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observed, that upon consultation with his associate counsel, they had come to the conclusion that from the facts which had already been adduced, and the remaining testimony which it was in their power to produce, being of so slight a character as materially to affect the case, the jury would not be warranted in convicting the prisoner, and as much as under the decision of the court the testimony of Strang would not be admitted, they would abandon the prosecution

Judge Durr.—That is a matter in the discretion of the public prosecutor, and the court will not attempt to controul him in the exercise of that discretion, but they apprise the public prosecutor that if a motion had been made by the counsel of the prisoner, for her discharge on the ground of want of testimony, the motion would have been denied. If the testimony which remained was of a slight nature, it might have been cause for resting the prosecution upon the evidence already adduced, but not for discharging the prisoner.

DISTRICT ATTORNEY.—Under this intimation from the court, without having changed my opinion, I wish to be considered as resting the prosecution, and call upon the prisoner for her defence.

Mr. FOOT.—There is some difference of opinion, perfectly kind and friendly however, between the district attorney and myself. In consequence of the suggestions of the court, he now appears to be willing to put the prisoner on her defence. Satisfied myself that she cannot and ought not to be convicted upon the testimony given, and which is still in the power of the public prosecutor, to produce, I have advised that the prosecution be abandoned, considering the intimation of the court only as an expression of opinion that in a criminal case the jury should be permitted to pronounce upon the evidence, instead of stopping the trial by the court as is done in civil cases when there is a defect of testimony.

Mr. VAN VACHTEN observed, that after the candid admissions made by the counsel for the prosecution, the counsel for the prisoner would not call any witnesses, though they had it in their power to show strong explanatory testimony, and would submit the case to the charge of the court.

Judge Durr, after adverting to what had just transpired, and without recapitulating the testimony submitted the case to the consideration of the jury. He cautioned them to look only at the evidence which affected the guilt or innocence of the prisoner in relation to the charge for which she was upon trial. As to the evidence which had been advanced shewing her guilt in other respects, he advised them to say to her, as the court were disposed to say, and as the Saviour of the world said upon another occasion, "Go, and sin no more."

The jury, without leaving their seats, found a verdict of NOT GUILTY.

An expression of approbation was manifested; but it was again immediately restrained. The unfortunate prisoner received the verdict of the jury, leaning forward, her face resting upon the table. She neither looked up nor seemed to be moved by the abrupt transition in the aspect of the trial which followed the decision of the court, nor did she appear to be particularly affected, upon the rendering of the verdict, though she held a handkerchief to her face and wept; and when, under the proper and strong admonition of the court that no unfeeling and curious eye should attempt to penetrate the thick veil which concealed her countenance from general observation, she left the chamber, she seemed to move mechanically and by the aid of the attending officers, rather than by any volition of her own.

FRESH TEAS, &c.

THE Subscriber has just received from the last sale of the Hon. E. I. Company, in Halifax, a new supply of Hyson, Souchong, and Congo Teas, which he offers for sale cheap for cash, wholesale or retail.

Also,

A few Puncheons superior Molasses, Jamaica Spirits, Brandy, Gin, Wine Casks of Sugar, best superfine Flour in Barrels and half Barrels, Rye and Corn Meal, Tobacco, Wrought and Cut Nails of assorted sizes, Window Glass, Putty, Whiting, and a variety of dry goods suitable for the season, all of which he offers for sale at very reduced prices.

JAMES BALLOCH.

Fredericton, July 17, 1827.

NOTICE.

THE subscriber intending to leave the Province for a short time, requests all persons to whom he stands indebted, to render their accounts for settlement, and such as are indebted to him, are likewise requested to make immediate payment.

ROBERT WELLS.

Fredericton, Sept. 4, 1827.

At a General Meeting of the New-Brunswick Agricultural and Emigrant Society, held at the Province Hall, on the 7th March, 1827:

Resolved, that there be a Cattle Show on the 9th day of October next, at the Race Course in Fredericton; and that premiums as undermentioned be awarded.

- For the best Provincial bred Stallion, four years old and upwards, £10 0 0
For the best Provincial bred Horse Colt, from one to four years old, 8 0 0
For the best pair of Provincial bred Mares or Geldings, not less than four nor more than ten years old, owned by one Person, 10 0 0
For the best Provincial bred Bull not less than 2 years old, 5 0 0
For the second best do. do. do. 3 0 0
For the best Bull Calf, from five to twelve months old, 2 10 0
For the best Cow not less than three years old, 3 0 0
For the second best do. do. do. 2 0 0
For the best Heifer, from two to three years old, 2 0 0
For the best Ram, not being one of those that may be imported by the Society, 5 0 0
For the best Ewe, do. do. do. 2 10 0
For the best Boar, do. do. do. 2 0 0
For the best Sow, do. do. do. 1 10 0
For the best fat Ox, not less than four years old, 5 0 0
For the second best do. do. do. 3 0 0
For the best pair of working Oxen, not less than four years old, owned by one Person, 5 0 0
For the second best do. do. do. 2 10 0
For the greatest quantity of good Butter, produced from any one Dairy in this Province, during the present year, between the first of May and the first of November, 10 0 0
For the second greatest do. do. do. 5 0 0
For the greatest quantity do. do. in proportion to the number (not less than four) of the Cows from which it may be made, 5 0 0
The three last mentioned premiums to be determined at the next Annual Meeting.

Resolved, that there be awarded a Premium of £10, to the Person who shall have planted on his Farm between the Spring of 1825, and October 1827, the greatest number of Apple Trees, (not less than one hundred) and who shall exhibit to the Society at its next Annual Meeting, satisfactory evidence of their being in a thriving state, and of his having managed them with care and skill.

- Resolved, that Premiums as follow be granted for the encouragement of Domestic Manufactures
For the best Homespun white Flannel, 1/2 yard wide, not less than 30 yards, £2 10 0
For the best coloured Homespun, yard wide, not less than 30 yards, 2 10 0
For the best plaid or striped Homespun, not less than 20 yards, 2 10 0
For the best sample of Men's half Hose not less than 12 pairs, 1 0 0
For the second best do. do. do. 0 10 0
For the best sample of Men's Woolen Mitts, not less than 12 pair, 1 5 0
For the second best do. do. do. 0 15 0
For the best yard wide Diaper Table Linen, not less than 10 yards, 1 5 0
For the second best do. do. do. 0 15 0
For the best yard wide Linen Shirting, or Sheeting, not less than 25 yards, 2 0 0
For the second best do. do. do. 1 0 0
For the best 3/4 Woollen Cloth full dressed, not less than 20 yards, 3 0 0
For the second best do. do. do. 2 0 0

RULES OF COMPETITION.

- I. The decision of the Judges appointed to award the Prizes, to be final.
II. The Owner of any Animal for which a premium shall be claimed, must give information in writing to the Society, what breed the Animal is of, and where bred.
III. To entitle any claimant to the premium for the best, or second best fat Ox, it is further required, that he not only exhibit a statement of the mode of fattening, but prove that the Animal has been kept within this Province for at least twelve months prior to the day of exhibition.
IV. Claimants for premiums for the best, and second best working Oxen, must prove that each pair has been worked together, at least six months before the day of exhibition.
V. The quantity and quality of the Butter, for which premiums may be claimed, and the number of Cows from which the same shall have been made, together with the mode of feeding the Cows, to be proved by the Affidavit of the Claimant, confirmed by two respectable neighbours.
VI. The number and condition of the Apple Trees for which a premium may be claimed, together with the manner in which they have been managed, and the kind of fence by which they are enclosed, to be proved by the Affidavit of the Claimant, and the Certificate of two respectable neighbours.
VII. To obtain a premium upon articles of Domestic Manufacture, the Claimant must prove by

his or her Affidavit, corroborated by the certificate of two disinterested and respectable persons, that the articles offered for exhibition, were manufactured within this Province, during the present year by his or her Family, the said articles with the vouchers aforesaid, to be delivered to the Secretary on the 5th April next, to be examined by the Judges on the first Tuesday in May following, on which day the premiums for Domestic Manufactures will be awarded.

VIII. Persons claiming premiums upon imported Animals, shall engage to keep the same within the Province.

IX. No Animal for which one premium shall have been awarded to any owner, shall be considered a subject for any future premium of the Society, except it be for quality different from those for which the first premium was awarded.

No premiums will be awarded to any person who shall not be a Member of the Central Society, or of some one of the County Agricultural Societies, in this Province.

Any attempts to obtain premiums by unfair practices, will be punished by a forfeiture of the premium, should it be awarded before a discovery, and will also preclude the offender from competing for premiums in future. Premiums not demanded within six months after they are awarded, shall be considered as having been generously given in aid of the funds of the Society.

RICHARD SIMONDS, Secretary.

SHERIFF'S SALES.

COUNTY OF SUNBURY.

To be sold by Public Auction, on Wednesday the 6th February next, between the hours of 12 and 4 o'clock in the afternoon, at the Court House, in the Parish of Burton and County of Sunbury.

ALL the right, title, claim, interest, and demand whatsoever of William Wilmot, in and to that valuable and well known Farm or Tract of Land, together with all and singular the buildings and improvements thereon, situate, in the parish of Lincoln, fronting on the River St. John, and adjoining on the upper side to lands owned by the Honourable J. M. Bliss, and on the lower side to lands owned by John Dow, Esq.—Also all his right, title, and interest, in, and to a valuable Island, situate above the entrance of the River Oromocto, and in the parish of Lincoln aforesaid, known and distinguished by the name of Thatch Island: The same having been taken by virtue of a Writ of Execution issued out of the Supreme Court of Judicature, at the suit of Hugh Johnston, John R. Partelow, and Stephen Wiggins, Esqs., against the said William Wilmot, for the sum of £5,006: 18: 3.

JOHN HAZEN, jun., Sheriff of Sunbury.

Burton, July 31, 1827.

By virtue of a writ of Testatum Fieri Facias, to me directed, will be sold by Public Auction, on the Second Tuesday in March next, at 2 o'clock in the afternoon, at the Court House in Burton:—

ALL the right and title of Zachariah B. Brown, in and to one half of Lot No. 35, containing three acres and three quarters, situate on the South side of the Oromocto Island, and in the Parish of Maugeville, or so much of the above described half Lot, as will satisfy the said writ for the sum of £188 1: Issued out of the Supreme Court at the suit of John Powers.

JOHN HAZEN, jun., Sheriff of Sunbury.

Burton, Aug. 27, 1827.

KING'S COUNTY.

On the fourth Tuesday in December next, will be sold at Public Auction at the Court House in Kingston, between the Hours of twelve and five in the afternoon,

All the right and title, of John Sheek, of the Parish of Sussex, in and to a certain Farm or Tract of Land situate in the Parish of Sussex aforesaid in Kings County, being the one undivided moiety or half part of Lot No. 13. Granted to Christopher and John Sheek, the same having been taken by virtue of an Execution issued out of the Supreme court at the suit of Jacob Smider.

WALTER BATES, Sheriff of Kings. Kingston, Sheriff's Office, 4th June 1827.

On the First Tuesday in February next, will be sold at Public Auction, at the Tavern of Johnston H. Crawford, near Hampton Ferry, between the Hours of 12 and 5 in the afternoon,

All the real estate of William Frost, senior, late of the Parish of Kingston, deceased, situate in the County of Kings, near said Hampton Ferry: The same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of Mary Miles.

WALTER BATES, Sheriff. Kingston, Sheriff's Office, July 21, 1827.

The Sale of George Bennison's property, to have taken place (at Hume's Tavern in Gage-Town,) on the first Monday in July inst., is postponed until the last Saturday in September next, when the same will be sold to the highest bidder.

N. H. DE VEBER, Sheriff. Gage-Town, July 4, 1827.

Administration Notices.

ALL persons having demands against the Estate of Martin Miscall, late of Fredericton, deceased, are requested to render their accounts, and all those indebted to said estate a re required to make immediate payment to

GEO. MINCHIN, } Executor. CHONER M'LAUGHLIN, } Fredericton, July 17, 1827.

ALL Persons having just demands against the Estate of Malcomb McKenzie, late of the Parish of Kent, County of York, deceased, are requested to present the same duly attested, within three months from this date, and those indebted to make immediate payment to

JOHN PAYSON, Adm'r. MARY PAYSON, Adm'x. Sept. 4, 1827.

STEWART & AITKEN. CABINET MAKERS, AND UPHOLSTERERS,

RESPECTFULLY inform the Gentry and other Inhabitants of Fredericton and its vicinity, that they have commenced business at that Shop next to the Store of Messrs. J. & G. E. Ketchum, where every article in their line, will be manufactured, in the neatest and most Fashionable manner, on the shortest notice, and most reasonable terms.

Fredericton, 9th May 1826.

NOTICE.

All persons indebted to the Subscriber, previous to the first day of July last, are hereby notified, that unless their accounts are immediately paid, they will indiscreetly be put in the hands of an Attorney to collect. WM. ROBERTS. Fredericton, 16th Jan. 1827

A FEW REAMS

OF UNCUT THICK FOLIO POST, for sale at this office, for cost and charges.

Royal Gazette Office, Fredericton, Sept. 18, 1827.

RAGS! RAGS!

CASH WILL BE GIVEN FOR CLEAN LINNEN AND COTTON RAGS, at this office.

Royal Gazette Office, Fredericton, Sept. 18, 1827.