

rights between the two nations, it might be disposed to approach it with a degree of trepidation. But this case was altogether unembarrassed by any such considerations. It presented a chain of evidence of clear possession and undisturbed jurisdiction on the part of this Province, from the period of its first erection down to the present time; a space of more than 40 years. One of the oldest Inhabitants in the Madawaska Settlement had proved that he removed thither from the lower part of this Province, 40 years ago; that he and all the Settlers there always considered themselves as living under this Government. It is also proved that these Inhabitants have received Grants of land from this Government; and have, from the beginning, been enrolled in the Militia; that they have voted at Elections for the County of York; have applied to the Provincial Courts for redress in all suits at Law; and have uniformly exercised all the privileges, and been subject to all the duties of other Inhabitants of the Province; excepting only that the Sheriff states, that he has not summoned them to attend on Juries at Fredericton by reason of their great distance; but he expressly declares that he has always been in the habit of serving writs throughout the whole of that settlement, as much as in any other part of his Bailiwick. It appears also, that the Defendant Baker considered himself as living within the territory and under the jurisdiction of this Province; that he applied to Mr. Morehouse, the Provincial Magistrate, for processes to recover his debts from Inhabitants in the Madawaska Settlement; that he received the Provincial bounty for grain raised on land, which on which he now resides; and this on his own affidavit, stating himself to be John Baker, of the Parish of Kent. It further appears, that he attended a Provincial Surveyor in laying out this very land, for which a Warrant of Survey, under the authority of the Province, was in a course of execution; giving directions as to the course of the lines, the Grant being intended for the benefit of Baker, although it was to be taken out in the name of Nevers, a British subject. Baker himself also had an intention of being naturalized, and stated to one of the witnesses, Mr. George West, that he had resided the necessary time, and wished to know what other steps were necessary for this purpose; this conversation taking place on the spot where he lived, at the head of the Madawaska Settlement, and at a time when logs cut by him had been seized as being cut on Crown Lands without Licence, and Baker claimed to be dealt favorably with by reason of his residence within the Province, and his intention to become naturalized. The learned Judge also stated, that it appeared from the evidence, that there was no line of division to be drawn between any parts of that whole settlement as to the possession and exercise of jurisdiction by this Province; that he could not imagine any principle upon which any such line of division could be made; that one of the witnesses spoke of the settlement having, when he first knew it, commenced seven miles above the Great Falls; that it had since extended downwards to within two or three miles of these Falls. It had also been gradually extending upwards, and all the Inhabitants in every part of it were equally under the jurisdiction of this Province, and entitled to the benefit and protection of its laws: and if they were to be transferred from this ju-

isdiction and protection, it must be by some act of the King's Government, competent for that purpose.

The learned Judge with these observations left the case to the Jury, directing them to consider it in the same light, and to give the Defendant the benefit of the same considerations that they would in the case of any other Inhabitant of the Province.

The Jury retired from the Box; and after about an hour's deliberation, returned into Court with a verdict of **GUILTY**.

The Defendant was then required to enter into Recognizance to appear on Monday next, to receive the Sentence of the Court. The same Bail were accepted as before, in the same amount.

The Attorney-General stated to the Court, that he should enter a *noli prosequi*, on the ex-officio information which had been filed against the Defendant; and also on the Indictment which had been found against John Bsker, and six others, for a riot; so far as regarded the present Defendant.

The witnesses were informed their further attendance would not be required.

LIVERPOOL, March 15.

The unexpected confirmation of the rumours which have been afloat for three or four days past, that Russia has made a separate declaration of war against Turkey, has produced a great ferment in this city.

The citizens are favoured with many rumours of the hostile communication from the Russian Government. That which was most correct was to the following effect:—That Russia has announced in her actual declaration of war against Turkey... that this declaration is founded on the non-fulfilment of the treaty of Akerman, on the discovery of a secret treaty between the Turks and the Persians, and on the tone of defiance adopted in the Turkish manifesto itself.

It is understood here to be the intention of Government to dispatch immediately six ships of the line to the Mediterranean. Among the ships to be so employed are named the *Asia*, *Isis*, *Ocean*, and *Wellesley*.

The Foreign Stock Exchange has been in a state of continued agitation, chiefly, however, affecting Russian Stock, which has fallen 2 per cent. since yesterday.

The news from the Continent has been come, during the last week, decidedly warlike. From accounts in the Augsburg Gazette, it appears that Russia is ready to move at the earliest opportunity. Accounts from Paris say that 10,000 men are to be embarked for the scene of action, under the command of Marmont, the Duke of Ragusa; and that Austria has evinced some disposition to join the Allies. The Sultan is making active preparations, and it is reported that his proclamation has answered the intended purpose; and that enormous levies are repairing to join his standard.

We are yet unacquainted with exact course which England has decided to adopt. It is, however, stated, that the British troops, now in Lisbon, are to form part of the force destined for operations against the Turks.

We understand that a rigid inquiry is about to be instituted into all that pertains to the Chancellorship of the Duchy of Lancaster.

The Earl of Liverpool remains in a very distressing state.

Sir F. Burdett, after presenting a Petition from the Catholics of Ireland, gave notice that he would bring forward the Catholic question on the 29th April. Count Capo d'Istria has assumed the government of Greece: at his request the French and

English squadrons had attacked Carabussa, the strong hold of the pirates... 40 of their vessels were destroyed, and the place taken.

A second Turkish fleet was about to sail from Constantinople for Scio, but put back on an intimation from the Allied Admirals, that it would be attacked if it proceeded. Two Turkish seventy fours, and several large frigates were cruising in the Black Sea, to prevent any attack by the Russian fleet. Don Miguel arrived at Lisbon on the 22d and was received with great rejoicings. One or two voices hailed him as 'absolute King' but the cry was not repeated. A Russian Officer, who arrived in London, a few days ago, states that, throughout Russia, the feeling against the Turks is so strong, that the Emperor must commence hostilities against them. The defeat of the Ultras in the French chamber of Deputies, in their attempt to alter the new Address, has thrown all the power of the House into the hands of the Ministry.

Extract of a letter from Greenock, dated 12th March. We wish we could give to you any more favourable account of the prospects of the Timber Trade in this Country, which still remains under great depression; Freights are this spring very low, 33s. per load, calliper measure, for the lower Ports, and 40s. for Quebec, at which rates shipping can do no good, and the price of shipping is affected accordingly; a fine new Miramichi built ship, of about 400 Tons, was sold lately in Liverpool at £8 per Ton, and it was reckoned a good sale.

We last evening received the New-York papers of Tuesday afternoon. The Manchester had arrived 2d March, furnishing papers to the 1st. The only article of intelligence in addition to what we had previously received, relates to a dreadful catastrophe which occurred at Manchester on the 29th February, by which many persons lost their lives: at the last accounts forty-seven dead bodies had been found.

It appears that the New Quay Company was to launch a new flat from the yard, and that she would be full rigged for the occasion. The novelty of the circumstance caused a numerous company to assemble to witness the spectacle. The time appointed was one o'clock, an hour at which a large proportion of the working classes of the town, consisting of men, boys, and girls employed in the different factories, are at leisure. A great number then succeeded in getting on board the vessel, supposed not less than three hundred. Precisely at one o'clock she glided along the cradle to her destined element. As soon as she got into the water, it was observed that her position inclined to the right side; in a moment after she struck against the opposite bank, and then turned over on her right side, her mast striking deep into the water. The consequence of this sudden occurrence was, that nearly the whole of the individuals who crowded the deck, were plunged into the water. The scene of this awful moment baffles all attempts at adequate description.

The spectators appeared to be panic struck, and alarm and terror were visibly depicted in every countenance. In the river the groans and wailings of those who were drowning, and the cries of others for help, when struggling to gain the shore amidst the dense mass of persons immersed in the water, were lamentable in extreme. Scores of men and boys were to be seen swimming towards each shore, some trying companions with them; whilst others had great difficulty to save themselves from destruction, owing to the attempts made by drowning persons to lay hold of them for safety. While those painful sights present-

ed themselves, many unhappy persons, unable to obtain assistance, were observed to disappear from the surface of the water.— In a few moments the greater number had succeeded in reaching the land; but very many, particularly boys and girls, who had sunk more than once to the bottom of the river, and become so feeble that they could hardly move, and others, were dragged out apparently in a lifeless state.— *Boston Paper*

A SUPPLEMENT to this Gazette will be published tomorrow. Gazette Office, Monday, 12th May, 1828.

GEORGE E. BALDWIN, SURGEON, &c.

BEGS leave to acquaint the inhabitants of Fredericton, and its vicinity, that he has taken that well established Drug and Medicine Warehouse (late Mr. Kendall's,) and that he is now occupied in making a selection of genuine Medicines, &c. &c. which he hopes to have ready for public inspection about the 1st of May. April 22, 1828.

THE subscriber has for sale, clover, Timothy, and flax seed, 4dy. 5dy. 6dy. and 8dy. cut nails, bees wax, candle-wick, cotton warp, corn brooms, hair sieves, pearlsh, cotton and wool cards, indigo, rice, peas, indian corn, superfine flour in barrels and half barrels, fine flour, rye do. corn meal, butter biscuit in barrels and half barrels, kegs sugar biscuit, pilot bread, navy bread, pork in barrels and half barrels, hams, loaf and brown sugar, molasses, white wine vinegar in demijohns about three gallons each, sweet oil, vermicelli, hyson and congo tea, candles, tobacco, snuff, hazel nuts, tar and pitch.

JOSEPH CANNON, Fredericton, May 6, 1828.

REMOVAL.

THE Subscriber respectfully informs his Friends and the Public, that he has removed his Business from his late Store in Queen-street, to his new Stand at the Steam Boat Landing, where he has on hand a large and general assortment of DRY GOODS and GROCERIES; which he offers for sale for Cash, on the most reasonable terms, and hopes from his convenience to both Town and Country, still to receive that liberal patronage hitherto afforded him. JAMES BALLOCH. Fredericton, 29th April, 1828.

DRUGS AND MEDICINES.

THE Subscriber begs leave to inform his friends and the public that he has lately received a supply of genuine Drugs and Medicines, from one of the first Houses in London, which, with his former stock, makes a very general assortment. It is his intention to keep on hand a constant supply, which it shall be his particular care to have of the best quality. D. B. SHELTON, M. D. Fredericton, April 15, 1828.

NOTICE.

ALL persons are hereby forbid purchasing a note of hand signed by Henry Cronkite and the subscriber, for £25 10, in favor of Elisha Conliff, as the said note has been paid to the said Cronkite by. JOHN RIORDEN, Fredericton, May 3, 1828.

FOR SALE,

THAT Farm in Kingsclear, now occupied by Captain Charles Rainsford. For terms and particulars apply to JAMES BALLOCH. 29th April, 1828.

Fresh Garden Seeds.

Apply to GEORGE PEDOLIN, Fredericton, May 5, 1828. 37

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