

In 68 days from the River Plate, informs, that a few hours after failing, he fell in with a British Squadron of 8 ships of war, and was boarded by the Diadem, Capt. King. The Squadron was under the command of Sir Home Popham, from the Cape of Good Hope, and was destined to act against Montevideo.

SPAIN AND PORTUGAL.

An arrival at Norfolk, from Algeiras, (July 23) brings information of a report that the Spaniards were immediately to enter Portugal, and that thirteen regiments were in readiness at Algeiras to march for that object at a moment's notice.

GOOD PRIZE.

An arrival at New-York, furnishes the following particulars of the capture of the Spanish frigate *Pomona*:—"On the 24th Aug. the *Pomona* Spanish frigate of 36 guns, from Vera-Cruz, was taken about two leagues to the eastward of the Moro, by the British frigates *Arathusa* and *Anson*, after a close action of 16 minutes. The Spanish frigate was assisted by seven gun-boats, (one of which was blown up, and the others sunk) and a battery of 18 guns. Previous to the action there was a considerable quantity of money landed from the frigate, reported to be the property of the King; but the English took in the ship half a million of dollars. The Capt. of the Spanish frigate lost his life in the action; the number of others killed not known, but supposed considerable from the closeness of the action and the heavy fire.

FRENCH SQUADRON.

It is now ascertained, that the French Squadron, under Jerome Bonaparte, experienced very considerable damage in the storm of the 22d ult. It is also probable, that a part of it, from the disabled state, in which it was found, after the gale, will be unable to reach any friendly port. Three only of the fleet are known to have reached harbour, viz. the *Cybele*, which anchored off Norfolk, on the 31st ult.—*Le Patriot*, which entered the Chesapeake 2d inst. and *La Valeureuse*, which has passed up the Delaware. These ships were very much crippled. *Le Foudroyant* was seen on the 23d August, lat. 26, 14, long. 66, 39, totally disabled, and without a rudder. The Squadron, as reinforced by three ships, a few days previous to the gale, consisted of

Le Foudroyant	85	L'Eole	74
Le Veteran	74	Le Regulus	74
Le Callan	74	La Valeureuse	44
L'Impetueux	74	Le President	44
Le Patriot	74	Le Cybele	40

THE STORM.

The gale of the 21st and 22d ult. has been severely felt along the southern coast. The Charleston papers to the 26th, in mentioning the occurrence, observe, that no very serious injury has been sustained thereby.

In *North-Carolina*, we are however sorry to learn that the storm was exceedingly heavy and destructive. Besides the great damage experienced among the shipping in port, and along the coast, it appears, from the inland papers, that a great proportion of the crops of corn, peas, rice, &c. have been destroyed.

Letters from *Charleston*, (S. C.) announce that the crops of cotton and rice, have been very considerably injured by the late storm. Of the former, in the lower counties, it is believed that one half is destroyed; and the rice plantations, in a worse condition, if possible.

The late gale, from the circumstance of its having been earlier and more violently felt at the southward, may be termed "*the tail of a West-India hurricane*." It is described by the officers of the French Fleet, as of most unexampled violence.

For the SAINT JOHN GAZETTE.

CENSOR, No. IX.

THE situation of the Counsel for the Crown now became embarrassing, as their duties peculiarly arduous; they were thoroughly convinced of the guilt of the accused in its utmost extent, and they would have felt no uneasiness as to the result, had the Laws been left to their due course and operation; but they were well acquainted with all the circumstances, detailed in the course of this narration; they were aware, that it was not merely the question of guilt or innocence as to the charges already exhibited, that was involved in the present inquiry, but whether, in consequence of an acquittal obtained by the most illegal and corrupt practices, the same offender should be left to pursue his abominable course of iniquity, without any future check or restraint; and they had been well informed of the indiscreet boastings of some of his partizans, that, when once cleared of the existing charges, he should open his School with increased encouragement, and that at the next annual Elections he should become a Member of the Vestry of Trinity Church, and one of the Common Council of the City. Their conduct therefore required the utmost vigilance and exertion, and at the same time an exercise of the most judicious caution, lest their measures should be counteracted by the stratagems, and the unprincipled artifices and devices of the Devotees of this sanctified Demon. They were not unmindful of their trust on this important occasion; but it would be refusing a just tribute to conspicuous merit, should it not be publicly declared, that the indefatigable zeal, the undiscouraged perseverance, amidst innumerable obstacles and difficulties most industriously raised to interrupt him in his laudable pursuit, which were manfully evinced by the Clerk of the Sessions throughout the whole of this investigation, were the principal means of detecting and exposing the disgraceful practices of the partizans of this offender, and of ultimately bringing him to that punishment; which, though in some degree an atonement to the offended justice of the Laws, was infinitely short of what he really merited. Although the proofs, which the Crown Officers had it in their power to produce, were so strong, that they were confident, that no Jury, however inclined in his favor, would feel themselves justified in acquitting him, they nevertheless thought, that public justice and public example rendered it their indispensable duty to expose the misconduct of the Summoning Officer of the Jury, by challenging the array

of the panel; however hopeless the attempt might be to set it aside, when two of the same panel must be the Triors of the challenge. Accordingly Mr. B. the gentleman alluded to in No. IV. who was known to have been present, when some declarations, that were thought material, had been made by the Summoning Officer, was requested by the Attorney General to give information on the subject. Mr. B. attended without hesitation but expressed a strong reluctance to coming forward with his testimony upon such an occasion, having been accidentally only present at the time alluded to; he however, like a good subject and an independent upright man, frankly declared, that, if it was the Attorney General's opinion that his testimony was necessary for the interests of public justice, he would readily subscribe and attest to an affidavit of the facts within his knowledge; which he accordingly did.

The cause upon one of the Indictments for Felony at length came on for trial, when, upon the calling of the Jury, the Clerk of the Crown filed a challenge to the array of the panel; assigning, among other grounds, the instances of misconduct in the Summoning Officer, mentioned in the last number. To this challenge the prisoner pleaded; thereby putting in issue the truth of the facts stated in the challenge; and two of the Jurors returned were appointed by the Court the Triors of the panel. In addition to the proof of the several facts already stated, it was proved by Mr. B. and other witnesses, that about the time when the prisoner was liberated on Bail, early in the month of April, the Summoning Officer was engaged in a conversation in the presence of these witnesses on the subject of his sentiments and conduct respecting the prisoner, and of the alteration that had taken place in the same; that his son, upon whom the prisoner had made unsuccessful attempts, as before mentioned, was also present, and declared, that what he had sworn to was the truth, which he would maintain, when again called upon; and that the Summoning Officer, in vindication and explanation of his own sentiments and conduct respecting the prisoner, observed in the presence and hearing of these witnesses, that "*he knew on which side his bread was buttered*." It was further proved by some of the same witnesses, that, a few days after this conversation, a Common Council of the City was held, at which the appointment of a Surveyor of the Highways for the current year was made; that a written memorial on behalf of one of the citizens, praying for the appointment to this office, which had been some time before presented, was then before the Common Council; that the proceeding upon this was prevented by a motion made by the leading Alderman seconded by his brother associate, that this Summoning Officer of the Jury should be appointed to the office; and that this motion was put and carried without any regard to the written application; whereby the Summoning Officer became entitled to receive 6s. 8d. per day for his services during the season, limiting the number of days to 60; an office considered as one of the first in the annual gift of the Common Council. It is obvious, that the written memorial ought first to have been taken into consideration; and more especially because without some such application the Common Council could not properly know, whether the person nominated wished for, or would accept the appointment; but His Worship the Mayor, totally disregarding this memorial, which had been so long in his possession, at once put the question moved and seconded by the leading Alderman and his brother associate, thus helping them to secure a little butter for the bread of the meritorious Summoning Officer of the Jury for the trial of *Smith*. What connexion this had with some other bread and butter, which may hereafter become a subject of discussion, it would be too digressive at present to inquire.

Under the mask of proof respecting what the Summoning Officer had actually done, and what he had neglected to do, contrary to the known duties of his Office, in summoning the Jurors, and of the corrupt motives, by which he had been probably influenced, the question respecting the panel remained with the Triors, upon the close of the arguments of the Counsel, as well on the part of the prisoner, as of the Crown; when the Triors immediately retired from the Bar to determine thereon. One of these Triors was a young man who had been heard frequently to express himself decidedly in favor of the prisoner's innocence, inasmuch, that it had been a subject of deliberation among the Counsel for the Crown, whether he should not, when called as a Juror upon this trial, be individually challenged on the part of the Crown for that cause. It was with astonishment and indignation, that many respectable citizens saw the skirt of the coat of this young Trior pulled distinctly three times by the brother associate Alderman; who sat near the passage through which the Triors retired in the crowd. Their deliberation was not long; they returned into Court in a few minutes, and by their verdict affirmed the panel. Hitherto the prisoner, for obvious and prudent reasons, had determined to contend that each Indictment against him should be separately tried, lest the testimony in one cause should have undue influence upon the minds of the Jury in deciding the other; but, after this additional source of triumph and security in the decision of the Triors, his friends no longer thought a precaution of this kind necessary, and, the day being far advanced, they consented that one and the same Jury should be charged with the trial of the two capital Felonies the following morning; to which the Court was accordingly adjourned. It may not be impertinent in this place to remark, that his Worship the Mayor, upon the coming in of the verdict of the Triors, expressed his approbation of their conduct, as he had before of the conduct of the Grand Jury attending this Court, explicitly declaring, that he saw nothing, which looked like corrupt motive or partiality in the Summoning Officer; and he has certainly faithfully acted up to this sentiment to the present hour.

To CENSOR.

Asino caput qui lavant, eos operam cum sapone amittere.

A Latin motto to a Newspaper speculation is like a brags button to a cocked hat.—It makes it look *knowing*. I have taken the present one, because it appears applicable to your operations. The scenes which you have laid open to pub-

lic view in your three last numbers are undoubtedly of a very extraordinary nature, and it is of great importance that the inhabitants of this Province should be in possession of the facts which they contain; but, Sir, if you expect to cleanse the mind, and change the manners, of the man who is the principal subject of these papers—you will certainly (in the language of the motto) lose both your soap and your labour. He, if my conjectures of the person whom you describe be correct, has most certainly acquired his present influence in the community by a system of *swearing, bullying, and blustering*, which by superficial observers have been mistaken for *bluntness, personal courage, and public spirit*. His supporters, so long as they remained under this delusion, might have had something to offer in their justification; but when we carefully consider the transactions which you have recorded relative to that infernal monster (*Smith*) we discern none of those traits of honest ignorance, which sometimes induces us to look with complacency even upon a departure from the rules of decency. A contrary conduct is obvious. The measures adopted by *The Driving Hero* and his associates have been deliberate and insidious; they betray (not a want of understanding) but a dereliction of every honorable sentiment. The detail which you have given us must show these men in their proper colours, and if such an exhibition does not satisfy their fellow citizens as to their real characters and designs, it is not your fault, Mr. CENSOR—nor shall it be mine.

A FLANKER.

"Whoever attempts to wash an ass's head, will lose both soap and labour for his pains."

The SAINT JOHN GAZETTE.

YESTERDAY arrived the ENGLISH MAIL for the month of AUGUST, at the Post-Office, which has furnished us with London papers to the 2d of that month; from them we have hastily copied the following highly important and interesting Intelligence.

LONDON, August 1.

Paris papers to the 23d, and Dutch to the 24th ult. have reached us.

The rumour of a separate peace between Russia and France was prevalent at Paris on the 22d.—It is therefore probable that the Treaty was signed, as it has been mentioned, on the 20th or 21st. No news of the evacuation of Cataro had reached Trieste at the end of the first week of July. So far from that important surrender being confirmed, much apprehension is entertained that the difficulties respecting it will not be easily removed. Is it possible that Bonaparte can have made a peace with Russia, leaving that point to be settled between the Courts of Vienna and Petersburg, and looking only to the former for the execution of that part of the Treaty of Presburgh?

AUGUST 2.

PEACE BETWEEN FRANCE AND RUSSIA.

We have received Paris papers to the 26th, and Dutch to the 30th ult. We are also enabled to anticipate the contents of the mail now due from Hamburg. The intelligence derived from these numerous sources is of the highest importance.

Peace has been signed between France and Russia.

This important event took place on the 20th ult.—The Plenipotentiaries of the respective Powers on this occasion were, General CLARKE for France, and M. D'OUBAIL for Russia. The fact is officially announced in a Circular Letter from the Minister of the French Marine to the different ports. Of the terms of this adjustment, we must, of course, continue uninformed until the ratification of the treaty shall be returned from St. Petersburg. This arrangement, which is considered in the French capital as the prelude to a maritime peace, has proportionally affected their funds. On the 24th, the Bank Stock had risen to 1157.50; the 5 per cents were, on the same day, at 67.20. The King of SWEDEN and Count KALKREUTH keep up a constant interchange of correspondence. The Russian Envoy, after receiving a Courier from St. Petersburg, went to the Swedish head-quarters, probably to impart to his MAJESTY the wishes of the Emperor ALEXANDER. If they are not attended to, there is too much reason to fear, that the EMPEROR will not interfere, further than he is by Treaty bound to do, in any contest which may arise between Prussia and Sweden.

On the subject of the pending negotiation with France the most profound secrecy is observed. A Mr. GODDARD, a friend of Lord YARMOUTH, arrived yesterday at the Foreign Office, with dispatches from France. He was accompanied from Boulogne to Dover by a French Messenger, who returned on Thursday afternoon. They came in a boat belonging to the *Trompeuse* frigate. The contents of these dispatches are not publicly known; but the intercourse, by means of Couriers, continues with such activity, that the probabilities of peace are heightened every day. As we are supposed to approach that highly important event, it is but natural that we should look to it with progressive interest, if not with increasing anxiety. It is impossible to regard with indifference a question of such importance to the honor and best interests of the country; nor can it be contemplated without apprehension, when considered with reference to the existing situation of Europe, and the circumstances under which the pending negotiation has been undertaken.

The immediate departure of Lord LAUDERDALE for Paris is again mentioned with increased confidence.

We feel much chagrin in being under the necessity of announcing, that we have too much reason to believe, the French are at length in possession of Gaeta. The brave Governor, we understand, has been obliged to capitulate. We are further informed, that an engagement of some magnitude has been fought on the Neapolitan territory, between a strong detachment of British, landed from Sir SIDNEY SMITH's Squadron, and the French forces. We are not in possession of the details of this affair; but we have the satisfaction to mention, that our countrymen behaved with the courage that might be expected from them.