

And here we think ourselves bound to pay to this most gallant and noble Commander, the tribute that is also due to his benevolence, not exceeded even by his bravery. Our hero soon turned his attention to rescue the vanquished from the devouring elements; and in bringing away the people of the Ville de Valovie, he would not even allow a dog to be abandoned, but took a crying and now neglected little favorite up in his arms, and brought it away. But a still greater instance of goodness was displayed in his humanity to a Captain of a French 74, who came to deliver his sword to Lord Cochrane; lamenting that all he had in the world was about to be destroyed by the conflagration of his ship. His Lordship instantly got into the boat with him, and pushed off, to assist his prisoner in retrieving some valuable effects; but, in passing by a 74, which was on fire, her loaded guns began to go off; a shot from which killed the French Captain by Lord Cochrane's side, and so damaged the boat that she filled with water, and the rest of this party were nearly drowned.

#### FROM THE LONDON GAZETTE.

At the Court at the Queen's Palace, the 26th April, 1809. PRESENT, THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas his Majesty, by his Order in Council of the 11th of November, 1807, was pleased for the reasons assigned therein, to order that "all the ports and places of France and her Allies, or of any other country at war with his Majesty, and all other ports or places in Europe, from which, although not at war with his Majesty, the British flag is excluded, and all ports or places in the colonies belonging to his Majesty's enemies, should from thenceforth be subject to the same restrictions in point of trade and navigation, as if the same were actually blockaded in the most strict and rigorous manner;" and also to prohibit "all trade in articles which are the produce or manufacture of the said countries or colonies." And whereas his Majesty having been nevertheless desirous not to subject those countries which were in alliance or in amity with his Majesty to any greater inconvenience than was absolutely inseparable from carrying into effect his Majesty's just determination to counteract the designs of his enemies, did make certain exceptions and modifications expressed in the said order of the 11th of November, and in certain subsequent orders of the 25th of November, and the 18th of December, 1807, and the 30th of March, 1808.

And whereas, in consequence of divers events which have taken place since the date of the first-mentioned order affecting the relation between Great-Britain and the territories of other powers, it is expedient that sundry parts and provisions of the said orders should be altered or revoked.

His Majesty is therefore pleased by and with the advice of his Privy Council, to revoke and annul the said several orders, except as hereinafter expressed, and so much of the said several orders, except as aforesaid, is hereby revoked accordingly.

And his Majesty is pleased by and with the advice of his Privy Council, to order, and it is hereby ordered, that all the ports and places, as far north as the river Ems inclusively, under the Government styling itself the kingdom of Holland, and all ports and places under the Government of France, together with the colonies, plantations, and settlements in the possession of those governments respectively, and all ports and places in the northern parts of Italy, to be reckoned from the ports of Orbitello and Parafaro inclusively shall continue and be subject to the same restrictions, in point of trade and navigation, without any exception, as if the same were actually blockaded by his Majesty's naval forces in the most strict and rigorous manner; and that every vessel trading from and to the said countries or colonies, plantations or settlements, together with all goods and merchandize on board, shall be condemned as prize to the captors.

And his Majesty is further pleased to order, and it is hereby ordered, that this order shall have effect from the day of the date thereof, with respect to any ship, together with its cargo, which may be captured subsequent to such day on any voyage which is and shall be rendered legal by this order, although such voyage at the time of the commencement of the same was unlawful and prohibited under the said former orders; and such ships, upon being brought in, shall be released accordingly; and with respect to all ships, together with their cargoes, which may be captured in any voyage which was permitted under the exceptions of the orders above mentioned, but which is not permitted according to the provisions of this order, his Majesty is pleased to order, and it is hereby ordered, that such ships, and their cargoes, shall not be liable to condemnation, unless they shall have received actual notice of the present order before such capture; or in default of such notice, until after the expiration of the like intervals from the date of this order, as were allowed for constructive notice in the orders of the 25th of November, 1807, and the 18th of May, 1808, at the several places and latitudes therein specified.

And the Right Honourable the Lords Commissioners of his Majesty's Treasury, his Majesty's Principal Secretaries of State, the Lords Commissioners of the Admiralty, and the Judge of the High Court of Admiralty, and Judges of the Courts of Vice-Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

STEPHEN COTTRELL.

VIENNA, APRIL 12.

#### DECLARATION OF WAR,

BY FRANCIS I. EMPEROR OF AUSTRIA.

Before his Imperial Majesty left this capital, he was pleased to issue the following

#### PROCLAMATION.

"FRANCIS I. by the Grace of GOD, EMPEROR OF AUSTRIA, &c.

"PEOPLE OF AUSTRIA!—I leave my capital to the brave defenders of the country, assembled on the frontiers for the protection of the State.

"For these three years past I have made the utmost exertions to procure you, my beloved subjects, the blessings of

a permanent peace. No sacrifice, any ways consistent with your welfare and the independence of the State, however painful, have I spared to secure your tranquillity and welfare, by a friendly understanding with the Emperor of the French.

"But all my endeavours proved fruitless. The Austrian Monarchy was also to submit to the boundless ambition of the Emperor Napoleon; and in the same manner he strives to subdue Spain, insults the sacred Head of the Church, appropriates to himself the provinces of Italy, and parcels out the German dominions. Austria was to do homage to the GREAT EMPIRE, the formation of which he has loudly announced.

"I have adopted all necessary measures to assert the independence of the State. Not only have ye answered my call, but your love for your native country has prompted you to anticipate it. Accept my cordial thanks; they will be repeated by my posterity and yours. Self defence; not invasion, was our aim. But the conqueror will not allow the Sovereign of his people, strong in their mutual confidence, to possess sufficient means to oppose his ambitious views. He declared himself hostile to Austria, unless she should relinquish her measures of defence, and prostrate herself disarmed at his feet. The disgraceful proposal was rejected, and now his hells are advancing against us, arrayed for battle.

"I confide in God—in the valour of my armies, in the heroic conduct of my brother, who leads them on to glory in you, my beloved people; our exertions for this war are great, but such they must be in order to attain more securely the important end of self-preservation.

"What you have hitherto done is the most unquestionable pledge of the powerful assistance which I am to receive from you. They who bear no arms will also share in the protection of their country. Unanimity, order, obedience, activity, and confidence, constitute the real strength of a nation. You have evinced them, and to this alone it is owing, that we start with a fairer prospect of success than we ever did. Fortunate events will not unnerve your energy, nor disastrous occurrences, should any happen, shake your firm resolve. Perseverent valour overcomes all dangers, enhances every advantage, and supplies all losses. Our cause is just; Providence does not forsake those who do not forsake themselves.

"I depend on your love, your tried fidelity to your Prince and Country. Depend ye on the paternal solicitude of your Monarch, who finds all his happiness in yours.

"Vienna, April 8, 1809." "FRANCIS."

The Archduke Charles has issued the following Address to the German Nation:—

His Majesty the Emperor of Austria is forced to take up arms, because the French Emperor will not tolerate the existence of a State which does not acknowledge his supremacy of power, nor stoop to become subservient to his views of conquest; because he requires that Austria shall renounce her independence, unbend her energies, and surrender at the conqueror's discretion; because the armies of the Emperor of France, and of his dependent Allies, advance against Austria with hostile views.

"The forces of Austria have risen for self-defence and self-preservation, at the nod of their Monarch; I am leading them on against the enemy, to prevent the certain attack he prepared against us.

"We pass the frontiers, not as conquerors, not as enemies of Germany; not to destroy German institutions, laws, customs, and manners, and impose foreign ones; not to appropriate to ourselves the property of Germany, or to sacrifice her children in distant wars, carried on to destroy and subjugate foreign nations. No; we fight to assert the independence of the Austrian Monarchy, and to restore to Germany the independence and national honours which are due to her.

"The same pretensions which now threaten us have already proved fatal to Germany. Our assistance is her last effort to be saved.—Our cause is that of Germany.—United with Austria, Germany was independent and happy; it is only through the assistance of Austria that Germany can receive happiness and independence.

"Germans! Consider your destruction. Accept the aid we offer, and co-operate with us for your salvation.—We demand from you no exertions, but such as the war for our common cause requires. Your property and your domestic peace are secured by the discipline of our troops.—The Austrian armies will not oppress nor rob you; they respect you as brethren, chosen to fight jointly with us, for your cause and for ours. Be worthy of our respect; such Germans only as forget themselves are our enemies.

"Depend on my word, which I have more than once pledged and redeemed, to save you! Depend on the word of my Emperor and Brother, which has never been violated.

"CHARLES, Generalissimo."

LONDON, MAY 6.

Yesterday the Admiralty had advices from Gijon, where the utmost activity prevailed to augment the army in that quarter, and to improve its discipline; to which the Marquis de la Romana had particularly directed his attention. A letter was also received from Santander, by a mercantile house. The garrisons which we have before stated to have been much reduced, had not been reinforced, and some expectation was indulged that the French would abandon, as untenable, under their present circumstances, the entire province of Biscay.

Dispatches have been also received from Lisbon; but there is nothing in them which it has been thought proper to communicate. Our opinion, founded on what we know of the state of affairs in Portugal, is, that they are not favourable.

MAY 10.

It is with the utmost satisfaction that we announce to our readers the arrival of Prince Staremberg in town, as ambassador from the Court of Vienna. His Highness arrived in London about twelve o'clock this day, and immediately had an interview with Mr. Canning. He came through Holland, and after escaping innumerable dangers,

was picked up in a fishing boat by one of our cruisers.—The intelligence which he has brought respecting the operations in Bavaria, we are happy to say, differ most materially from the accounts given in the French Bulletins. He says, that the losses sustained by the French in the several actions were quite as great as those of the Austrians, and that as late as the 28th ult. the French were unable to advance, having suffered so severely. His Highness is in high spirits, and by no means considers the advantages which the French obtained as decisive of the fate of the campaign. He also states, that in Italy the Austrians had obtained some every important advantages, and that the whole population of the Tyrol have risen to a man in favour of Austria.

#### SAINT JOHN, June 26, 1809.

Since our last we have received London News to the 10th ult. by the May Mail and Ship Penelope, Captain Holmes from Liverpool, and Brig Felicity arrived at Halifax from Liverpool in 34 days.

The War between Austria and France has commenced—several actions have taken place—in which we fear the Austrians have been worsted.

We congratulate our readers on the brilliant success that has attended the expedition against the French Fleet in Basque Roads, under the direction of Lord Cochrane.—In addition to Admiral Gambier's official letter on the subject, under the London head will be found some very interesting particulars.

HALIFAX, JUNE 16.

Arrived, Wednesday, Mary, packet, with the Mails from Falmouth, 36 days.—The London papers by the packet ate to the 6th ult. inclusively.

The Austrian Declaration at length puts the conduct of that Power beyond a doubt—and we have only to hope that, profiting by dear bought experience, the war may be conducted in a very different manner from the late unfortunate contest.—Reports are various as to its commencement.—Some state it to have been favorable to the Austrians; and others declare, that the French obtained a complete victory—and that the Austrians lost near 25,000 men, killed, wounded and taken.—The latter is said to have been received in Paris by Telegraph.

But whatever may be the result of the war in Germany, Spain and Portugal, will derive material advantages from it—which, if well improved, may, with the assistance of Great-Britain, lead to the complete emancipation of those Kingdoms.

The gallant attack made by Lord COCHRANE upon the French fleet in Basque roads, though not so completely successful as the report stated in our last induced us to hope, has, by the spirit with which it was conducted, added another laurel to the British navy.—His Lordship exposed himself in a most extraordinary manner on board one of the explosion ships. The last official letter states that the French had set fire to their frigate L'Indienne and that one of their largest ships, on shore at the mouth of the river, would probably be lost.

His Majesty's new Orders in Council, though blocking up the ports of France, Holland, their Colonies, and part of Italy, leave yet a wide field for neutral intercourse with the other States, Kingdoms, &c. in the North and South of Europe.

Accounts from Gottenburgh, do not announce any change in the disposition of the Swedish Government, as to Great-Britain:—Licences continue to be granted at Stockholm to British, as well as other vessels, which are to last to the 30th of September next. And in the event of a war, it is said, mercantile property will be reciprocally respected.

#### OFFICE OF ORDNANCE,

Saint John, New-Brunswick, 26th June, 1809.

BILLS OF EXCHANGE on the Right Honourable and Honourable Board of Ordnance and Paymasters of the Royal Artillery, to be disposed of at the above Office, to the best bidder.

#### NOTICE.

THE Subscribers caution all Persons having demands against the shipping consigned to them, to present their Accounts (attested by the Captains) previous to the sailing of the Vessels, otherwise they cannot be paid.

JOHN BLACK, & Co.

St. JOHN, 24th JUNE, 1809.

#### TO BE SOLD OR LET,

AND POSSESSION GIVEN IMMEDIATELY,

A LOT of GROUND with a two Story House, Stable and Shed thereon, and a good Cellar under the whole House, the property of WILLIAM HILT, in the Lower Cove. The House consists of four Rooms, two of which have fire places. For further particulars please to apply to Mr. CRAVER CALVERLEY.

St. JOHN, 26th JUNE, 1809.

#### COMMISSARY'S OFFICE,

SAINT JOHN, 12th JUNE, 1809.

PERSONS desirous of purchasing Bills on the Right Honourable the Lords Commissioners of His Majesty's Treasury, are requested to send into this Office, sealed proposals, in which they will state the precise sum required, and the terms on which they are disposed to treat, and directed to the Subscriber with the word "tender" marked on the back of the letter, to which they will at all times receive an early answer.

N. B. Payment for the Bills to be made in Dollars.

JAMES B. FRANCKLIN,

Acting Assistant Deputy Commissary General.

#### WANTED,

A SERVANT WOMAN, to attend a Lady going to England.—She must be well recommended. Inquire at the Royal Gazette Office. May 29.