THE
NEW-BRUNSWICK COURIER
Is Published every *Saturday*, by HENRY CHUBB, at his Office, fronting the Market Square, Saint John, New-Brunswick.
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PRINTING in general, executed at the shortest notice, on liberal terms.

WEEKLY ALMANACK.

Oct.	1841.	R.	⊙ S.	⊙ R.	H.	W.
17	SUNDAY	6 33	5 27	6 51	1	22
18	MONDAY	6 34	5 26	7 40	2	4
19	TUESDAY	6 35	5 25	8 33	2	53
20	WEDNESDAY	6 36	5 24	9 33	3	42
21	THURSDAY	6 38	5 22	10 37	4	39
22	FRIDAY	6 39	5 21	11 41	5	38
23	SATURDAY	6 40	5 20	Morn	6	46

First Quarter 22d, 4 h. 20 m. morning.

BANK OF NEW-BRUNSWICK.
THOMAS LEAVITT, Esq. President.
Director next week, - - - *John Boyd, Esq.*
Discount Days—*Tuesdays* and *Fridays*.
Hours of business, from 10 to 3.
☞ 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, - - - *Noah Disbrow, 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. SHITHES, Esquire, *Manager.*
Director next week, *E. DeW. Ratchford, Esq.*
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 BOYD, 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:
William Walker, and William Leavitt, 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 M'Donald, 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 in the Occupation of John Murray, known by the bounded north-easterly by Lands granted to Lauchlan Donaldson, and south-westerly by Lands granted to John Stone.

Also, the right, title, and interest of, and in, the same, 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 taken by and to be sold 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 Corner, in the Market Square, 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 Hanson of, in and to Lot 1099, in the said City, bounded and described as follows:—commencing at the south-west corner of the said Lot, thence north-easterly along the front 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 Saint James' street thence westerly in the line of said street thirty feet, to the place of beginning—the same piece of land fronting thirty feet on Saint James street, and extending back one hundred feet—except a right of way of four feet outside eastern side of the said piece of land running back from said street to the rear of said Lot. 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 by and by virtue of an execution issued out of the Supreme Court at the suit of James Lockwood and George Lockwood.
JOHN WHITE,
Sheriff's Office, Saint John, 9th Oct. 1841.

NOTICES.

ALL persons are hereby forbidden to purchase Lots Nos. 859 and 860, advertised 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.

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 twelve months from this date:—And all persons indebted to the said Estate, are required to make immediate payment to them only.
JOHN WISHART,
T. L. NICHOLSON,
JOHN POLLOK,
St. John, July 24, 1841. *Administrators*

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 JAMES KERR & Co.; and all persons indebted are desired to make immediate payment to
HANNAH KERR, } *Executrix*
ANN FERGUSON, }
JOHN KERR, *Executor.*
St. John, 2d March, 1841.

ALL persons having any legal demands against the Estate of ABIATHER CAMP, Esq. late of the Parish of Waterborough, County of Queen's, deceased are hereby requested to present the same, duly attested, within twelve 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.

NEW-BRUNSWICK

ENLARGED SERIES. { VOL. IX. / No. . 38 }

SAINT JOHN, SATURDAY, OCTOBER 16, 1841.

VOLUME XXXI. { NUMBER - 25 / WHOLE NO. 1391 }

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 requests 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 payments or disposions of the real and personal property of the Testator.
ELIZABETH WATT,
Qualified and duly Trustee and Executrix of ROBERT WATT, *deceased.*
Montego Bay, Jamaica, 8th March, 1841.
☞ 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 MARY BARTLETT, late of this City, 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 account to the subscriber for settlement, within Six Months from the date hereof; and those indebted to the said Estate are notified to make immediate payment to
MARY BARNES, *Administratrix.*
JOSHUA UPHAM, } *Administrators*
WM. TWEEDDALE, }
Upham, K. C. 6th Sept. 1841.

ALL persons having any legal demands against the Estate of William G. Cody, 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 this date; and all persons indebted to said Estate are desired to make immediate payment to WILLIAM OLIVER CODY,
JAMES OSBORNE CODY,
St. John, Nov. 7, 1840. *Administrators*

ALL Persons having any legal demands against the Estate of the late ELIZA FRASER, 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. L. ROBINSON, *Executor.*
Fredericton, 18th September, 1840.

NOTICE.

GEORGE SALTER having this day taken into Co-partnership his Brother JOSEPH SALTER, of Halifax, N. S. the Commission and General Business hitherto conducted by the former, will in future be carried on by them, under the firm of G. & J. SALTER; and from their knowledge of local and foreign business, they feel confident they can give satisfaction to those who may patronize them.
GEORGE SALTER,
JOSEPH SALTER.
They have permission to refer to
Messrs. Ratchford & Brothers,
Messrs. J. & H. Thomson,
Saint John, N. B.
Hon. J. Leander Starr,
Messrs. Stephen Binney & Co.,
Halifax, N. S.
St. John, 4th Sept. 1841.—6w (Sent. 3m)

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 Co-partnership are requested to present them for settlement; and all persons indebted, are desired, to make payment to Robert S. Matthew.
DANIEL C. 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 D. C. Perkins, who is duly authorised 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 Business hitherto carried on by HOLDEN & DANIEL, will in future be conducted by the subscriber. All persons having demands against the Firm are requested to present their Accounts for adjustment, and those indebted will oblige by an early settlement.
THOMAS DANIEL.
Market Square, April 13th, 1841.—6m.

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 the Subscriber, to whom those indebted will please make payment.
JOHN ALEXANDER.
JOHN H. 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 for payment, with whom all persons indebted will please settle.
I. FAULKNER,
St. John, May 1, 1841. E. Z. WHEELER.

N. B.—The COMMISSION BUSINESS will, in future, be conducted by the subscriber, in his own name, as formerly, in the Market Wharf, adjoining the brick store owned and occupied by Walker 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.
I. FAULKNER.
St. John, May 3, 1841.

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

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 Market Slip, where they will be 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 general assignment of their Debts, Credits, and Effects, both in England and elsewhere, for the benefit of their Creditors; and further, that we have appointed *William & George Renny Young*, Esquires, Barristers, Nova Scotia, Solicitors, as our sole Agents, for the collection of the debts due to Messrs. Duncan Brothers in the Provinces of Nova Scotia and New-Brunswick, and that we have full power to adjust and collect the same on our behalf.
HENRY HEMSLEY,
CHRISTOPHER MITCHELL,
JOHN HOWEL.
London, August 17th, 1841.

☞ *NOTICE.* ☜

GEORGE W. TURNER, of Fredericton, (Merchant,) having this day assigned all his Property, both in England and elsewhere, in trust for the Subscribers, in trust for the purposes expressed in the Deed of Assignment, all Creditors of the said Geo. W. Turner, wishing to derive any benefit under the said Deed of Assignment, are requested to call at the Office of Charles Fisher, Esquire, in Fredericton, and execute the said Deed, within three months from the date hereof, otherwise they will be excluded from the benefit of the said Assignment; and all persons indebted to the said George W. Turner, are requested to make immediate payment to the Subscribers, or to the said Geo. W. Turner.
HARVEY GARCELON,
T. R. ROBERTSON,
J. J. FISHER, } *Trustees.*
Fredericton, 1st September, 1841.

NOTICE

IS hereby given, that the Estate and Effects of Hugh Mackay, James Mackay, and Daniel 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—All creditors of the said H., 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 said Deed before the seventh day of November next, and all persons indebted to the said Firm are requested to make immediate payment to
THOMAS PEARSON CRANE,
JOHN M'GRATH.
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 pay the amounts of their several Accounts to the undersigned, or to Geo. Morrison, who is only duly authorised to receive the same; and all parties having claims on the aforesaid H., J. & D. Mackay, are requested to furnish their accounts for Debt.
THOMAS PEARSON CRANE,
JOHN M'GRATH.
St. John, 22d August, 1841.

THE Creditors of SAMUEL GOULD, late of this City, Merchant, are hereby notified that unless they present their claims and execute a Release to the said Samuel Gould, according to the Trust Deed, within Four Calendar Months from the date hereof, they will be precluded from receiving any benefit of this Assignment. A general meeting of the Creditors will be held at the Office of John M. Robinson, Esq. Barrister at Law. Dated the 20th day of May, 1841.
JOHN M. ROBINSON,
THOMAS E. MILLIDGE,
5m. Trustees.

UNITED STATES.

TRIAL OF ALEXANDER McLEOD.

Utica Oyer and Terminer, Oct. 4, 1841.

Before Judge Gridley and Judges White, Kimball, and Jones, of the County Court.

The Court met this morning at 9 o'clock for the purpose of transacting the important trial, and owing to the excellent regulations in force, the greatest order and decorum were preserved by the persons assembled to witness the proceedings of the trial. So far however from there being any rush to obtain places the Court-room was not one third filled an hour after the opening of the Court, affording a fair and favourable opportunity for the great excitement prevailing at this place. The seats left for the citizens and other spectators were only barely filled, and indeed the trial seemed to excite no more interest than would an ordinary trial for murder in any Court in New-York. The prisoner, with his counsel, Messrs. Hunter, Bradley, and Gardner, was brought into Court in custody of the Sheriff, David Moulton, Esq., and took a seat by the side of his counsel, with his head dressed fully, very much in a large blue cloth cloak, and his appearance indicated anything but anxiety or depressed spirits. The Court being opened at nine forty, and the Jurors being duly having declared themselves ready, the Clerk proceeded to empannel the Jury, whose names are as follows:

Charles O. Curtis, of Paris, *farmer.*
Eason Allen, of Paris, *farmer.*
John Mitchell, of Sauquoit, *merchant.*
Elijah Brush, of Rome, *farmer.*
Ira Bynington, of Cambden, *farmer.*
William Carpenter, of Kirkland, *farmer.*
Hezekiah Cleveland, of Kirkland, *farmer.*

When this Juror was called, Mr. Hall demanded as common law right, that he should be set aside until the other Jurors were empanelled, and he cited a authorities for this course, Baldwin's Circuit Court Reports, vol. 1, pp. 82, and Chitty's Criminal Law, vol. 9, pp. 533.

Mr. Spencer, in opposition, said this was the first time in the whole course of his practice of 20 years, that he had ever heard of such a proposition; it was not a challenge on the prosecution; it was in fact a qualified peremptory challenge, which belonged of right to the prisoner alone, and to support his position he cited 2 R. S. pp. 615, sec. 3 and 2 R. S. pp. 341, sec. 61.

Judge Gridley in deciding on the proposition, said, he was not prepared to decide upon the point, right, although the fact be that no attempt has been hitherto made by a public prosecutor to avail himself of that right, it was nevertheless a right, which he should be wanted to him, if he does not avail himself of it. But it has not been shown that the statute recognizes this right. I see no reason why this common law should be abrogated because it was the King, after the statute took it away from him. But it seems that it was so, and that it was part of the common law of England, and that it served for a time of the revolution. But as far as I can see, the provisions of our statutes have trenched on this common law right. The statute provides that Juries should be empanelled in civil and criminal cases, and unless some of them are set aside for cause shown, or by peremptory challenge, the rule is distinctly prescribed, that the first twelve men called shall constitute the Jury. I therefore decide the question, that the People have not the right to set Jurors aside until the panel is exhausted, and the Juror must be sworn unless challenged or set aside for causes.

Peter Sleight, of Westmoreland, *farmer.*
Asher Allen, of Augusta, *farmer.*
Seymour Carrier, of Steuben, *farmer.*
Hezekiah Allen, of Floyd, *farmer.*
Yelney Elliott, of Kirkland, *farmer.*

Very few were challenged or set aside, and much more difficulty was experienced in empanneling the Jury than had been anticipated. The Jurors above named having been sworn—

Wyllis Hall, Esq., Attorney General, opened the case on the part of the People, as follows:—Gentlemen of the Jury—I stand before you in obedience to the law and in the name of the people of the State of New-York, to make good before you the charge of murder against Alexander McLeod, the prisoner at the bar. The grand inquest under the solemnity of their oaths have denounced the prisoner at the bar, as guilty of the blackest in the catalogue of crimes, and it now devolves on me to place before you the evidence of his guilt. Gentlemen of the Jury, it cannot be disguised that this trial has produced an extraordinary excitement in the public mind. We see it in the unusual crowd of anxious citizens who have collected to witness the proceedings of this day. Perilous to juries are the public rumors and excitements of the day, for reason, and to warn you against your danger, I advert to this circumstance; they are stumbling blocks in the path of the impartial judicial, which needs have fallen. Whatever then may be the extraneous causes which have produced this great public excitement, it is your duty and your right to shut out from your minds every thing not the legitimate offspring of the evidence in the case. Gentlemen of the Jury, it cannot be disguised that this trial has produced an extraordinary excitement in the public mind. We see it in the unusual crowd of anxious citizens who have collected to witness the proceedings of this day. Perilous to juries are the public rumors and excitements of the day, for reason, and to warn you against your danger, I advert to this circumstance; they are stumbling blocks in the path of the impartial judicial, which needs have fallen. Whatever then may be the extraneous causes which have produced this great public excitement, it is your duty and your right to shut out from your minds every thing not the legitimate offspring of the evidence in the case. Gentlemen of the Jury, I