

wing was the cavalry, consisting of new raised regiments of hussars. As the enemy had several days before made attacks on the advanced posts and had sent detachments across the upper Raab, the Archduke John hastened, with a part of the army-corp under his command, by Papa, to support his brother the Archduke Palatine, and on the 12th had already formed a junction with him near Raab. On the 13th the enemy's advanced guard had penetrated the vineyards of Czauak, from which, on the 14th, the Archduke Palatine retreated. The enemy, however, anticipated the attack, and drove in our advanced posts. The Vice-Roy of Italy, who was reinforced by Marshal Devoust's corps, deployed also with 30,000 men by Czauak and Kis-Barat towards Pusztá-Tapiau.

"From this position at one o'clock a. m. the enemy made an attack on the whole of our line, and endeavored, by vigorous charges, to break through our centre. Columns of infantry advanced to the attack, and were driven back.

"Our infantry were drawn up in two echelons, and advanced in masses. All the attacks of the enemy were abortive, until at length he succeeded in taking the Mayerhof and the Chapel of Kys-Meyer. From this moment the battle became general, and the heights of Szabad Hey formed the scene on which each further step of the enemy was fought for. Under a heavy fire of artillery the attack was repeatedly renewed and repelled. The enemy manœvered at the same time against both wings, which notwithstanding that the centre maintained its position, were at last compelled to give way. This occasioned a retreat, which took place at five p. m. by St. Javan, in the direction of Aes. Field-Marshal Mersery and Frimont covered the retreat, opposing the pursuit of the enemy, who advanced no farther than Goenyoe, where night put an end to the contest. On the following day the Archduke Palatine proceeded to Komorn, as the large plain of the Aes afforded no advantageous position.

"The loss on our side was from 1500 to 2000 men, in killed and wounded. The loss of the enemy must be far greater, as he was constantly exposed to a heavy fire of mucketry.

"The division of the Bavarian General Deroy has suffered another defeat in the Tyrol. Thus have the brave Tyrolens a second time conquered their freedom. All their Innthal is delivered from the enemy. General Deroy has arrived, with the small remains of his corps, at Rosenheim, in Bavaria."

Banks of the Mayn, June 27.—Letters from Paris state that serious negotiations for peace are carrying on, and that Napoleon, will certainly celebrate his birth day (the 15th of August) in the French capital.

Leipfic, June 26.—According to certain information from Frankfort, negotiations for a peace between France and Austria are carrying on, under the mediation of Russia. We are in hopes that our Sovereign will soon return here.

Prague, June 25.—The army of the Archduke Charles, which is now 160,000 strong, and is daily increasing in force, has thrown up fortifications on different points of the Danube, and adheres to his plan of defensive operations.—The Archduke however sends detachments to Hungary and Germany to alarm the rear of the enemy. It also appears to be intended in a short time to have more corps acting under General Klenau, Kienmayer and Teimer, in Saxony, Franconia and Swabia.

AMERICAN AFFAIRS.

The National Intelligencer, published at Washington, is generally considered as an official paper; and the language which it holds, as that of the American Government. Perhaps, therefore, the following remarks which, in that paper of the 11th ult. immediately follow Mr. Gallatin's Circular Letter, may not be thought uninteresting at the present moment—though they do not seem calculated— "to throw the path of reconciliation with flowers."

"Whether the agreement made by Mr. Erskine with our government be in any or what degree binding on the British Government has occasioned much discussion. The solution of this point certainly depends on the powers vested in Mr. Erskine. If those powers were such as Mr. Erskine most unequivocally alleges them to be, the agreement would have been absolutely binding in all its parts.—In his correspondence with Mr. Smith he declares every step taken to have been in consequence of full power from the King of England; power not to form the articles of an ordinary treaty, subject to the confirmation or rejection of each sovereign that was a party to it; but an agreement absolutely unconditional, final, and to take effect, in both countries at the same time, and particularly in the United States before any measure taken by England should be known here.

"But should it be admitted that the stipulations entered into by Mr. Erskine were totally unauthorised, inasmuch as he was possessed of the full powers of a minister of the highest standing, and as the American government had a right to consider him as acting strictly in obedience to the views of his government, there can be no doubt but that that government, on disavowing his act was bound to indemnify those who had reposed their confidence in it. "A nation," says a writer on this head, "is bound in honor, and by the principles of justice and the duty of self-respect, to see that those governments who treat with her accredited agents, shall sustain no detriment by their mistakes or misconduct." This is so obvious, that we find it admitted even by Mr. Canning himself on the face of the order of the 24th May. Let us examine whether this indemnity has been made.

"By the agreement with Mr. Erskine all the British orders were stipulated to be revoked so as, in the language of the act of Congress authorising a renewal of commerce, "to cease to violate the neutral commerce of the United States." Thus revoked the trade of America was free to take any destination, except to ports actually blockaded. Every other restriction upon it was dependent upon our own laws, which of course we might enforce or relax at pleasure. By the order of May 24th American vessels sailing from the

United States to Holland between the 19th of April and the 20th July are permitted to pursue their voyage. American vessels sailing from the United States during the same period for any other permitted ports (under the orders of April we presume) which shall have changed their destination and are proceeding to Holland, shall not be molested, unless informed of this order and warned not to proceed.—American vessels clearing after the 9th of June for Holland from ports, permitted by the order of April 26th, shall not be molested, unless advised of this order, or during the periods fixed for constructive notice by the previous orders. American vessels may clear out from Holland to any ports not declared to be under the restriction of blockade, between the 9th of June and 1st of July.

"From these provisions it appears that the time, no less than the degree, of the suspension of the order of April, is extremely limited and narrow. To extend an adequate indemnity to our merchants it was essential to have been liberal in both these respects.

"With regard to time, as the order, disavowing the arrangements, only reached this country on the 21st of July, and must have taken a considerable time to be known throughout the United States, even taken the widest latitude allowed, a large number of vessels must have cleared out in violation of it, and thereby subject themselves to capture and condemnation. Another description of vessels are allowed the periods fixed for constructive notice by the order of 11th November, thus subjecting to like capture and condemnation, all those which shall not have completed their voyages within the narrow limits assigned. While all vessels clearing from permitted ports for Holland are restricted to the 1st of July. This liberal indulgence applies to the trade between the ports of Britain and Holland!

"It requires no great mercantile knowledge to estimate the immensity of loss that will be incurred by our merchants from these unjust and narrow limitations in point of time. The greater part of our property embarked was destined in the first instance to England, on which, as soon as it gets there, the violently shuts the door, gains a monopoly, creates a glut, and brings down the prices, as actually ascertained in some important articles, above a hundred per cent.—Such goods as are shipped to Holland are obliged to be carried off with the greatest haste, instead of being exported as a favorable market offered, and thus exposed to all the risks and dangers of precipitation; vessels bound from Holland to permitted ports are exposed to still narrower periods, and in many cases advice being given of the new order is sufficient to stop their voyage on the pain of capture and condemnation. Every place to which vessels are permitted to go from the limited time allowed becomes a trap to the unsuspecting confidence of our citizens, and just in proportion to our loss is the gain of Great-Britain. Had a solid indemnity been intended, such a time would have been allowed as would have enabled our merchants to have carried into full effect their adventures. For this purpose a year would scarcely have been adequate.

"But the degree in which the Orders in Council have been suspended, independent of the limitations of time, still more forcibly proves the hollowness of the indemnity offered. The order of April 26th, more injurious to our commerce than the preceding orders, is re-inflated with only a few exceptions. The trade to Holland is tolerated under conditions which, connected with subsequent events, make it a mockery; for we learn that the ports of that kingdom are declared to be under strict blockade, and all intercourse consequently inhibited, unless, indeed, that under British licenses; thus, annihilating our resources for the sale of our goods on the continent, at the very moment their own subjects are licensed to play the part of smugglers, and in this ignominious character to build up their fortunes on our ruin.

"With the exception of Holland, which from the blockade of its ports, is a perfect nullity, the order of April is enforced, an order, which we have in preceding articles shewn to be more rigorous, more invasive of neutral commerce than even the orders of January and November, 1807.—So far then from our trade experiencing a temporary relief from the arrangements of Mr. Erskine, and the indemnifying order of May 24th, the dangers to which it is now exposed are greater than those which sprang from the celebrated orders of November, which produced our none-intercourse law, which was solely removed on the stipulation to annul them. Such are the tender mercies of the British government!

"It is not however, on account of the depressed price of our exports, occasioned by this iniquitous order that we have the greatest reason to complain. It may be assumed as generally correct that our importations are equal to our exports. This order confines almost entirely our importations to the British market, and altogether destroys those circuitous voyages, which it is well known, have proved the greatest sources of our gains. If it be computed that our exports amount to fifty millions, by being limited to the British market, an immense demand will be created for her goods, which will have the inevitable effect of raising their prices, and of producing a correspondent loss to this country. We shall thus be losers in every way, as well from the diminished value of our exports as from the augmented value of British fabrics, which, if we compute at only 20 per cent. will saddle us with a loss of at least twenty millions, a sum double the amount of our annual commercial profits. With what colour of truth, then, can it be asserted that the order of May indemnifies us?

"We have, as yet, abstained from one consideration still more important than any touched upon. The disavowal of Mr. Erskine's arrangement, and the iniquitous refusal to indemnify us for confidence in it, does not merely affect the commercial capital afloat; but it likewise deeply affects the whole internal commerce of the United States; every sale that has been made either of the products of the soil, or the soil itself. Such was the universal confidence and animation inspired by that event, that our produce rose, our property rose, new directions were given to our wealth and the labour of our citizens, under the liveliest expectation of remuneration and profit. The order of May, by its instantaneous operation, by its cruel operation indeed in many cases before it was known, blasts all these hopes, and in one

fatal moment destroys the property and comfort of thousands, annihilates millions at a blow, and scatters the remaining wealth with the fickleness of fortune.

THE ROYAL GAZETTE.

SAINT JOHN, September 11, 1809.

ARRIVED—Schooner Two Sisters, Parry, Halifax.
CLEARED—Ship Mary, Jennings, Demerara.

SAILED—On Tuesday last, H. M. S. Eurydice, Capt. Bradshaw, and Three-masted Schooner Holly, Lieut. —, having under convoy four Transports with H. M. 10th Regiment on board, bound for the West-Indies.

The Brig Bell, Capt. Lovett, from this port bound to Jamaica, was spoke with on the 5th August, in lat. 23, long. 66, 54, out 20 days.

DIED] At Kingston, King's County, the 23d August, the Rev. Mr. JOHN BEARDSLEY, in the 78th year of his age.

On Thursday last, Mr. BARTHOLOMEW COXETER, in the 85th year of his age. Yesterday his remains were interred, attended by a number of respectable citizens.

From Halifax, September 1.

Arrived—Monday, H. M. S. Pompee, Rear-Admiral Sir ALEXANDER COCHRANE, Barr. Capt. Fahie; and Star Sloop, Capt. Pateron, from the Windward Island station; and Mary packet, Capt. Cook, 11 days from N. York. Thursday, Schooner —, 23 days from Martinique, with dispatches.

The Pompee fell in with H. M. S. Africaine, with Mr. JACKSON on board, proceeding for the Chesapeake; and we have been favored with London papers to July 13, obtained from that ship.

Under the Foreign head in those papers, we find several paragraphs which speak of a Treaty between the French and Austrians; but the London writers give no credit to those vague reports.

Though no important blow has yet been struck, the great armies on either side of the Danube, seem waiting only for the word of command—the Austrians with redoubled confidence, since the auspicious 22d of May.

WEEKLY ALMANACK.

| SEPTEMBER—1809. | | Sun Rises & Sets. | | High Water. | |
|-----------------|------------|-------------------|----|-------------|------|
| | | H. | M. | H. | M. |
| 11 | MONDAY, | 5 | 43 | 7 | 0 19 |
| 12 | TUESDAY, | 5 | 45 | 7 | 1 0 |
| 13 | WEDNESDAY, | 5 | 46 | 7 | 1 50 |
| 14 | THURSDAY, | 5 | 47 | 7 | 2 31 |
| 15 | FRIDAY, | 5 | 49 | 7 | 3 12 |
| 16 | SATURDAY, | 5 | 50 | 7 | 4 1 |
| 17 | SUNDAY, | 5 | 52 | 7 | 5 10 |

First Quarter, 16th Day, 2h. 31m. Evening.

THE COPARTNERSHIP OF UMPHRAY and BERTON

WAS by mutual consent Dissolved the 1st day of SEPTEMBER:—All those indebted to said Firm, are requested to call and settle their respective Accounts with GEORGE LEONARD, Junr. Esq. with whom they are lodged for collection; all those to whom they are indebted, and Accounts not adjusted, are desired to hand in the same to either of the Subscribers, as early as possible.

ALEXANDER UMPHRAY,
WILLIAM BERTON.

Saint John, 8th September, 1809.

COMMISSARY GENERAL'S OFFICE, Saint John, New-Brunswick, 28th August, 1809. FRESH BEEF,

WANTED for the use of His MAJESTY'S Troops and Departments in the Garrisons of Fredericton and Saint John, viz:

At FREDERICTON about 650 pounds per day,
At SAINT JOHN do. 360 do. per do.

The delivery of which to commence on the 12th of October next, and to cease on the 11th April 1810, both inclusive, making a period of 26 weeks.

The Beef must be well fed, and of a quality unexceptionable, to be delivered to the Troops in entire Quarters, weighing not less than 90 lbs. each, with the suet, to the Departments as shall be applied for by written orders from this Office; the issues to the Régiments are to be made twice in each week. Payment for the quantities so supplied and delivered will be made every eight weeks, in Bills of Exchange at the current rate, or cash, optional with the Acting Assistant Deputy Commissary General.

Such person or persons as wish to contract for either or both of the above Posts for the supply of the above mentioned Fresh Beef, will send sealed proposals to this Office on or before the 14th September next, to be written upon tenders for Fresh Beef, none of which will be attended to unless the price is expressed in words at length, and the lowest offer, if approved by His Excellency the Lieut. General Commanding, will be accepted.

Undoubted security for the due performance of such contract as may be entered into will be required.

JAMES B. FRANCKLIN,
Acting Assistant Deputy Commissary General.

For Sale by the Subscriber,

A good FARM of about 500 Acres at the upper part of what is commonly called the VILLAGE, on Hammond River, at the distance of only 13 miles from the City.
CALEB WETMORE.

CASH or BOOKS given for Clean LINEN and COTTON RAGS at this Office.