THE
NEW-BRUNSWICK COURIER,
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WEEKLY ALMANACK.

OCT. ..... 1841.	R. ☉ S.	☾ R. H. W.
24 SUNDAY	6 42 5 18	0 45 7 50
25 MONDAY	6 43 5 17	1 49 8 43
26 TUESDAY	6 44 5 16	2 52 9 29
27 WEDNESDAY	6 45 5 15	2 56 10 11
28 THURSDAY	6 47 5 13	5 2 10 47
29 FRIDAY	6 48 5 12	6 12 11 21
30 SATURDAY	6 49 5 11	Rises 0 21

Full Moon 30th, 1 h. 17 m. morning.

ENLARGED SERIES. { VOL. IX. / No. 39 }
SAINT JOHN, SATURDAY, OCTOBER 23, 1841.
VOLUME XXXI. { NUMBER 26 / WHOLE NO. 1892 }

BANK OF NEW-BRUNSWICK.
THOMAS LEAVITT, Esq. President.
Director next week, - - - *L. H. Datfeld, Esq.*
Discount Days—*Tuesdays and Fridays.*
Hours of business, from 10 to 3.
☞ The above is inserted by request of the Attorney of ELIZABETH WATT. Oct. 9, 1841.

☞ Bills or Notes for Discount must be left at the Bank before One o'clock on the days immediately preceding the Discount Days.

COMMERCIAL BANK OF NEW-BRUNSWICK.
LEWIS BURNS, Esquire, *President.*
Director next week, - - - *L. H. Hazen, Esq.*
Discount Days.—TUESDAY and FRIDAY.
Hours of Business, from 10 to 3.
☞ Bills or Notes for Discount must be lodged before 1 o'clock on the days preceding the Discount days.

Bank of British North America,
SAINT JOHN BRANCH.
A. SMITHERS, Esquire, *Manager.*
Director next week, - *Hon. John Robertson.*
Discount Days—*Wednesdays and Saturdays.*
Hours of business, from 10 to 3.
☞ Notes and Bills for Discount to be left before 3 o'clock on the days preceding the Discount Days.

NEW-BRUNSWICK
FIRE INSURANCE COMPANY.
Office open every day (Sundays excepted) from 11 to 1 o'clock.
JOHN BOND, Esquire, *President.*
All communications by Mail, must be post paid.

NEW-BRUNSWICK
Marine Assurance Company.
Office open every day (Sundays excepted) from 10 to 3 o'clock.
JAMES KIRK, Esquire, *President.*
Directors next week:
J. V. Thurgar, and E. DeW. Ratchford, Esquires.
☞ *All applications for insurance to be made in writing.*

MUTUAL FIRE INSURANCE COMPANY.
Office at Mr. Gallagher's, Portland.
The Managers are in attendance every day, (Sundays excepted,) from 10 to 4 o'clock.
☞ *Policies of Insurance are ready for delivery to those who have signed the Articles of Association.*

SHERIFF'S SALES.

To be sold on Tuesday, the 23d day of November next, at 12 o'clock, at the corner of the Coffee House, in the Market Square:

ALL the right, title and interest of Robert McKelvey, of, in and to that certain Lot, piece or parcel of Land situate, lying and being in the City of Saint John, and known as Lot No 850, on the corner of Carmarthen and Morris streets, with a Dwelling House thereon. *Also*, the No. 899, on the corner of Carmarthen and Mecklenburg streets—with a Dwelling House thereon.

Taken by virtue of an Execution issued out of the Supreme Court, in the suit of Charles Whitney against the said Robert McKelvey.

JAMES WHITE, *Sheriff.*
St. John, 22d May, 1841.

To be sold on Tuesday the 30th day of November next, between the hours of 12 and 3 o'clock, at the Coffee House Corner—

ALL the right, title and interest of Robert Robertson, of, in and to all that certain Lot of Land situate at Loch Lomond, in the Parish of Portland, in the County of Saint John, formerly granted to one Ann Fraser, and known in Number 2, bounded north-easterly by Lands granted to Lauchlan Donaldson, and south-westerly by Lands granted to John Stone.

Also, one Lot of Land, situate on the corner of Stormont and Carmarthen streets, in the City of Saint John.

The same having been taken by virtue of several Executions issued out of the Supreme Court.

J. WHITE, *Sheriff.*
St. John, 29th May, 1841.

To be sold on Monday the 28th day of February, 1842, between the hours of 12 o'clock, noon, and 5, in the afternoon, at the Coffee House Corner, in the Market Square—

ALL the right, title and interest of John Paul, of, in and to the Lot No. 1231, fronting on Britain street, in the City of Saint John, with all the Houses, Buildings, and Improvements thereon, being and standing.—Taken by virtue of two Executions issued out of the Supreme Court.

J. WHITE, *Sheriff.*
St. John, 28th August, 1841.

To be sold by Public Auction, on Tuesday, the 12th day of April next, at the Coffee House in the City of Saint John, in the City of Saint John, between the hours of 12 at Noon, and 2, P. M:—

ALL the right, title, and interest of JOHN HARDISON, of, and to part of Lot 1099, in the said City, bounded and described as follows:—commencing at the south west corner of the said Lot, thence northerly on the western line thereof one hundred feet, or to the rear of the said Lot thence easterly in the rear thereof at right angles thirty feet, thence southerly on a line parallel with the western line of the said Lot one hundred feet, or to South Camden street, thence westerly on a line of said street thirty feet, to the place of beginning—the same piece of land fronting thirty feet on Saint James' street, and running back one hundred feet, and the right of way of four feet on the eastern side of the said piece of land running back from the said street thirty-four feet.—The said piece of land being formerly the property of Edward Roche, and by him conveyed to Margaret, the wife of the said defendant. The same having been taken in and by virtue of an execution issued out of the Supreme Court at the suit of James Lockwood and George Lockwood.

JAMES WHITE, *Sheriff.*
Sheriff's Office, Saint John, 9th Oct. 1841.

To be sold on Monday, the 18th day of April, 1842, at the Market Square, in the City of Saint John, between the hours of 12 o'clock Noon, and 2 o'clock in the Afternoon,—

ALL the Estate, Right, Title, and Interest of EDWARD ROCHE, of, in and to two certain lots of Land, fronting on Sheffield street, in said City, known as Lots Nos. 1429 and 1430:

Also,—Of, in and to that piece and parcel of land, situate on the corner of Main and Sydney streets, in the said City, being part and parcel of two town Lots, Nos. 1321 and 1322, now in the occupation of the said Edward Roche.

And also,—Of, in and to a certain half Lot of Land, situate in Saint James' street, in the said City, known as Lot No. 1099—together with all and singular the houses, buildings, and improvements on the said respective Lots, Pieces, and Parcels of Land standing and being. The same having been seized and taken by virtue of two Executions issued out of the Supreme Court against the said Edward Roche.

JAMES WHITE,
St. John, 16th Oct. 1841. SHERIFF.

NOTICES.

ALL persons are hereby forbidden to purchase a Lot or two Lots, 860 and 861, mortgaged by the Sheriff of Saint John to be sold on the 23d day of November next, by virtue of an Execution against Robert McKelvey; the said Lots being my property.

JOHN MCKEEL.
Greenwich, K. C., May 18, 1841.

ALL persons having any legal demands against the Estate of JOHN FERGUSON, Esquire, late of this City, deceased, are requested to hand in their claims for adjustment at the Office of JOHN KERR & Co.; and all persons indebted are desired to make immediate payment to

HANNAH KERR, } *Executrix*
ANN FERGUSON, }
JOHN KERR, *Executor.*
St. John, 24 March, 1841.

ALL persons having any legal demands against the Estate of JOHN FERGUSON, Esquire, late of this City, deceased, are requested to hand in their claims for adjustment at the Office of JOHN KERR & Co.; and all persons indebted are desired to make immediate payment to

HANNAH KERR, } *Executrix*
ANN FERGUSON, }
JOHN KERR, *Executor.*
St. John, 24 March, 1841.

Estate of Robert Watt.

THE subscriber intimates that she has duly qualified herself as Trustee and Executrix of ROBERT WATT, Esquire, late of Montego Bay, deceased; and she requires that all demands against his Estate may be submitted to her for inspection and approval. Debtors and all other persons whom it may concern, are required to obtain her signature to all receipts, and her sanction to all settlements or dispositions of the real and personal property of the Testator.

ELIZABETH WATT.
Qualified and acting Trustee and Executrix of ROBERT WATT, *deceased.*
Montego Bay, Jamaica, *L. H. Hazen, Esq.*
Agent.
☞ The above is inserted by request of the Attorney of ELIZABETH WATT. Oct. 9, 1841.

ALL persons having any legal demands against the Estate of the late JAMES STEWART, of this city, Merchant, deceased, will please render their accounts within three months from this date for adjustment; and all persons indebted to the said Estate, are required to make immediate payment to the subscriber.

ALEXANDER STEWART.
Sole Administrator.
Commercial Hotel, St. John, 5th Oct. 1841.

ALL persons having any legal demands against the Estate of MATTHEW BATES, (late of Springfield, King's County,) Farmer, deceased, are requested to present the same, duly attested, within twelve months; and all persons indebted to the said Estate, are required to make immediate payment to the subscriber.

JAMES PETERS,
JOHN BOYD,
Kingston, 1st October, 1841. *Executors.*

THE Subscribers having been appointed Administrators of the Goods, Chattels, and Effects of GEORGE THOMSON, late of the Parish of Portland, Ship-Builder, deceased, hereby give notice, that all persons having claims against the said Estate are requested to render the same, duly attested, to the Subscribers, within three months from this date:—And all persons indebted to the said Estate, are required to make immediate payment to them only.

JOHN WISHART,
J. J. NICHOLSON,
JOHN POLLOK,
St. John, July 24, 1841. *Administrators*

ALL persons having any legal demands against the Estate of ARIATHER CAMP, Esquire late of the Parish of Waterborough, County of Queens, deceased are hereby requested to present the same, duly attested, within three months from the date hereof, and all persons indebted to said Estate are desired to make immediate payment to

GEORGE CAMP,
JOSEPH H. DYKEMAN,
Administrators.
Waterborough, Q. C. Sept. 13, 1841.

ALL persons having any legal demands against the Estate of MARY BARTLETT, late of Fredericton, Widow, deceased, are requested to present the same, duly attested, within six months; and all those indebted to said Estate, are desired to make immediate payment to

JAMES H. BARTLETT,
May 1, 1841. *Sole Executor.*

ALL persons having any legal demands against the Estate of Mr. JOSEPH BARNES, late of the Parish of Upham, in the County of King's, Yeoman, deceased, are requested to present their claims, duly attested, within twelve months from Six Months from the date hereof; and those indebted to the said Estate are notified to make immediate payment.

MARY BARNES. *Administratrix.*
JOSHUA UPHAM, } *Administr'rs*
WM. TWEEDDALE, }
Upham, K. C. 6th Sept. 1841.

ALL persons having any legal demands against the Estate of WILLIAM G. COLE, Esq., late of Loch Lomond, Parish of Simonds, County of Saint John, deceased, are requested to present the same, duly attested, within twelve calendar months from the date hereof; and all those indebted to said Estate are desired to make immediate payment to WILLIAM OLIVER CODY,
JAMES OSMUND CODY,
St. John, Nov. 7, 1840. *Administrators*

ALL Persons having any legal demands against the Estate of WILLIAM FRASER, late of Fredericton, Esquire, deceased, are requested to present the same, duly attested, to D. LUDLOW ROBINSON, Esquire, Barrister; and all persons indebted to said Estate are requested to make immediate payment to the undersigned at Saint John, or the Cashier of the Central Bank in Fredericton, whose receipt will be valid.

D. ROBINSON, *Executor.*
Fredericton, 18th September, 1840.

Dissolution of Co-Partnership.

THE Co-Partnership heretofore existing between the Subscribers, under the firm of FAULKE & MATTHEW, is dissolved this day by mutual consent: those persons who have demands against the concern, are requested to present the same for settlement; and all persons indebted, are desired to make payment to Robert S. Matthew.

W. D. FAULKE,
ROBT. S. MATTHEW.
St. John, 8th September, 1841.

THE Co-Partnership hitherto existing, under the firm of PERKINS & HATFIELD, is this day dissolved by mutual consent. All persons indebted to said firm will make immediate payment to Daniel C. Perkins, duly authorized to settle all claims against said firm.

DANIEL C. PERKINS,
DANIEL HATFIELD.
St. John, Sept. 18, 1841.

☞ The business will in future be conducted by the subscriber on his own account.

D. C. PERKINS,
Sept. 18. *No. 3, South Market Wharf*

THE Partnership heretofore existing under the firm of ALEXANDER, BARRY & CO. is this day dissolved by mutual consent.—The liabilities of said Firm have been assumed by John Barry, who will discharge the outstanding debts, and receive the debts due to said Firm.

JOHN ALEXANDER.
JOHN BARRY.
Saint John, June 21, 1841.

THE Co-Partnership heretofore existing under the Firm of FAULKNER & WHEELER, is this day dissolved by mutual consent; and all persons having demands against the said Firm, will please present them forthwith to I. FAULKNER, and all persons with whom all persons indebted will please pay.

I. FAULKNER,
E. Z. WHEELER.
St. John, May 1, 1841.

N. B.—The COMMISSION BUSINESS will, in future, be conducted by the subscriber, in his own name, as formerly, in Messrs. Alexander, Barry & Co.'s new fire-proof brick building, South Wharf.

I. FAULKNER.
May 11.

NOTICE.—The business heretofore carried on by ZACHARIAH ESTEY, will, in future, be conducted under the Firm of ESTEY & READ.—They have taken the Store lately occupied by J. & R. Reed, on the South Market Wharf, adjoining the brick store owned and occupied by Walter Tisdale, Esquire—where they intend to keep constantly on hand a general assortment of DRY GOODS, GROCERIES, and BREAD STUFFS, which they offer for sale, at as low rates as they can be had for in the market.

ZACHARIAH ESTEY,
JOSEPH READ.
St. John, May 8, 1841.

ON LAND—
WHEAT and RYE FLOUR and Corn Meal; and hourly expecting a further supply from Philadelphia.

NOTICE.

THOMAS FURNAS, Sail-maker,
BEGS leave to return his sincere thanks to his friends and the public, for the liberal patronage he has received for a number of years past; and to inform them that, having this day taken into co-partnership his son JOHN FURNAS, the business hitherto carried on by him, will, in future, be conducted by

THOMAS FURNAS & SON,

who have removed to that extensive Loft over the store of Mr. Thomas W. Robertson, fronting on Water street, where they will be most happy to execute any order in their line, with neatness, punctuality and despatch.
St. John, May 1, 1841.

To all Persons indebted to Messrs. DUNCAN BROTHERS.

TAKE NOTICE that Messrs. DUNCAN BROTHERS, of Tokenhouse Yard, London, Merchants, have this day executed to us a deed of assignment of their Stock in Trade, and Effects, both in England and elsewhere, for the benefit of their Creditors; and further, that we have appointed our friends *George Kenny Young*, Esquires, of Halifax, Nova Scotia, Solicitors, as our sole Agents, for the collection of the debts due to Messrs. Duncan Brothers in the Province of Nova Scotia, and New-Brunswick, and that they have full power to adjust and collect the same on our behalf.

HENRY HEMSLEY,
RICHD. HUNT,
JOHN HOWEL.
London, August 17th, 1841.

NOTICE.

GEORGE W. TURNER, of Fredericton, (Merchant,) having this day assigned all his Property, real and personal, within the Province, to the Subscribers, in trust for the purposes expressed in the Deed of Assignment, all Creditors of the said Geo. W. Turner, who shall signify their assent to the said Assignment, and all persons indebted to the said Geo. W. Turner, are requested to make immediate payment to either of the Subscribers, or to the said Geo. W. Turner.

HARRY DISBROW, } *Trustees.*
T. R. ROBERTSON,
J. J. MUNRO,
Fredericton, 1st September, 1841.

NOTICE

IS hereby given, that the Estate and Effects of JOHN BLACKLEY, Merchant, and DAVID Mackay, trading under the firm of "H. J. & D. Mackay," having been assigned to the Subscribers in trust for the purposes expressed in the Deed of assignment, bearing date the 1st day of J. & D. Mackay, wishing to derive any benefit under the said Deed of Assignment, are requested to call at the Counting House of the Subscribers and execute the same within the space of twenty days from the date hereof; and all persons indebted to the said Firm are requested to make immediate payment to

THOMAS PEARSON CRANE,
JOHN MCGRATH.
St. John, 17th August, 1841.

THE undersigned, Assignees of the Estate of H. J. & D. Mackay, notify all parties indebted to the said Firm, to make immediate payment to the undersigned, or to Geo. Murray, Jun. who *only* is duly authorised to receive the same; and all parties having claims on the said Firm, H. J. & D. Mackay, are requested to furnish their accounts forthwith to

THOMAS PEARSON CRANE,
JOHN MCGRATH.
St. John, 22d August, 1841.

THE Creditors of SAMUEL GOULD, late of the City of Saint John, are requested to meet, unless they present their claims and execute a Release to the said Samuel Gould, agreeably to the Trust Deed, within Four Calendar Months from the date hereof, when the Deed will be delivered for the benefit of this Assignment. A general Release now lies for signature at the Office of John M'Donald, Barrister at Law. Dated the 20th day of May, 1841.

JOHN M. ROBINSON,
THOMAS E. MILLIDGE,
5m. *Trustees.*

TRIAL OF ALEXANDER M'LEOD,

Before the Court of Oyer and Terminer at Utica, (New-York,) October, 1841.

(Concluded from last week's Courier.)

FIFTH DAY—*Friday*—(Afternoon Session.)

Mr. Spencer forbore reading any more of the depositions in the present stage of the case, (there being a great mass of them,) and proceeded with the case for the prisoner, by calling to the stand,

William Press, who was sworn, and stated that he was a tavern-keeper at Niagara in 1837; knew McLeod then about a year; lived about thirty yards from him; recollects the troubles in Canada in 1837—saw the Caroline on the 29th Dec. in that year, and returned to Niagara the same evening; went to Chippewa on business—took passengers from Niagara to Chippewa in a waggon; their names are on his book, and he could tell the distances known the time. The date is 29th Dec. 1837. Left Chippewa that evening, a little after sunset; left the waggon at home, and had taken my horses—had a two horse waggon; Mr. O'Neal and one of those I took up with me, rode back, up to the Niagara River; they did not go to Stamford, but, which is about six miles from Chippewa. McLeod left me at Mr. Morrison's gate. Was not acquainted with McLeod before this.

Cross-examined. Was in the habit of carrying passengers; when I do, I always make an entry of it; keep a regular set of books. I saw McLeod in Chippewa, and proceeded to Niagara; he asked if I was going back, and I said yes; and he asked me if I would take him down, and I said I would. He came to my house, and I left him there. Mr. McLeod started with me, I supposed it was to go to Niagara; when he stopped, I only stopped to let him get out. He stopped at Morrison's, and I drove on. The house at which he stopped is about twenty yards from the road—did not see him enter it; did not see the waggon; don't recollect which way he went, or which he said when leaving.

John W. Morrison sworn and examined.—Resides at Stamford, Upper Canada; has resided there six years; recollects McLeod being arrived from Europe in June, 1833; knows Alexander McLeod perfectly; the acquaintance commenced in July; heard of the burning of the Caroline on the morning of Dec. 30, 1837; at eight o'clock he received a message by one of his boys that Col. Cameron wished to see him at the place; he went down and saw the Colonel; he asked witness if he had heard the news; I asked him what it was; he said the Caroline had been burnt by artillery, and sent her over the Falls; I then asked "McLeod is in our house, won't you come in and see him?" he begged to be excused, as he was in a great hurry; I then went to the house, and opened the piece of wood, saying it was part of the Caroline; witness took it to his house and cut a piece off it; mistaken in the time; it was the next day, in the Falls.—Several persons passed his residence that morning confirming the information. Witness swore "and by the powers of Jehoshaphat, I'll be revenged on England and Portugal, under the great Duke of Wellington." At the time Col. Cameron came up McLeod was in a tavern-house, and he had left him at his house at o'clock the evening before, and slept during the night in the parlour; he took tea after his arrival at witness's house, and breakfasted the next morning; witness was absent from home; Cameron and McLeod, retired to bed—they had been drinking toddy together. McLeod had not left his sleeping apartment when Col. Cameron came; witness returning the piece of wood to Col. C., he went to McLeod and told him that the Caroline had been cut out; "Well, I guess," said McLeod, "I must go." "Would to God I had been there," McLeod then continued—"Captain, where is Archy, tell him to get my horse ready." The lad was sent for the horse. This was about eight o'clock, and we pressed him to remain to breakfast; after which, he got his horse and rode towards Chippewa, and the next time he saw him was on the afternoon of January 2d.

Cross-examined by Mr. Hawley.—Was born in Scotland, and is 58 years of age. Served under Sir John Moore, and his grace the Duke of Wellington. Witness was asked whether he was drilled into the army?—he answered "No, but I was he enlisted?" "No." How then? "He purchased his commission as ensign." The counsel then remarked, that, being a regular officer, he understand much about these matters. The witness, a perfect specimen of an old soldier, appeared very much displeased at the mode of examination, but proceeding, said that he retired when Lieutenant under full pay, which he continues to receive; he belongs to no party; he considers it his duty to support the government, let whatever party be in power, for from that government he receives his bread; he was not a member of any secret society; his house without knocking, he replied, "No gentleman would enter any house without first knocking"—he thought this question was put to him in a spare horse in witness's stable, so that he could exchange whenever it was necessary, as he had much professional business to transact; he was a Tory and lived on his principal route.—Thanks it was near to o'clock when McLeod left his house for Chippewa; he was in the habit of calling in the morning whenever he was passing.—Allusion was here made by the Counsel to some circumstances of a domestic character, which had for considerable time broken off the intimacy between the Morrison family and McLeod.

Quite a scene occurred at this stage of the examination, when the Court rebuked Mr. Hawley very severely for his manner of examining this witness, drawing forth another Mr. Hawley, and leaving only to create laughter at the expense of the peculiarities of the witness. The witness, (said Judge Gridley,) was not to have questions put to him which could only wound his feelings and embarrass his mind; witness was to the case, and the examination must not be conducted in that mode. Mr. Hawley begged to be heard in explanation of their conduct, and the Court remarked, that if he could not follow it up after the rule just laid down, he might stop. Mr. Hawley continued his examination towards the witness.] Mr. Hall then continued the cross-examination—There was at that time no cause of dissatisfaction between us, and we met, but since that some domestic affair has occurred which has changed our relations. The question being asked by the Court, as to the circumstances, the witness stated that the answer could alter his sentiments to the jury, and would only hurt his feelings. Mr. Hall then waived the question.

Archibald Morrison examined. Know M'Leod. Have seen Colonel Duncan Cameron several times. Believe he lives in Toronto. Heard of the destruction of the Caroline from my father. Saw Col. Cameron about that time; was down at our gate, and saw him about eight o'clock in the morning. He called to me to go and tell my father he wanted to see him. There was another man with Col. Cameron; he was in a waggon with two horses. Went up for my father; he was driving and I went with him. Heard Col. Cameron say the Caroline was sent over the Falls. Alexander McLeod was then in the parlour of my father's house; he came there the night before; think it was before tea. He went away the next morning at about eight o'clock, after breakfast. He went on horseback up towards the Falls.

Cross-examined. Recognize the prisoner, and know him well. Recollect his being at our house that evening; he stayed there about half an hour. He did not often stay at our house. Saw him when he came—it was about o'clock; he rode up on horseback; he stayed in the parlour all night.

Mrs. Margaret Morrison, (sworn,) is the wife of Lieut. Morrison; knows McLeod these six years; heard of the destruction of the Caroline in the morning; that it had been destroyed the night before; the news was brought by Col. Cameron; saw McLeod at my house; he came the night before; he was there in our parlour; he came there the night before about 7 o'clock; took tea there that night; Mr. Morrison and I allow him to go away; Mr. Morrison and Mr. McLeod went to bed; it was twelve o'clock; witness sat up also; McLeod slept in the parlour on a stretcher (cot); there was no other in the parlour except McLeod; he was a stranger; McLeod's boots were taken from the parlour seat, and put by the kitchen fire; they were there when I went to bed; McLeod did not leave the house that night; witness slept in a bedroom opening into the kitchen and open; witness saw McLeod after it was o'clock; the last time I saw him was twelve o'clock; witness sat up also; McLeod slept in the parlour on a stretcher (cot); there was no other in the parlour except McLeod; he was a stranger; McLeod's boots were taken from the parlour seat, and put by the kitchen fire; they were there when I went to bed; McLeod did not leave the house that night; witness slept in a bedroom opening into the kitchen and open; witness saw McLeod after it was o'clock; the last time I saw him was twelve o'clock; witness saw McLeod again about 8 o'clock in the morning; he was in the parlour when Col. Cameron came; Mr. Morrison came up and told McLeod, who said he wished to find out there; has forgotten what hour McLeod went away; can't be mistaken as to the night he was there; saw him next in the afternoon, in a place near Niagara; he had a cannon ball with him, which he said was fired at him from Navy Island.

Cross-examined by Mr. Hall.—Don't know whether McLeod came on horseback on that occasion or not; did hear that he came on horseback, and so stated to the Counsel (where Judge Bowden; knows Mr. Cameron was there only from hearsay; don't know him personally; McLeod had been there before on Christmas night; thinks he had said there came before Christmas night; don't when; believes it was when there were races at Malden; McLeod stayed there again on the 24 of January; saw McLeod next after the arrival from the 1st of January and slept that night in the parlour; on next night McLeod was there, and her father had left the parlour; witness said McLeod could sleep in the parlour; a daughter of Mr. Morrison lived awhile with Mr. McLeod; went there some time before the 1st of January; don't know; I think, was burned by Mr. Morrison's order; afterward, McLeod left the house about half past nine o'clock on the morning after the Caroline was destroyed.

To Mr. Hall. Witness is the second wife of Lieut. Morrison; was married about thirteen years ago; knows McLeod's acquaintance with the house but four times; viz. the night of the races, of the 24th of December, the 29th and the 2d January. *To Mr. Spencer.* Can't be mistaken that McLeod stayed there on the night of the 29th, when the Caroline was destroyed; that subject was discussed at the breakfast table in the morning. The daughter (Ellen) of Lieut. Morrison, who had lived with McLeod has been never at home but once since until a short time since; McLeod has been estranged from her father's house; they were friends.

Harriet Morrison, (sworn,) is the daughter of Lieut. Morrison; heard of the destruction of the Caroline the morning after it was destroyed; saw father telling McLeod in the parlour; understood that his friend, Col. Cameron brought the news; McLeod came to our house; before, I spent the evening in the room with him till 11 o'clock; saw him again at breakfast; left between nine and ten o'clock to go to Chippewa.

Cross-examined by Mr. Jenkins. Usually go to bed about 9 or 10; they set up later that night on account of Mr. McLeod being there; they all parted at 11 o'clock; witness was sleepy; I recollect what I said, which was about six miles from Chippewa. McLeod left me at Mr. Morrison's gate. Was not acquainted with McLeod before this.

Cross-examined. Was in the habit of carrying passengers; when I do, I always make an entry of it; keep a regular set of books. I saw McLeod in Chippewa, and proceeded to Niagara; he asked if I was going back, and I said yes; and he asked me if I would take him down, and I said I would. He came to my house, and I left him there. Mr. McLeod started with me, I supposed it was to go to Niagara; when he stopped, I only stopped to let him get out. He stopped at Morrison's, and I drove on. The house at which he stopped is about twenty yards from the road—did not see him enter it; did not see the waggon; don't recollect which way he went, or what he said when leaving.

John W. Morrison sworn and examined.—Resides at Stamford, Upper Canada; has resided there six years; recollects McLeod being arrived from Europe in June, 1833; knows Alexander McLeod perfectly; the acquaintance commenced in July; heard of the burning of the Caroline on the morning of Dec. 30, 1837; at eight o'clock he received a message by one of his boys that Col. Cameron wished to see him at the place; he went down and saw the Colonel; he asked witness if he had heard the news; I asked him what it was; he said the Caroline had been cut out by artillery and sent her over the Falls; I then said "McLeod is in our house, won't you come in and see him?" he begged to be excused, as he was in a great hurry; I went to the house, and opened the piece of wood, saying it was part of the Caroline; witness took it to his house and cut a piece off it; mistaken in the time; it was the next day, in the Falls.—Several persons passed his residence that morning confirming the information. Witness swore "and by the powers of Jehoshaphat, I'll be revenged on England and Portugal, under the great Duke of Wellington." At the time Col. Cameron came up McLeod was in a tavern-house, and he had left him at his house at o'clock the evening before, and slept during the night in the parlour; he took tea after his arrival at witness's house, and breakfasted the next morning; witness was absent from home; Cameron and McLeod, retired to bed—they had been drinking toddy together. McLeod had not left his sleeping apartment when Col. Cameron came; witness returning the piece of wood to Col. C., he went to McLeod and told him that the Caroline had been cut out. "Well, I guess," said McLeod, "I must go." "Would to God I had been there." McLeod then continued—"Captain, where is Archy, tell him to get my horse ready." The lad was sent for the horse. This was about eight o'clock, and we pressed him to remain to breakfast; after which, he got his horse and rode towards Chippewa, and the next time he saw him was on the afternoon of January 2d.

Cross-examined by Mr. Hawley.—Was born in Scotland, and is 58 years of age. Served under Sir John Moore, and his grace the Duke of Wellington. Witness was asked whether he was drilled into the army?—he answered "No, but I was he enlisted?" "No." How then? "He purchased his commission as ensign." The counsel then remarked, that, being a regular officer, he understand much about these matters. The witness, a perfect specimen of an old soldier, appeared very much displeased at the mode of examination, but proceeding, said that he retired when Lieutenant under full pay, which he continues to receive; he belongs to no party; he considers it his duty to support the government, let whatever party be in power, for from that government he receives his bread; he was not a member of any secret society; his house without knocking, he replied, "No gentleman would enter any house without first knocking"—he thought this question was put to him in a spare horse in witness's stable, so that he could exchange whenever it was necessary, as he had much professional business to transact; he was a Tory and lived on his principal route.—Thanks it was near to o'clock when McLeod left his house for Chippewa; he was in the habit of calling in the morning whenever he was passing.—Allusion was here made by the Counsel to some circumstances of a domestic character, which had for considerable time broken off the intimacy between the Morrison family and McLeod.

Quite a scene occurred at this stage of the examination, when the Court rebuked Mr. Hawley very severely for his manner of examining this witness, drawing forth another Mr. Hawley, and leaving only to create laughter at the

With reference to the objections; I wish to present this matter that it may be understood by the Jury; that the deposition was taken without the least possible understanding in what manner the questions to be asked, and so as to preclude cross questions.

Mr. Spencer here read the deposition of Duncan Cameron.

Col. Duncan Cameron, (deposition.) Has been slightly acquainted with McLeod since 1835; was at Chippewa during the night of the 29th Dec. 1837; went there that morning; left the next morning, and called at Lieut. Morrison's in Stamford on my way; saw Mrs. M. and talked with him; don't know on what subject.

John McLean, (sworn.) Saw Mr. McLeod in Buffalo shortly after the destruction of the Caroline; it was a time of great excitement in Buffalo; McLeod got in a controversy with the Patriots there; McLeod had to escape out of the back part of the house; witness aided him to do so, and marked him distinctly. Left Buffalo the evening before McLeod; heard the Caroline was burned; rode down to Chippewa; reached there by 8 o'clock that evening; inquired for McLeod there, and could not find him; left Chippewa the next morning, and met him; inquired for McLeod there, and could not find him; rode down to Fort Erie; got into a waggon with Dr. Foot and rode down to the Falls; near the Falls McLeod passed them going on to Chippewa.

Cross-examined by Mr. Hall. Was charged with a duty by the U. S. Marshal; had a confidential interview of an hour with Col. McNab immediately on reaching Chippewa; there was no supper at his quarters; staid there an hour and a half; Colonel McNab staid but a few minutes and went to bed; McLeod was in a tavern; McNab told him on all night; witness then went to quarters assigned him, where Dr. Foot and he slept in one bed; Dr. Foot was with Colonel McNab; Caroline on fire; saw the Caroline on fire; saw the Caroline in flames going over the Falls; did not get up; McLeod left the house next morning at his quarters; was not allowed to state the conversation with Colonel McNab; saw McLeod very near the Falls; said to Dr. Foot, "there goes McLeod now!"

Dr. Foot, (sworn.) Resides at Niagara, U. C. Was there in 1837; saw McLeod at the tavern; saw him the next day near the guard house, threatening to shoot the prisoner the village, not far from eleven o'clock—he passed up the river on horseback, with one or two more.

Cross-examined by Mr. Spencer.—In 1837 I lived in Canada; he lived in the Patriot; I lived at Chippewa, he, witness, sold a draft for $300 on Albany, which came back protested, and he was taken up and sued for the money; it may have been the prisoner who put him into jail.

John C. Dunn, keeper of the tavern at Chippewa, in 1837; he was; he proved that McLeod was at his house in the afternoon of the 29th and went to bed about three o'clock. He got up between nine and ten o'clock in the evening, and ordering his horse, rode off, and the witness did not see him again.

Hiram Dunn was next called, and testified as to the character of Dunn's tavern, and stated that

James M. Dyke testified that on the morning after the patriots left Navy Island, he saw McLeod hitch a horse to a waggon, at a house nearly opposite Lewiston.

William Duffield—deposed that he knew Capt. Morrison; had seen him three times at his house; saw him once at Lewiston in Nov. 1840, and he said he was a man who had served before Mr. Bell; in Sept. he was there; he said he had been the American authorities would get McLeod out; he said he participating in burning the Caroline; heard him say he was the man; he said he was the man; he said that Morrison had seduced his daughter, who was married to a Mr. Taylor.

Cross-examined by Mr. Spencer. Lived at Lewiston when the Caroline was burnt; was on Navy Island eight days; was taken prisoner there; was there as a school teacher; did not teach school on Navy Island; they knew more than my business did there.

Mr. Hall Hendebrick was then called for the purpose of proving that there was a conspiracy to board the Caroline and to impeach the evidence of the prisoner's witnesses, who swore to the contrary.

Mr. Spencer—Yes, gentlemen of the jury; I object, however, in addition, that this is cumulative evidence. They attempt now to produce new evidence. The prosecution has been strengthened in the case for the prosecution had been shrouded in gloom century to all precedent.

Mr. Hall contended that it would not have been prudent at one time to disclose the witnesses.—But subsequently, in the spirit of liberality, the names were given in exchange for those of the prisoner's witnesses. And it was extraordinary for the counsel, after entrapping him (Mr. Hall) should discover so little of the generosity and magnanimity constituting a gentleman.

Mr. Spencer said that Mr. Wood gave merely names, without residences, or subjects of their testimony, and very few of them had been produced on the trial.

The Court hoped the scrutinies exhibited by gentlemen would be smoothed down before another week, and wished to know Mr. Hall's object in producing this witness.

Mr. Hall—To prove the fact of their being armed and boarding the Caroline.

The Court excluded the evidence as cumulative.

Mr. Spencer here read the deposition of the witness Hendebrick, which was then the exception to document Deffield stated that he had never conversed with Captain Morrison on the subject of the destruction of the Caroline; he escaped to Canada before the deposition was taken; and that Morrison said he was not certain that McLeod was at his house the night the Caroline was burnt.

Timothy Wheeler, (sworn.) Resides at Lewiston, N. Y. Oct. or Nov. 1839, while at the Ferry at Niagara, he had a conversation with McLeod, in which he said he had seized a destroyed the Caroline; he said he was being badly hurt. The witness had never seen McLeod before or since, but knew it was him.—Mr. Hall was by while he was talking and called him McLeod.

David Hamilton, called for the defence, gave Deffield's character for truth and veracity.

A witness named Macomber, gave Drown a good character for truth and veracity.

Joseph Cornell was then called to prove that the commissions had been irregularly executed, but that fact did not appear very distinctly.

Andrew Drown was called, and established the character of Deffield for truth and honesty.

With this witness the case was closed on both sides.

The court then admonished the jury of their duty during the Sabbath, when, unpleasant as it was, they must remain together.

Mr. Spencer—Yes, gentlemen, we are allowed by consent of counsel, to visit, under charge of a constable, a brother living at the point of death.

Judge Gridley—Yes, gentlemen, in case of absence in the same way, which was denied, as no such cause for his separation existed as in the other case.

Judge Gridley then charged the jury as follows:

Court—Yes, certainly; you must go in a body, sit together, and be attended by a constable.

Mr. Spencer—Yes, gentlemen of the jury, Mr. Morrison during his temporary separation from his fellow-jurors. The other members of the jury were then given in charge of two constables, and the Court adjourned till Monday morning, at 9 o'clock.

Correspondence of the New-York Tribune.

UTICA, Saturday morning, Oct. 9.

The examination of Lieut. Morrison caused some irrepressible merriment. He is a Scotch Highlander of great simplicity of heart, openness of manner, and strong Tory principles, mingled with much promptness, energy, and keen sense of humour.—His cross-examination was long and searching, and he was kept on the rack for two hours. He conserved to confirm the impression already made, that falsehood in him was a moral impossibility.—Cameron how the Caroline was destroyed, or rather how he had learned it, he readily replied—"Sir, I took his word for it." Another question elicited from fifteen officers of the British Army.

The cause of the estrangement between Lieut. Morrison and McLeod was tenderly touched on in the cross-examination, the Lieutenant asking the Attorney General not to press it, as it was a sore spot to him and not at all relevant to this issue.—As, however, questioning came on Mrs. Morrison's cross examination which is calculated to make impressions injurious to the family which the witness would not warrant, it is perhaps best that the facts should be stated. I believe them to be thus:—Some three years since, Ellen Morrison, daughter of the woman at them from Navy Island, and who picked up one of the balls and gave it to McLeod, spent the ev