

POST-OFFICE, Saint John, November 5, 1810.
DURING the Winter Months, the Mails for Great Britain and Nova-Scotia will be closed every Wednesday at Sundown; those for Canada and Fredericton at the same time, unless an English Mail arrives, in which case the Courier (if in town) will be despatched in two hours after the arrival of said Mail.

N. B. It is positively determined not to receive or deliver any Letters after dark, and no Letters for Great-Britain shall be forwarded unless the inland postage is paid.
W. M. CAMPBELL.

Assistant Commissary General's Office,
St. John, New-Brunswick, 8th November, 1810.

CASH WANTED

For the Use of His Majesty's Troops in this District. PERSONS desirous of purchasing BILLS of EXCHANGE drawn on the Right Honorable the Pay-masters General, London, thirty days sight, are requested to send sealed proposals to this Office, stating the sum required, and directed to the Subscriber, with the words "Tender for Bills" marked on the letter, when the lowest offer will be attended to. Payment to be made in Dollars.

HEN. GOLDSMITH,
Assistant Commissary General.

WOOLLENS and TWINES.

JOHN L. VENNOR is now opening, received by the EARL PERCY from LONDON, an Assortment of CLOTHS, BLANKETS, FLANNELS, BAIZES, and other WOOLLEN GOODS—Also,

SALMON, HERRING and SEINE TWINES, which with his previous Stock of English Goods, will be Sold on liberal Terms for CASH or Barter payments.

He has also by the same Vessel, a Consignment of a few Pipes REAL OLD MADEIRA WINE, which, if taken altogether, will be sold very cheap.

16 31st OCTOBER, 1810.

MADEIRA WINE, OF A SUPERIOR QUALITY,

Just Received per Brig EARL PERCY, Capt. Laverock, For Sale by the SUBSCRIBER.

ALSO—A Fresh Supply of Linen Drapery, consisting of 4-4 stout Cotton Shirting, Cambric Mullin, colored Cambricks, printed and plated Calicos and Shawls; which with his former assortment, will be Sold on the lowest terms.

JAMES CODNER.

Saint John, 29th October, 1810.

PAINTING and GILDING.

JOHN GRANT offers his services to the PUBLIC as Ornamental, Sign, House, and Coach Painter, &c. next door to BRADFORD GILBERT, Esqr.

N. B.—Camel Hair Pencils, fine Colours, and Leaf Gold for Sale. Saint John, 29th October, 1810.

To be Let or Leased,

And Possession given early next Spring,

THE upper FARM on the Kennebecasis River, belonging to WILLES FREDERICK KNOX, Esqr. on which are a good and well finished House and Barn, &c. being an excellent stand for a Tavern. The greatest encouragement will be given—Inquire of November 10, 1810. W. F. KNOX.

To be Sold at Public Auction,

On the First TUESDAY in NOVEMBER next, THAT Valuable LOT of LAND in the Parish of Kingston, in the County of King's, on which the former Court House stood—It is so well known for its convenient situation for a Public House and for Ship Building as to make further description unnecessary.

Terms will be made known at the time of Sale.

KINGSTON, 14th JULY, 1810.

The SALE of the above mentioned Lot of Land is postponed until the First Wednesday in March next, when it will be Sold at the Court House at Kingston to the highest bidder. GEO. LEONARD, junr. Clerk.

KINGSTON, 6th NOVEMBER, 1810.

NOTICE.

THE SUBSCRIBER having disposed of his property in the Parish of Portland, intends closing his Business by the 1st of MAY next—All persons therefore, who are indebted to him by Bond, Note, or Book Debt, are earnestly requested to settle the same without delay, as all Debts not liquidated by the 1st of JANUARY will be put into the hands of an Attorney to collect.

CALEB MERRITT.

Parish of Portland, 24th October, 1810.

ALL Persons having any Demands on the Estate of SAMUEL HART, Esqr. late of Halifax, deceased, are requested to present them duly attested to the Subscriber, within Eighteen Calendar Months from this date, for adjustment; and all persons indebted to said Estate, are desired to make immediate payment to

REBECCA HART, Sole Executrix.

Halifax, October 15, 1810.

ALL Persons having Demands against the Estate of GEORGE NASH, late of Digby, deceased, are requested to render the same duly attested within Eighteen Calendar Months from this date; and all those indebted to said Estate are desired to make immediate payment to DENNIS RUTHERFORD, Administrator.

DIGBY, 12th JULY, 1809.

FOR SALE AT THIS OFFICE,
English Playing Cards of a good quality.

QUEBEC, OCTOBER 4. COURT OF KING'S BENCH.

CRIMINAL TERM—SEPTEMBER, 1810.

The Grand Jury beg leave to thank the Court for the very learned and able charge delivered to them by his Honor the CHIEF JUSTICE, at the opening of the present Session; and being strongly impressed with a conviction of the necessity and importance of secrecy, as an essential part of the duty of Grand Jurymen, do pray that they may be favoured with a copy of the Charge, or such Extract therefrom as their Honors may deem proper, and that they be permitted to publish the same.

Grand Jury Room, }
26th Sept. 1810.

WM. BURNS,
Foreman.

CHARGE.

"Gentlemen of the Grand Jury,

"To keep secret the King's counsel, your own, and that of your fellows," is one among the highest duties of your office; and to the faithful performance of this duty, you stand pledged, by the solemn and powerful obligation of your oath.

"Of the antiquity of our law in this respect, no doubt can be entertained. Bracton and Britton, two of the earliest writers upon the jurisprudence of England, informs us, that in the several periods of time, in which they wrote, the oath taken by the Foreman of every Grand Jury, and repeated by every member of the Inquest, was nearly in the present form, that part of it particularly by which secrecy is required; and of the estimation in which the necessity and importance of secrecy, as required by the oath, were then held, we have unquestionable evidence in the dispute which appears by our ancient Law-Books to have existed, upon the question whether a Grand Juror who should discover the name of an accused person, or, the proof adduced against him, would be guilty of Treason or Felony. In this dispute it was acknowledged by all (Lawyers as well as others) who took part in it, that such an offender deserved to suffer the highest punishment, the contest being, not whether he ought or ought not, to suffer death for such an offence, but, in what manner it ought to be inflicted, whether he should suffer death, as a Felon, or, as a Traitor.

"It is true by the light of after ages this doctrine has been found to be erroneous, and the offence satisfactorily proved to be neither Treason nor Felony; yet it has been as satisfactorily proved to be a crime of great magnitude, and it is still held to be a misdemeanor of the first class, deeply aggravated by the guilt of perjury.

"That as a Grand Jury you ought to be acquainted with all that relates to your institution, will be readily admitted; and as you are bound in conscience to make yourselves masters of every part of your duty, so are we equally bound to aid you in your researches, with every assistance which it is in our power to afford.—No apology therefore can be necessary for any endeavours to elucidate a condition of your oath, which has been sanctioned by the constant and uninterrupted usage of many centuries, which the wisdom of our ancestors first required, and which the experience of their posterity has approved and continues to require.—It is indisputably right, that you should be apprised of the counsels which you are bound to keep secret, and of the grounds upon which secrecy is demanded.—Upon these points therefore we shall proceed to lay before you some information, which, as it may be useful, we trust, will not be unacceptable.

"Every living language must be subject to perpetual changes from its very nature as well as from that variety of incidents which affect all sublunary things.—It is not therefore extraordinary, that the word "Counsel," in common acceptance, should have comprehended more in ancient times than at present.—"Advice" is now the principal import of the word; formerly it implied much more.—It implied not only "advice," but "purpose and design"—"consultation and the interchange of opinions"—"secrets entrusted in consultation"—and "deliberation."—That it implied purpose and design, we find, from the English translation of the Psalms, "The counsel of the Lord standeth forever: the thoughts of his heart to all generations"—That it implied "consultation and the interchange of opinions," we learn from the works of our great Dramatick Poet, "I hold as little Counsel with weak fear, as you"—That it implied "secrets entrusted in consultation," we learn from the same author, "they cannot keep counsel, they'll tell all"—and that it implied "deliberation," we learn from Hooker, "they all confess that in the working of that first cause, COUNSEL is used, reason followed, and a way observed."

"Now the principles of our Constitution are such, that the King (in whom centers the Majesty of the whole community) is the person injured by every infraction of the public rights; he is therefore in all cases the prosecutor for every public offence, and the pursuit of every offender being thus entrusted to him alone, the purpose, design or counsel of every prosecution must necessarily be the "King's Counsel."—The duties of this important trust are however so complicated, that they cannot be executed by the King alone. He is therefore provided with a variety of officers, who are charged with the execution of many services which precede the public accusation of offenders, in the name of the Sovereign; and it is by law intended that all these officers (for the peace of society and the security of the subject) should at all times be vigilant and active, and assist their Royal Master with all such information, advice, or counsel, as circumstances require for the arrest and exemplary punishment of all offenders.

"It is moreover the duty of every subject to assist His Majesty to the utmost in the discharge of the important duties of his station; and it happens therefore that the Sovereign as frequently prosecutes upon "counsel" which he receives from individuals; as upon the counsel of his more immediate servants; and as he lawfully may proceed in the due course of law without the information or advice of any of his officers or of any individual, it happens also, that the King occasionally prosecutes upon his own counsel solely.

"Now such again are the principles of our Constitution, that except the few cases in which prosecutions can be in-

stituted upon informations filed by the Attorney General, the King cannot bring offenders to judgment, or compel them even to answer to accusations preferred against them, until his "counsels," substantiated by legal evidence, are submitted to the investigation and inquiry of a Grand Jury; from hence, in furtherance of justice, (of which the Monarch is the fountain) it becomes unavoidably necessary, to reveal to the Jurors of the Inquest all that has been discovered to the King or to his officers concerning the offence of which any man is accused before them, and this not only in reference to the accused himself, but to all his accomplices, and to all accessories, as well before as after the fact; all circumstances of suspicion, all presumptions that induce a belief of guilt, must be communicated, with all attendant facts, by which the Jury may be enabled to make a more exact and effectual inquiry, and to present the whole truth.

"Where the King prosecutes without the information or advice of any of his officers or of any individual, the counsel upon which he proceeds and which he submits to the consideration of the Grand Jury, is emphatically "the King's Counsel"—and the counsels which he receives from others and adopts, which upon his part and in his name are laid in evidence before the Grand Jury through the medium of his officers, are also distinctly "the King's Counsel." The same denomination must be applied to all informations or counsels which (as it sometimes happens) are given in the first instance to the Jury by individuals who are not members of their body—for in such cases as a prosecution upon them cannot be instituted in any other than the King's name, or be continued without his approbation, the Jury act as officers of the King—on his behalf and to his use, they receive the counsel which is offered; and this counsel, therefore, must necessarily be his.

"Such are the various counsels of the King to which your oath refers; and inasmuch, as of all these, whatever you adopt must become your own and your fellows, and whatever you reject must still continue to be the King's, it is evident, that the obligation to secrecy "according to your oath," in all these several respects, cannot under any circumstances be destroyed.—If you reject, it remains as before; if you adopt, a new obligation is superadded.

"The counsels of the King which you adopt are (as we have just observed) your own and your fellows, but they are not solely of this description.—There are many instances in which from compassion and from other motives, the accusation against the culprit is declined or delayed, until the accuser, called to the Grand Inquest and bound as a member by a solemn engagement, "to leave no man unprotected," and "to present all things truly, as they come to his knowledge," feels that to be an imperious duty which he had before believed to be a matter of discretion. In these cases, it is the counsel of one or more Jurors, which is offered to the Inquest, and whether it be your own (individually speaking) or that of a fellow Juror, or Jurors, it is counsel within the scope of your oath, your oath being "to keep secret your own counsel, and that of your fellows," without distinction of any kind as to persons or numbers.

"It is moreover the duty of the Grand Jury "to counsel" upon the matters before them, that is, to consult, to interchange their opinions, to deliberate and ultimately to advise. Your consultations, therefore, and your debates, the opinions which you respectively interchange with each other, your deliberations and advice, are all your counsels—your own, or that of your fellows, or both, and consequently all, are within the perview and literal expression of your oath.

"To maintain an impenetrable reserve upon all matters, begun or concluded before you, and upon every thing which in point of fact is directly or indirectly connected with them, or even thought to be so,—appears to be the only course by which an oath so comprehensive in variety and extent, can be securely and conscientiously kept.

GENTLEMEN,

"It remains for us to state the grounds upon which secrecy is demanded of you; and this we shall do succinctly by enumerating the principal motives by which the law has been influenced to require it.

"It has wisely concluded, that if culprits could ascertain all that is known of their crimes, conspiracies might be formed to conceal them from further detection, and to defeat inquiries which otherwise might be made with success—and where such measures should be found to be impracticable, that they themselves might escape by flight.—That on the contrary, if the evidence against the accused is incomplete, it may be safely kept under secrecy until further evidence can be obtained, and if sufficient proof can afterwards be made of the offence, and indictment may be found, and the party compelled to answer.

"That if the evidence against one who is accused, should be publicly known, it might easily be determined how far it might extend to others; and having notice of their danger, confederates and accomplices might also escape from justice.

"That the reputation, character and credit of all who are accused, without cause, (from hasty zeal, from malice or revenge) may suffer in the estimation of the public, if the fact of accusation be generally known; but on the contrary, cannot be injured if it be known only to those by whom the accusation itself hath been rejected.

"That where Bills of Indictment are found, concealment prevents the testimony produced before the Grand Jury from being counteracted at the trial, by subordination of perjury, on the part of the persons against whom the Bills are found.

"There is yet another motive which has its origin in that prevailing principle of tenderness to the accused, which distinguishes the criminal law of England from all others.—

"It is the great object of this code, to secure an impartial trial for every man who has the misfortune to be accused of any crime; and it is particularly solicitous, that the public mind should not be prejudiced against him, lest the Petit Jury should partake of that prejudice, to his detriment.—Influenced by this noble sentiment, it lays the injunction of secrecy upon all Grand Jurors; who from the nature of their office, having heard evidence against the accused and nothing in his justification, can communicate to the world such facts only as may deprive him of the inesti-