

and was no more troubled with the quarrels of the parties—and Mr. Hawley should have done the same.

The Solicitor-General now entered upon the defence. He stated to the Jury that the case was not of such consequence as they might have been led to suppose from the opening speech. He with much eloquence and ability took a comprehensive view of the case. He contrasted the serious and even awful charges brought forward in the opening address with the evidence which had just been adduced for the prosecution. He observed, that if his client were such a beast—such an absolute brute as they represented him, he (the Solicitor) would not stand there to defend him. The reverse, however, he was happy to say, was the case, and he could now tell the Jury that Mr. Ham was a respectable man—that from a poor shoemaker and labourer as they would make him, he by his own merit and good conduct raised himself to wealth and respectability. Were he such a monster as they would make him to be—yes, if he kept five or six women in Bath—if he really kept a Seraglio like the Grand Turk, as they alleged, how was it that he is now associated with and respected by his neighbours? He contended that his client, Mr. Ham, was at that moment fully as respectable as Mr. Hawley or any of his connections—and he would say further, if his client were such an abandoned monster as they represented him, why has he been so long on the list of magistrates. Was there an instance, he would ask, of a brother magistrate complaining of him—no, gentlemen, he has always conducted himself with decency and propriety. And how, gentlemen, I would again ask, has it come about that in the very face of the slanders and the calumnies of his enemies, this very Mr. Ham has been on one occasion elected by his neighbours to represent them in Parliament.

The learned gentleman in going into the merits of the case, stated that he could prove to the satisfaction of the Court and Jury, that the conduct of the plaintiff, Mr. Hawley, was most improper. He could prove that when he (Mr. Hawley) came for his daughter, he said to the defendant, "You d—n rascal, you have ill-used my daughter—I was able to support her before she married you, and I am so yet." This was a sample of the conduct of this mild, impenetrable Clerk of the Church. The learned gentleman put the Jury on their guard against the eloquence and ingenuity of the opposite Counsel. Complimented Mr. Bidwell's address—it had one material fault however—it was not true. Towards the close of a very lengthy and very eloquent speech, the learned gentleman disputed the validity of the marriage between the parties. The evidence on this point will appear below.

Amelia Perry was present when Mr. Ham took away his wife from plaintiff's house; did not see Mr. Ham flourish a whip or say any thing angry; he had a very small whip in his hand, but did not shake it over his wife; Mrs. Ham made no objection to go home. Mr. Hawley proposed to Mr. Ham to get a wagon, which was done, and they went home quietly. Witness saw old Mrs. Hawley shaking her fist under Mr. Ham's nose—old Mrs. Hawley was in a fret—supposes it was because her daughter was going home—recalled Mrs. Hawley saying that she wished her daughter was in her tomb before she married the defendant.

Peter Perry went to the house of Mr. Hawley with Mr. Ham. Defendant asked his wife to go home with him. Mr. Hawley wished him to go for a wagon—saw nothing improper on the part of Mr. Ham. When defendant first went into the house, and after the usual salutations, defendant asked the plaintiff if he owed him any thing on account of his wife, and was answered in the negative—asked Mrs. Hawley the same question, and was also answered in the negative. Did not see Ham shake a whip over his wife—if he had done so must have seen it.

Mary Perry was present when Mr. Hawley took away his daughter from defendant, he told his daughter she must go with him, as he would not allow her to live any longer with her husband; she did not wish to go, but her father insisted. He ordered her to take down the curtains from her bed; Mrs. Ham sat down on a chair and cried; but old Mrs. Hawley took away the curtains; thought the conduct of the plaintiff and his wife very outrageous. Witness is sister to the defendant; lived in the same house with defendant and his wife while they were together, and never saw defendant strike her. Mrs. Ham told witness about six years ago, that her husband never struck her; thinks that if Mr. Hawley and his wife had kept away, there would have been nothing wrong, and they would never have been separated.

John Ham thinks that the difficulty had originated between George Ham and his mother-in-law; thought so from certain reports that she had been circulating; for instance, she insinuated at one time, that witness had treated his wife harshly.

Henry Ham was present in October last when Mrs. Ham came home. Defendant said so you are come back to live with me. You think that I am a better man now than I was before, but you are mistaken. Defendant said he would let her have the best room in the house, and if that was not good enough, he would build another; he would not cohabit with her; she might go out and in as she liked; but he would be the proper judge of what visitors should come to his house.

John Ham is father to the defendant; his son George Ham, is about 33 years of age, was christened by the Rev. Mr. Langhorn; was married in 1813 by the Rev. Rob. Macdowal. He & his wife lived happily together for the 1st year; next year Hawley took away his daughter. Job Aylesworth and Elisha Shorey saw Hawley the day he took away his daughter; met them on the road talking to one of the neighbours; heard Hawley say I have taken away my daughter; I supported her before, and can do it again: she shall not live with him again.

Rev. Robert Macdowal identified the certificate of marriage between George Ham and Esther Hawley; witness is a Presbyterian of the reformed Dutch Church. By the Solicitor. Were you ordained by a Bishop. Witness. We are all Bishops. His Lordship observed, that if witness had been ordained by a Bishop, he could not be a Presbyterian. Defendant's parents were communicants in his church, and George Ham, the defendant, was a regular attendant, but never communicated. Point reserved for the Court above upon the legality of the marriage as above celebrated.

Have the defence closed.
Mr. Hagerman now rose in behalf of the plaintiff; and in one of those bursts of eloquence peculiar to himself, carried along with him, if not the conviction, at least, the feelings of his hearers. It is always with pleasure we

listen to the speeches of this gentleman, especially in cases like the present, calculated to create strong excitement. We have heard those who could, perhaps, reason more closely than Mr. Hagerman, but very few indeed whose eloquence, in our estimation, is more powerful.

At the commencement of his speech, the learned gentleman adverted to the high eulogium which the learned Solicitor had passed on the character of the defendant; he, however, contended that there were many then present who knew well to the contrary, and even a stronger proof of the absolute baseness and depravity of the mind of that individual could not be adduced, than the scandalous and most damnable plea now set up by him. What gentlemen of the Jury, says the learned counsel, does he attempt to prove—it is gentlemen, that the wife of his bosom is a prostitute, and his child a bastard.

The learned gentleman went at great length into the law and facts of the case. He observed that the greater part of the witnesses were Ham's near relatives; but he would put Miss Hawley's testimony against the whole mass of evidence brought against him. It was always with regret that he found himself compelled to differ in opinion with the bench. In the present instance, notwithstanding what had fallen from His Lordship to the contrary, he would deny, that at the present day, a man was at liberty to chastise his wife—that was the law at former times—but the day, he was happy to say, was now too far advanced to admit such doctrines.

Gentlemen, (he continued) what inference are you to draw from the modest request of the defendant to his wife, that she would submit to having another man sleep in the same room with her? Is there any man who now bears me, whose blood does not boil within him at such a proposal—whose soul does not revolt at the cold-blooded brutality of this bad man? He was to derive either of two advantages from this proposition—if she rejected it, (as she did, with silent, but expressive indignation) he then would make it appear, that it was entirely her own fault if she did not live with him. If she submitted, what then would follow? Gentlemen, you have perhaps heard of an atrocious circumstance which occurred near the Niagara Mills some time since. John Clark (I suppose you all know him) induced an unfortunate female to consent to marry a man then living at his house; the worthy John proceeded to join the parties in holy wedlock & the day, with its festivities being over, the happy couple retired to bed. As was concerted before, between the bridegroom & Clark, the former, whenever his unfortunate dupe fell asleep, got up, & left the room for a few minutes, & Clark took possession of the bed. The bridegroom immediately returned, and affected to discover that his newly married wife was false to his bed, upon which, the marriage was immediately declared void. Gentlemen, do you think that Mr. Ham, with the knowledge of a stranger, so suited to his ideas of right & wrong, would let so good an opportunity escape him, as his wife's submission to his proposal would give him, to wed himself off for ever.

Towards the close of his speech, the learned gentleman having been frequently interrupted by the Solicitor, as to the impropriety of some of his expressions, begged pardon of the Court & Jury, if, in the heat of speaking, he had transgressed the bounds of decency; he denied, however, that he did; observed, that the defendant, by his infamous conduct, had brought it all upon himself. But, my lord, continued he, against the continued interruptions of others I put myself, under the protection of the Court. I stand here, my lord, as a Barrister and a Gentleman. In the former capacity, the Court will protect me, and in the latter, I shall protect myself.

His Lordship, after telling the Jury to divest their minds of the declamatory address which had just been made, entered into a dispassionate re-capitulation of the evidence, stated that he would at once have granted a non suit, but for the defendant's letter already alluded to. He was of opinion, however, that that letter ought not now to make any difference. He was also of opinion, that not a farthing of damages ought to be given, at least, excepting for one month, and even was not certain as to that month.

His Lordship then left the case with the Jury, who, after retiring for a short time, returned a verdict for one plaintiff—damages £250.

At Ernestown on Tuesday the 5th of Sept. Eliza Ann, youngest daughter of the late Mr. Darius, and Martha Fisk in the eleventh year of her age.
On Saturday last, Charlotte, only daughter of Mr. Wm. Carroll, aged about 3 years.
Same day, Elizabeth, daughter of Mr. G. W. Armstrong, aged 2 years.
On Sunday last, Mr. Francis Pember, aged 36 years.
Same day, Mr. John Conter, Sen. aged 52.

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To Farmers.
TO Let on shares, about 21 acres of Land in the Township of Pittsburg, near the village of Barriefield; thirteen acres of the said Land has been mowed for Hay this summer. The use of a Yoke of Oxen may be had if required, and the use of a Barn. Apply to Mr. Marks at the Dock Yard, or to James McCallister in Barriefield. A comfortable cottage will be allowed to an industrious man. Sept. 13, 1826.

PUBLIC NOTICE.
ALL persons having claims against the Estate of the late DAVID RANDALL of Ernestown, Miller, are hereby requested to present them for adjustment. And all persons indebted to the said Estate are hereby required to make payment of the several amounts due by them to the subscriber.
BENJAMIN BOOTH.
Ernestown 13th September, 1826.

Office of the Bank of Upper Canada, Kingston, 14th September, 1826.
EIGHT per cent. advance on the sterling value of British Silver Coin, is at present given at this office.

NOTICE.
THE partnership heretofore existing between WILLIAM H. WALBRIDGE and CHARLES CLARK, is this day dissolved by mutual consent.
WILLIAM H. WALBRIDGE.
CHARLES CLARK.
Bellville, Sept. 3, 1826.



ROYAL CIRCUS,

Mr. Moore's Mansion House.

POSITIVELY THE LAST NIGHT.

Saturday 16th Sept. 1826.

FOR THE BENEFIT OF MASTER LESLIE.

I am an artless little youth,
Who sought the public to amuse;
If you censure, be it mild:
One kind adieu, do not refuse.

The performance to commence with the **GRAND ENTRE,** which will introduce the whole stud of horses.

HORSEMANSHIP

By Master Leslie, the undaunted youth who will introduce a number of surprising Feats, never attempted by any person of his age being only ten years old, in which he will leap over Whips, through Hoops, &c. &c. and conclude with the arduous task of

Riding on his Head.

FOX HUNTING

BY THE TROOP.

COMIC AND SENTIMENTAL SONGS.

"Froggy would a wooing go, or High ho! says Rowley"—By Master Leslie, in the character of a Clown.

The comic Duets of "Polly Hopkins, and Tommy Tompkins"—By Mr. G. Blanchard and Master Leslie.

Song "Harry Buff"—By Master Leslie.

THE WONDERFUL SHETLAND PONY BILLY,

will go through many surprising tricks—such as leaping bars, fetching handkerchiefs, un-girting and taking off his Saddle. Mr. G. Blanchard will shoot a pigeon which the Pony will fetch like a Spaniel Dog. To conclude by leaping through a

BALLOON.

STILL VAULTING BY THE COMP'Y.

Riding Master, : : : : Mr. G. Blanchard.
Clown, : : : : : W. Jones.

A Comic Dance,

IN THE CHARACTER OF CLOWN,
By Master Leslie.

GRAND TRAMPOLINE,

over a number of Horses, by T. Jones.

Doors open at Seven, and Performance to commence at 8 precisely. Tickets of Admission to be had at the Box, in front of the Circus.—Boxes 2s. 6d.; Pit 1s. 3d.

NOTICE.

THE Subscriber having been appointed Inspector of Weights and Measures for the Midland District, informs all persons concerned, that he has received the Standard for said District, and is prepared to examine and compare all weights and measures which shall be presented to him for that purpose, with said Standard; and has annexed the sixth or penal clause of the Act relative to Weights and Measures.

ROBERT RICHARDSON,
Inspector of Weights and Measures,
Midland District.

Kingston, 28th August, 1826.

VIth Clause of the Act relative to Weights and Measures.

VI. And be it further enacted by the authority aforesaid, That all Store-keepers, Shopkeepers, Millers, Distillers, Butchers, Bakers, Hucksters, and other trading persons, inhabitants of such District, for which a Standard of such Weights and Measures as aforesaid shall have been obtained, who shall after the expiration of six months after such standard of Weights and Measures shall have been received, and Inspector appointed as aforesaid, have in his possession any Weights or Measures whereby he buys or sells any article, for the weighing or admeasurement of which such Standard of Weights and Measures are generally used, any other than such Weights or Measures as have been examined and stamped, or marked as aforesaid, shall forfeit for every offence Two Pounds Provincial Currency, being thereof convicted before any one or more Justice or Justices of the Peace; on the oath of one credible witness, which said penalty, together with all reasonable costs, shall be levied by distress and sale of the offender's goods, and in the default of distress such offender shall be committed to the Common Gaol of the District for a term not exceeding one month.

York

BOARDING SCHOOL,

UPPER CANADA.

Under the Patronage of Lady Sarah Maitland.

MISS PURCELL AND MISS ROSE

respectfully inform their friends and the public, that their school will recommence on Wednesday 6th September. They also beg leave to say, that a lady of the first respectability is to join their establishment, who will teach the FRENCH LANGUAGE, and DRAWING, besides several other Branches, in the first style. They have also engaged a first rate Professor of Dancing from Montreal.

York Aug. 26.

Low Blanks for Sale at this Office.

GOVERNMENT

CONTRACT

For Building Materials.

NOTICE is hereby given, that Tenders will be received at this office until the first November next, at noon, from such persons as may be willing to furnish

TIMBER, SCANTLING, BOARDS, PLANK, LATHS, SHINGLES and CEDAR PICKETS,

To such extent as may be required for the service of the public Military Establishments at this Post for one year, to commence on the 25th December, 1826.

The conditions of Contract and form of Tender (to be made out in British money) may be known on application at the Commissariat Office, and no proposal will be noticed unless made in the form prescribed, and signed by two sufficient Sureties willing to become bound for the fulfilment of the Contract, as well as by the Party making the offer; who, or an Agent duly authorised on his behalf, must attend at the time of opening the Tenders to give any explanation required; and it will be a condition of any contract that may be entered into, that it shall be optional with the Commissariat Officer in charge to pay for the Building Materials that may be supplied either in British Silver Money at its nominal rate, in other Specie at the Par of 4s. 4d. Sterling the Spanish Dollar, or in Bills of Exchange on His Majesty's Treasury at Thirty days after Sight, of £100 for each £108 due upon the Contract.

Any further conditions and particulars may be known on application at this Office. The Tenders must be sealed, and endorsed "Tender for Building Materials."

Commissariat Office,
Kingston, 15th September, 1826.
THOS. HILL,
D. A. G. G.

TO BE SOLD OR LET,

And possession given in the course of a few days.

THAT STONE DWELLING HOUSE and GARDEN, situated in Barrek-st. adjoining the Commissariat Office, presently occupied by Lieut. Marlow of the Royal Engineers. For particulars apply to

F. A. HARPER
Kingston, Sept. 8, 1826.

LAKE ONTARIO SWEAT BOATS

FRONTENAC & QUEENSTON.

THE public are informed, that both the above boats have commenced their regular trips, and will, during the present Summer, leave the different ports as follows, (weather permitting):

THE FRONTENAC,

Captain McKenzie, will leave Kingston every Wednesday afternoon, (upon the arrival of the steam boat Dalhousie from Prescott) for York, Niagara, and Queenston, and leave Niagara, on her return to Kingston, every Saturday evening.

THE QUEENSTON,

Captain Whiting, with Mr. J. Whitney as Sailing Master, will leave Prescott every Sunday evening (upon the arrival of the stage from Montreal) for Kingston, York, Niagara, and Queenston; and will leave Niagara, on her return to Kingston and Prescott, every Thursday morning about 10 o'clock.

The accommodations and fare on board both the above Boats, are of the best description, and every endeavour will be made to render it convenient and comfortable to passengers.

Kingston, May 26, 1826.

STEAM BOAT CHARLOTTE,

Capt. Gildersteeve.

THE Steam Boat Charlotte will, until further notice, leave Kingston for the Bay of Quinte every Monday at 10 o'clock, and after making her usual stops, will arrive at the Carrying Place on Tuesday morning. Leave the Carrying Place at 11 o'clock the same day, and arrive at Hallowell in the evening. Leave Hallowell at 7 o'clock on Wednesday morning, and arrive at Kingston early in the afternoon. Leave Kingston for Belleville every Thursday morning at 10 o'clock, and arrive there in the evening. Leave Belleville at 8 o'clock on Friday morning, and arrive in Kingston in the evening. Leave Kingston for Prescott every Saturday morning at 10 o'clock, stopping at Ganaroque and Brockville, and arrive in the evening. Leave Prescott for Kingston every Sunday, and arrive on Monday morning.

Kingston, 25th May, 1826.
N. B.—The Boat meets the regular line of Stages at Prescott, and the Passengers are by that means enabled to proceed direct to the Lower Province—and the passengers arriving in the Stage from below on Saturday have also an opportunity of proceeding direct to Kingston and the Bay of Quinte. The Stage also meets the Boat at the Carrying Place on Tuesday morning, for the conveyance of passengers to York or intermediate places on that route.

The Charlotte having lately undergone a thorough repair, affords to the public as speedy, cheap, and comfortable a mode of travelling, as there is to be found in this Province.

Notice

IS hereby given, that Tenders will be received until the 14th September next, from such persons as are willing to contract for the supply of

1000 BUSHELS

CHARCOAL,

To be delivered in the Dock Yard on or before the 1st November next. The Parties offering Tenders are to attend at my Office at one o'clock, P. M. on the 14th September, and two responsible sureties will be required for the due fulfilment of the Contract.

JN. R. GLOVER,
Naval Storekeeper,

Kingston Dock Yard,
31st August, 1826.

BY AUCTION,

WILL be sold on Thursday the 12th of October next, at the subscriber's Auction Room, positively without reserve,

LOT NO. 9,

in the Village of Adolphustown, lately occupied by Noxon Harries, as a Tavern, containing one Acre of Land—with a two story frame House erected thereon and an excellent Well of living water—Also, an Orchard with

50 BEARING Trees

of choice grafted fruit. Conditions of sale—1-4 of the purchase money to be paid at the time of sale—1-4 in six months—1-4 in twelve months and the remainder in two years. Sale to commence at 12 o'clock, noon.

JOHN STRANGE,
A. & B.
Kingston, 25th Aug. 1826.

MARMORA CASTINGS.

THE subscriber intending to set aside competition in this Province, in the Foundry line, offers for sale,

Pot Ash Kettles,

which he warrants delivered at the Trent or Kingston, at 25s. per cwt. Pot ash coolers, sugar kettles of all sizes, Dutch ovens, bake pans and covers, bellied pots, splders, dog irons, griddles and the usual castings, will be sold in the hands of Agents at 27s 6d per cwt. Mill irons & all mill machinery, stoves, and other castings not enumerated, will be charged at a proportionate rate, and produce at the current cash price in Kingston, will be received in payment for the same.

THE BAR IRON,

generally made from under the hammer at the Marmora Iron Works, being far superior to the English Bar Iron usually imported, the subscriber expects that the merchants of this Province will rather take their supply from this establishment, at the rate of twenty pounds per ton, cash, delivered at the works by the quantity, than purchase at a higher rate at Montreal, an inferior quality.

Supplied with good mouldings as the works now are, all sorts of castings required in the Province can be had thereat—and all orders addressed to the subscriber will be immediately attended to.

For further particulars apply to Messrs. MARMORA & CO. MERCHANTS & MANUFACTURERS
Agent for the Proprietor.

Marmora Iron Works,
10th August, 1826.

Notice

IS hereby given, that Tenders will be received from such persons as are willing to contract for the supply of

500 CORDS OF FIREWOOD,

TO CONSIST OF

Hard Maple, Beech, Birch, White Ash, Hickory, and Iron Wood,

To be delivered in the Dock-Yard, or such other places as may be pointed out, as follows, viz:—

On or before the 1st December next, 200 Cords.
On or before the 15th Feb'y. 1827, 200 do.
On or before the 31st March do. 300 do.

The Tenders will be received until the 5th October next, when they will be opened at one o'clock, P. M. at my office, where the parties are to attend, and two responsible sureties will be required for the due fulfilment of the Contract.

JN. R. GLOVER,
Naval Storekeeper,

Dock Yard,
31st August, 1826.

NOTICE.

THE SUBSCRIBERS

HAVING been duly appointed Executors and Executrix to the estate of the late PETER SMITH, Esq. Merchant of Kingston, request all those who may have any claims against the said Estate to send in their accounts duly attested, to DAVID JOHN SMITH, & all those who are indebted to the said Estate are requested to make immediate payment to the said David John Smith, who is duly authorised to grant acquittances for the same.

JOHN KIRBY,
JOHN MACAULAY,
DAVID JOHN SMITH,
Executors.

ANN SMITH, Executrix.
Kingston, 1st September, 1826.

The business will in future be carried on by the subscriber on his own account.
DAVID JOHN SMITH.

NOTICE.

THE Subscribers, Executors and Executrix of the last will and testament of the late NEIL McLEOD, Esq. of Kingston, Merchant, request all persons indebted to the Estate either by Book Debt, Note, Bond or otherwise, to make immediate payment to Mrs. McLeod, who will continue the business as usual in behalf of the Estate.

JOHN TORRANCE,
CHARLES TOLKIEN,
JOHN McLEOD,
JANE McLEOD.

Kingston, 19th Aug. 1826.

In the Press,

AND WILL BE PUBLISHED AT THIS OFFICE, About the latter end of next month,
THE KINGSTON ALMANAC FOR 1827.

WANTED

FOR A FARM near Kingston, two young MARES. For particulars apply to F. A. HARPER
Kingston, Sept. 6, 1826.