Tremain I believe, for the Bill of Sale and Ship Builder's Certificate, were lodged in my office previous to the granting of the Register.

Here the examination closed—when Edward Jordan was asked by His Excellency the President, if he had any thing to say in his defence.

Edward Jordan then stated his transactions with Messrs. Tremains; from which he endeavored to prove that the schooner Three Sisters had been surreptitiously obtained by them; and that, in point of fact, she belonged to him; after which he said, that on the morning of the 13th September, being on the deck of the schooner, and rather in liquor, his little boy came and told him that Captain Stairs was taking liberties with his mother; that he instantly went below, found it to be the case, seized Stairs, and threw him on the floor; who, upon recovering, ran to his trunk, got a pair of pistols, one of which he fired at him, but that the ball passed him and entered Heath's breast, who had just come down to the assistance of his wife, having heard her cry out murder; that he went on deck for a handspike, to defend himself with against Stairs; who soon followed him up, went forward, threw a hatch overboard, and jumped after it; that he begged Kelly, who was at the helm, to put the vessel about, and pick up the captain, saying, that unless they did, they would all be lost; for that they were without a navigator, but Kelly seemed stupid, and not to know what to do. That they afterwards put into a port in Newfoundland. He then told the Court that no reliance ought to be placed on the evidence of the witnesses that had been examined, for that they had made up their story, had perjured themselves, and would say any thing that came into their mouths—and then presented his accounts with Tremain; and some other papers, to the Court, requesting they might be examined.

Margaret Jordan was then asked if she had any thing to say: upon which she handed to her Counsel Mr. WILKINS, a written defence, which he read to the Court. It stated that she married Jordan, in Ireland, about ten years since, that she lived happily with him there for five, when they removed to the United States, where he soon became jealous of her; that she had experienced severe treatment from him ever since, though it had not in the least diminished her regard for him.—That, previous to the arrival of the Three Sisters at Percé, her children had become much in want of some clothes which she expected to receive by the schooner, but that on her arrival she was disappointed: Jordan had brought nothing for them; upon which she got Captain Stairs to let her have a piece of calico—this aroused her husband's jealousy, who suspected she had obtained it by improper means, and he treated her very ill. His resentment continued—and, on the morning of the 13th September, as she lay on her wretched bed, Stairs came to her birth—when she, alarmed for the consequences that might result from her husband's seeing Stairs in that situation, begged him to begone, but he did not, before that her husband appeared, who instantly knocked Stairs down, and then ran on deck, where he was soon followed by Stairs—that she soon after heard the reports of pistols, went on deck, saw Heath lying dead, and Stairs fighting with her husband—that as soon as they separated the former jumped overboard. She did not deny but that she might have struck Stairs when engaged with her husband, as she was in such a state of mind as not to know what she was doing; but she could appeal to the Almighty, and say that she was innocent of the crimes with which she then stood charged.

After which the Court was cleared:—In about half an hour the doors were again opened, and the prisoner, Edward Jordan, put to the bar; when His Excellency the President addressed him as follows:

Edward Jordan.—The Gentlemen Commissioners before whom you have been accused of Piracy, Felony and Robbery, have deliberately examined the articles of charge exhibited against you; and have maturely weighed and considered the several evidences produced against you on behalf of His Majesty, as well as what has been alleged in your favor, upon the whole have