

PALMYRA FREEMAN.

NEW SERIES—VOL. I.—No. 51.

TUESDAY, DECEMBER 15, 1929.

WHOLE No. 90.

THE PALMYRA FREEMAN
IS PUBLISHED EVERY TUESDAY, IN THE VILLAGE
OF PALMYRA, WAYNE CO. (N. Y.) BY
J. A. HADLEY,
Editor and Proprietor.

Conditions.—To village subscribers, \$2.50 per annum. To those who call at the office for their papers, and to mail subscribers, \$2.00 per annum, payable in advance. To companies of thirteen or more, who call at the office, \$1.50, if paid in advance.

Advertisements inserted at \$1.00 a square for the first three weeks, and 25 cents for each subsequent insertion. A liberal discount made to those who advertise by the year.

No paper or advertisement discontinued until all arrears are paid, unless at the discretion of the Editor.

* Letters and Communications addressed to the Editor, must be post paid.

AGENTS.

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DEFAULT having been made in the payment of the money secured by a mortgage, dated the tenth day of September, one thousand eight hundred and twenty-seven, executed by Isaac Barton and Nicholas C. Vought, to the subscriber, upon "All that Certain piece or parcel of land lying and being in the old town of Walcott, Sterling Ell, now Butler, and being part of lot number eighty-three, in said town, and bounded as follows: Beginning at the South-West corner of said lot eighty-three, and running thence East along the line of said lot, twenty-five chains and nine links, to the South-West corner of Charles Vicle's land; running thence North along the west line of Charles & Jesse Vicle's land to the North line of said lot eighty-three, eighty seven chains and twenty two links; thence west along the North line of said lot to the West line of said lot; thence South along the West line of said lot, eighty seven chains and twenty two links, to the South line of said lot, and place of beginning, supposed to contain two hundred and twenty seven acres of land, be the same more or less." Notice, therefore, is hereby given, that said mortgaged premises will be sold, by virtue of a power contained in said mortgage, at the Court House in the village of Lyons, in the county of Wayne, on the second Saturday of April next, at ten o'clock in the forenoon of that day.—Dated September 26, 1829.

WM. H. SEWARD, Att'y. 6m40

In the matter of the estate of Benjamin F. Sanford, deceased.

NOTICE is hereby given, that distribution of the moneys arising from the sale of the real estate of the said deceased, will be made, according to law, at the surrogate's office in the town of Lyons, on Monday the eleventh day of January next, at ten o'clock in the forenoon of that day, at which place, and on or before which day, all the creditors of the said deceased, are hereby notified and required to produce and prove their several demands.—September 30, 1829.

GRAHAM H. CHAPIN, Surrogate.

ARTIFICIAL LEGS,
CHARLES HOTCHKISS,
(Palmyra, N. Y.)

Manufactures substitutes, which admirably conform in appearance and movement to the natural leg, having joints and springs in the toes, ankle, & knee. They have been proved by those who have suffered amputation, and answer the purpose designed. Persons in any part of the U. S. can be accommodated without personal attendance, by sending their measures and directions by mail.—Letters, post paid, directed as above, will receive attention.

Recommendations can be procured, if requested, from those who have used these artificial legs, certifying to their superior qualities.

March 24, 1829.

POETRY.

From the Anti-Masonic Republican.
We understand that a "worthy and well qualified brother," in defiance of all "brotherly love," has presented his "brethren of the mystic tie," on a note given in part for work done on the Lodge Room in this place, [Middlebury, Vt.]—The institution has not had its legitimate effect upon this member, or he would not be so uncharitable towards the sons of "light" and "brothers that are." No funds in the treasury! "Is there no help?" "Oh no: the cursed anti-masons have made such a fuss that nobody joins us, and then we are without money to relieve our poor distressed selves!" In anticipation of the next meeting of the brotherhood, we have prepared the following as highly appropriate for them to sing in the present state of affairs. Do sing, ye brethren, it will cheer your feeble hearts.

How sadly we fare
We brothers that are,
Assembled on doleful occasion;
The funds are all gone
And we're all broken down,
Since none will be made now a mason.

We're all now in pain
The craft to sustain,
And hold up great men to be gazed on,
While we kidnap and slay,
In the broad light of day,
Sustained by each accepted mason.

'Tis this and 'tis that,
And we all know for what,
All the honest and brave of the nation,
Do our vengeance defy,
And blow us "sky high,"
By voting as a bold anti-mason.

Grand Kings, Knights, and Lords,
And all such big words,
We no longer can put a good gaze on;
For such titles, 'tis clear,
Sound not well in the ear
Of each free-man that is not a mason.

And let us beware
How we say to the fair,
"In the craft we do hold a high station;"
For no mortal can more
Despise our whole corps,
Than one who is wed to a mason.

Now while we here stand,
And throw up each hand,
Having put a most lachrymal face on;
Let's cry we're "proscribed,"
As well as belied, [mason]

ANTI-MASONIC.

From the Orleans Telegraph.
TRIAL OF ELIHU MATHER.
ORLEANS COUNTY COURT.

The People
vs.
Elihu Mather.
Trial for Conspiracy,
&c.
(Concluded.)

Monday, Nov. 16, 9 o'clock, A. M.

The testimony being closed in this case, Mr. Adams one of the counsel for defendant addressed the triers in an argument of more than 4 hours, in which he urged that it must be shown by the juror himself, that he had a strong bias in his mind in favor of defendant. Said that he could show as conclusively that there was blasphemy in the articles and creed of the Episcopal church as in the Masonic obligations, taking both unexplained. He contended that there was nothing wrong in the obligation to keep the secrets of a master mason, or order and treason excepted—that any gentleman was in duty bound to keep secrets committed in confidence: that this obligation did not require a mason to conceal crime. Declared that he was not the friend nor the apologist of the thing called masonry.—He did not believe that an institution which has embraced the greatest men of the age was instituted for purposes of crime—said it was asking too much to suppose that such men as Washington, La Fayette &c. were black hearted hypocrites—could not believe that men belonging to this association were bound to protect crime: but this, he said, the opposite counsel must make out in order to reject Mr. Dolly from setting on the jury.

The Special Counsel, in addressing the Triers, said that Elihu Mather stood indicted for carrying off Wm. Morgan, and that John Dolly, it had been proven, belonged to the same society with him, and that he stood challenged for favor, as biased in his favor, and that he could not stand indifferent towards him, as required to be by law. He produced authorities to show that the most distant relative could not be permitted to set on a jury, because the laws suspects his mind is prejudiced; that men's minds who are constantly at the same table, would be prejudiced in favor of each other, so as to struggle against testimony. He contended that in consequence of his being admitted into the lodge at Gaines, that it was evidence to that lodge, that he had taken the obligations there administered. As to the word "worthy" in the obligation, he contended that it meant nothing, as it had been proven that a mason was considered "worthy" while a member of the institution. He alluded to the case that had been so often cited to show the value of the institution, where the lives of

individuals had been preserved in war.—He said the interposition of the sign of distress where two men were contending for their respective governments, whereby the arm of the one was stayed from doing what his country demanded at his hands, might prove highly injurious to that government, and was a base sacrifice of its interests to the most selfish purposes. He said that the sign of distress was the most dangerous trait in the institution, as, taken in connection with the obligations, all masters were bound to obey it. He alluded to Mr. Dolly's stating that he had withdrawn from the institution; that he did not intend to have anything more to do with it, (except he should be summoned, as showing the binding nature of the obligations.) The exception of murder and treason in the master's obligation, he said proved conclusively that every other crime, is met to be concealed. As to obeying the laws, so much insisted on by the opposite counsel, when they were to conceal every crime but murder and treason, he could not see how it could be done. It is enough to know, he said, that the person on whom these obligations rest, has to struggle between his duty to his country and those which he feels they impose upon him to his brethren. He said that in rejecting a member of a Presbyterian church from the jury in a case between a brother and a stranger, there would be no treason when proven that he was bound to prefer that brother to a stranger, but that the law would sanction it; and he was not to be charged with attacking religion by challenging such a man, as having an improper bias on his mind in favor of his brother; neither was he to be told in this case, by challenging Mr. Dolly on account of his being a free-mason, that he was doing violence to any man's privileges as a free citizen. If, said Mr. Spencer, the example of Washington in his youth, must be quoted to prove that masonry is right, let us not be denied the example of this great and good man in his riper years, to dispise it—and to which he referred when he said—"beware of secret societies."

The court stated his views of the law as applicable to the present case.

The triers decided that Mr. Dolly was not impartial.

Grinnell Davis was called and rejected.

Samuel Clark was called and rejected.

Jonathan Whitney, was called and admitted.

Three others were called and rejected. The panel having been gone through with, the Sheriff was ordered to summon five tallsmen.

A. L. Owen was called and empanelled.

Rufus Ingersoll, Carlos C. Ashley, Thomas Roberts and Alderman Butts, were next sworn and the panel completed.

The Special Counsel informed the Court that the state of his health was such that he must rely on Mr. A. H. Tracy, who was present at his particular request, for assistance.

He then stated to the court on what counts in the indictment he should rely.

Mrs. Mary Hall sworn.—In 1826 lived in the jail at Canandaigua. Her husband, Israel R. Hall was the jailor—in the month of Sept. of that year there was a man in the jail by the name of Wm. Morgan; said that he left the jail on the evening of the 12th day of the same month.

Mr. Hall was out that evening. A man sometime after dark, came to the jail and asked her if one Wm. Morgan was there—she told him there was—said he wished to see him; after going into the prison hall and Morgan had come to the door of his cell, he asked her if he might go in and see him—she told him that was contrary to the rules of the prison; he said he wished to have some private conversation with Morgan; she told him he could not. He then asked Morgan if he would go home with him if he would pay the debt and take him out. Morgan told him he would: the person said before he went in, that he wanted to pay the debt and get him away—told Morgan that he did not know that he should be able to get him out that night as Mr. Hall was gone; that Morgan said to him, never mind, then let it be till morning. The man, Lawson, said he wished to take him out that night, as he had been running all day for him and was very tired; that she and Lawson then went out of the prison. Lawson then told her that he wanted to take him out very much, and wished her to take the money—told him she had no the keys of the desk and did not know how much the execution was; he then went to see if he could find Mr. Hall.—After being gone a short time he came back and another person with him—said he could not find Mr. Hall and that he wished her to discharge Morgan—said he knew about how much the execution was, and that she had better receive it and let him go—insisted very strongly on her receiving the money—said the execution against him was about \$3; told him she could not nor should not receive the money—said she was confident Mr. Hall was

not far off—Lawson said, come Mr. Foster, let us go: after a little while they went away, and in about 25 minutes returned, when Lawson said he had been every where to look for Mr. Hall—said she had better receive the \$3 and let him go—told him she did not like to as she knew there had been great pains taken to get him there, and that if she let him go Mr. Hall would be blamed. Lawson offered to pledge himself to any amount, that Mr. Hall should not be injured if she discharged him—still refused to let him go. Lawson then asked, whether if Col. Sawyer would come and say that Mr. Hall should not be injured, she would consent to let him go.

Mr. Hall was not the plaintiff in the case, and that she knew but little about him. Lawson again went away, was gone a few minutes and returned with Col. Sawyer, who told her there would be no danger—Mr. Hall would not be injured; that she had better let him go—witness still refused. Lawson then asked her if she would liberate him if Mr. Chesebro would come and say that she might let him go. Both Lawson and Sawyer then went away and she went to the front door to see if Mr. Hall was coming, when she saw Lawson & Chesebro coming. Chesebro came up to the steps, when witness said to him there is a man here this man, (referring to Lawson) wishes me to liberate, and asked him if she should let him go. Chesebro said yes—that he wanted nothing more of him. Lawson told her that Chesebro was plaintiff in the execution. Witness then went into the house and took the keys of the prison, and told a child that lived with her, to shut and bar the prison hall door after her—Lawson said she need not have the door shut—told her she should, as there were other prisoners in the room with Morgan. Lawson then stepped to the front door and gave a whistle—this was before she opened the prison door—she stepped back to the front door too see what it meant—saw a man coming up towards the steps, thinks it was the man Lawson called Foster—then went back and unlocked the hall door leading to the prison which was bolted after them; unlocked the door of Morgan's room and he came out—Lawson took him by the arm and went towards the hall door—told him to rap if he was in a hurry and the child would let him out. Before she could get to the door of the room where Morgan was, locked, heard the cry of murder—went as quick as she possibly could to the front door, and saw three men going from the house and the one in the middle struggling to get free; the one in the middle was Morgan: one of the others was Lawson and the other the man she always supposed they called Foster. When she first saw Morgan struggling, his hat was off, and he appeared to be exerting all his strength to get away: the other two were dragging him along by the arms; saw them but a short distance from the jail going towards the east; heard a rap on the well curb while they were passing along with Morgan very rapidly, when a carriage drove up: heard about the same instant a suppressed cry of murder; the carriage came from the west, apparently from the livery stable, and passed on in the same direction the men had gone: in a few minutes saw the same carriage return; thought the carriage belonged to the livery stable; was a bright moon light evening; the jail is back from the road; a little east of the jail is a public house nearer the road than is the jail; the carriage passed that house out of her sight before it returned; thinks it was near 9 o'clock when it passed: Mr. Hall did not return before the carriage drove back west: knew the carriage perfectly well: did not know who drove it; could distinguish the carriage and horses; has seen the carriage since; thinks it belongs to Hubbard.

Cross examined.—When witness went to the door and heard the whistle, saw but one man whom she supposed to be the one they called Foster; did not know his name but only his person; thought that his name was not Foster. When she went to the door to see if Mr. Hall was coming, saw three men, Lawson, Chesebro, and the other they called Foster; stood on the door steps till they came up; addressed Mr. Chesebro on the steps; took no notice of what became of the man they called Foster; he came very near the steps; no person at that time went into the house but Lawson; Chesebro remained on the steps when she turned to go into the house; thinks if there had been any body on the side-walks besides the three men, she should have seen them; when she went to the door to see what the whistle meant, she saw the man called Foster and no one else; don't think she looked at the well. When she heard the cry of murder, was taking the key from the lock of the prison door; passed through the hall leading from the main hall of the house part, and through that to the front door; thinks the distance through both halls about 35 feet; walked as fast as she could. When she got to the door there were no persons on the steps, but saw three men on the side walk, about as

far from the door as the east line of the jail steps; saw no person between her and the three men; thinks there was a person at the well then or soon after; did not go down the steps, but continued to look at the men till they got out of sight; saw persons about the public house near the jail; saw no one go along on the side walk and join the three men; Mr. Osborn kept the house at the time; thinks she was not on the steps over five minutes; stood there till she saw the carriage pass to the east and return to the west; heard some one rap on the well curb about the time she heard the cry of murder; looked at the well, saw but one person there; turning; thinks she has mentioned all the persons she saw while at the door; saw nothing handed from one to the other when Lawson was at the prison door of Morgan; all that was said between them was said in her hearing; Lawson walked away immediately after; witness did not go into the prison hall again until she went in with Lawson to let out Morgan; Lawson took Morgan by the arm very soon after he came out, apparently in a friendly manner. Witness was absent that day till near evening; her brother had charge of the prison during her absence; had not been to the prison that day till she went there with Lawson; does not recollect hearing Morgan say any thing but what she has now told; understood that Morgan was put in the prison the morning before; the supposed cry of murder appeared like being stopped by something being put across the throat or mouth; the horses went each way on a fast trot.

Israel R. Hall sworn.—Recollects the evening described by Mrs. Hall; was absent; saw a man in jail on Tuesday he understood to be Wm. Morgan; the next day he was gone; thinks the distance from the jail to the livery stable about 25 rods, and from the jail to Atwater's about 8 or 9 rods.

Cross Examined.—Got home about 10 o'clock on the night Morgan was taken away; did not see Sawyer or Chesebro that night; saw Chesebro directly after breakfast the next morning; saw Sawyer in a few minutes after he saw Chesebro; thinks Atwater's boy got water at the jail well at that season of the year; has known (said he) Willie Turner, 8 or 9 years; was always that his character for truth and veracity to be good; don't know any thing to the contrary.

William Turner sworn.—Resided in Canandaigua three years ago, with Mr. Atwater—heard of Wm. Morgan being carried off—recollects the time; as he was coming out of Mr. Atwater's gate, met Mr. Lawson and Chesebro—Mr. Sawyer picked up a stick and passed by him, perhaps a rod—they then turned round and followed him back to the well; he turned up to the well; and they to the jail wall and stood there and whispered together; that just as he had got the water drawn up, heard the cry of murder—looked around and saw three men coming down the jail steps—Mr. Sawyer passed by him to the well and gave two raps on the well curb; witness then started to go towards those he heard cry murder: saw Chesebro go towards and overtake them before they got to the tavern—saw them all go east about six rods from the jail: when about against the tavern, saw the hat of the middle one fall off; when they came down the jail steps, the one in the middle hung back—first saw him hang back just as he had got off the side of the side-walk towards the street—saw Mr. Osborn pick up his hat—Sawyer came along and said he would take the gentleman's hat—Osborn asked what the rumpus was—Sawyer said not much of any thing; that they had taken a man for debt and he was mad about going— that Osborn went in and shut the door after him—witness followed them down about six rods from the jail—in a few minutes a carriage came down and drove up to them; the carriage was opened while it stood in the middle of the road and they put the middle one into it, which turned round and came back and went west; as near as he could guess it was the middle one that cried murder—heard the cry three times: just as the carriage had got nearly opposite the jail going west, heard one of the party in the carriage say—"damn you, why don't you drive faster?"—knew the carriage and that it was Hiram Hubbard's, who then drove it.—Said that the two who came down the jail steps with him were pulling him along to the east—supposed he was trying to get away from them—when his hat fell off he was leaning back: Mr. Chesebro appeared to put something in his mouth to keep him from hallooing; Chesebro came up behind and put his hand over one side of the man in the middle—thinks Chesebro had a handkerchief in his hand—did not hear him cry again after he saw this motion by Chesebro—says they took him right up and threw him into the carriage just as a man would a barrel into a wagon; that those who got in shut the door; Hubbard did not get down; the three who came from the jail all stood together when the carriage drove up; all

that stood there got into it; Chesebro and Sawyer got in; they all stood in the middle of the road; it was a very bright night; carriage turned before they got in.

Cross Examined—Has testified twice before a grand jury; told the story then as now; says the carriage went down about 6 rods east of the jail; Atwaters house is about 6 paces back from the road; Sawyer and Chesebro stood by the well whispering about three minutes; heard the cry of murder once before they got down the steps; Mr. Sawyer came towards the well and Chesebro went towards them; they went east in the middle of the road; Sawyer picked up the hat and carried it along; did not see him put it on the man's head; they ran along in the road and witness kept on the side-walk; saw a woman stand in the door at Mr. Osborn's; saw Mrs. Hall that evening at her house; went there with Frederick Ruff; asked Mrs. Hall who it was; she said it was Morgan; said he met Mr. Ruff who asked him what the fracas; Ruff answered "an old man's across the road."

Hiram Hubbard sworn—In 1826 kept a livery stable in Canandaigua; recollects the time when it was said Wm. Morgan was carried off; was called on by Chauncey Coe for a carriage to take a party to some place; does not know but he mentioned Rochester—Coe asked him if he had a hack at leaseure; said if he had he wanted to get it; thinks he told him that some one would tell him where the party was and when they would be ready; and requested him to get the team immediately; thinks it was between 8 and 9; got the carriage ready, and whilst it was harnessing, some one came by and asked if that was the carriage got ready for the party; said it was; was directed to drive east towards Palmyra as the party had gone on; drove east to a large building called the Mechanic's Hall where he overtook the party; they got into the carriage; is not certain whether before or after turning the carriage round; supposed four or five got in; did not get off the box; drove directly towards Rochester; stopped at Mr. Brace's tavern, six miles from Canandaigua and watered his horses; thinks some of the passengers got out; drove to Victor, stopped and watered; thence to Mendon and watered; thence to Pittsford and watered, and again to Rochester, where he thinks one of the party got out and went away; a man returned in a few minutes whom he supposed to be the same one; stopped again at Hanford's landing and drove under the shed and endeavored to get some feed; called up a black man; Mrs. Hanford got up; some of the passengers called for a bottle of liquor; did not get any feed, and started on nearly to the woods 80 or 100 rods west of Hanford's towards the Ridge Road, where the party got out, and he turned round and drove back to Rochester—left the party in the road; don't know how many there were; thinks from 4 to 6; did not recognize any of them at that time; has never seen any of them since to recognize them; was paid by Chesebro for carrying them; was not observing them when they got into the carriage; could not see from the seat without getting up and turning, who got in; does not recollect getting up or seeing who got in; there was no conversation between him and the passengers, except to turn round and go to Rochester; don't know who told him so; asked them if they had any particular place they wanted to go to in Rochester; told him they were in no particular hurry, to drive at his own discretion; presumes he was told where to go, or he might as soon have gone wrong as right; was told at Hanford's landing to go further; suppose they told him they did not want him to go further than the place where he left them; they did not pay him; does not recollect they said any thing on the subject; thinks Mr. Chesebro paid him after he had his trial on the subject; thinks a carriage, supposed to be the stage, passed him while at Hanford's; thinks he met two carriages on his return to Rochester: one a dark colour, thinks green; supposes he has seen it since in Rochester; and the other a light color, yellow or drab; watered his horses at Rochester going west, just at day break; don't recollect his party took any refreshment except at Brace's; Mr. Chesebro paid him unmasked, it was an offer of his own; don't recollect that Mr. Coe said any thing about paying him: sometimes Mr. Coe pays, and sometimes he directs him where to get it; don't recollect as he gave him any directions in this case; had a quick pair of horses; thinks he might have drove pretty quick when he took up the party; knew that his party all got out, as he stopped at Hanford's on his way back and put up the curtains; all the curtains had been previously down; is called 30 miles from Canandaigua to Rochester, and 2 and three-fourths of a mile from thence to Hanford's landing; returned to Hanford's just after sun rise; usually wears a watch; is sometimes in the habit of timing his distance between stages; does not recollect looking to see what time it was when at Brace's; thinks they were in bed; don't know but Mr. Brace was up; says nothing passed between him and Mr. Coe about the pay, and nothing between him and the party; thinks some one of them, when he left them at Hanford's, might have said he would see him paid; supposed Mr. Coe responsible to him; had never called on any one for pay when Chesebro paid him; don't know that any thing passed

whereby he might ever expect to see any of the party again.

Cross examined—Thinks the distance from the jail to where he took up the party 40 or 50 rods, had no intimation before he took up the party, that it had any connection with the jail; does not recollect whether the party were standing or walking before he got to them; did not observe any one without a hat; saw nothing uncommon about their getting into the carriage; heard no one object to getting in nor told he should get in; don't recollect hearing them say anything; heard nothing said about driving faster; heard no complaint from any one in the carriage; was acquainted with Chesebro and Sawyer; does not recollect seeing them that night; thinks the settlement with Chesebro for carrying the party, was when he was in jail; says he is not nor never was a free-mason.

Benjamin Wright sworn—Resides in Adams, Jefferson co.; is acquainted with Elihu Mather; in the winter 1827 or '28, had a conversation with said Mather relative to the abduction of Wm. Morgan; inquired of him what was the fate of Morgan; asked him whether he was dead or alive; he said he had no doubt Morgan was dead; then asked him what was the public sentiment on the subject; that Mather gave a detail of it, mentioned a number of persons who were prosecuted, among them Mr. Bruce, and said, that unless the lodges and chapters would relieve them, they and their families must suffer; and asked him what was the state of the funds of the Lodge and chapter in this village. Witness then asked Mather what could have induced men of the standing mentioned by him, to be engaged in a transaction of this kind; his answer in substance was, that it was done probably without much reflection; with reference to himself, he said he was called upon by his brother while in or about the tan yard, to go and drive the carriage; that he did not know that Morgan was in it, when called upon to drive; witness has no recollection that Mather stated to him in substance that he ever ascertained Morgan was in the carriage; said he asked Mather by way of reproof, how such men as he mentioned were implicated in the Morgan affair could have been engaged in his abduction. In answer, Mather said it was done without much reflection; that when called upon by his brother he was in the tan yard and at that time his brother called on him; he did not know that Morgan was in the carriage.

Cross examined—Had been acquainted with Mather 12 or 14 years; had previously to this conversation, heard that Mather was implicated in the Morgan affair, which were the reason for asking him the question; recollects that he said he drove the carriage at the particular request of his brother; thinks that at the commencement of the conversation with Mather, he said to him, you are, or are you in difficulty or trouble about that Morgan affair; says that he is a free-mason and that he knows Mather as a mason.

Court adjourned at half past 11 P. M. to meet at 9 o'clock next day.

Tuesday, Nov. 17, 1829.

Sarah Wain sworn—In Sept. 1826, with Capt. Isaac Allen in Clarkson; saw a carriage stop there and change horses—horses taken from the carriage and Mr. Allen's put to it, which were taken from the orchard where they were used for getting apples; the carriage was a dark brown with curtains down, windows in the side up; a gentleman came there in a sulkey, 10 or 15 minutes before the carriage drove up and inquired for and found Capt. Allen, and helped to harness the horses into the carriage; this was between 10 and 11 A. M.—Capt. Allen's horses were partly harnessed before carriage came up; witness did not see any person get out of the carriage at Allen's—it stood there not over 10 minutes; witness was out by the door washing during the time the carriage stood there; the weather was warm and pleasant; the person who drove the carriage there went on with it; saw the same carriage the next day coming from the west; had no passengers and the curtains were up; thinks it was about the middle of the month of Sept.—returned about 6 P. M., next day; thinks the same person drove that went west the day before; the horses were again changed—Allen's taken out and those left there the day before, put in.

Cross Examined—Carriage stopped going west within about two rods of witness, near the road; heard no one conversing in it; was looking towards it most of the time it stood there; don't remember ever seeing the carriage before; is sure it was of a dark brown color; the driver got off the box when he first stopped; Allen did not keep tavern; the person who came in a sulkey went west after the carriage had gone; knows that it was about the middle of the month as she knows it was about that time she went to Capt. Allen's to live; had been there but two or three days.

Silas D. Luce—Two years ago last Sept. was driving a stage between Oak Orchard and Clarkson. Saw Elihu Mather in that month; knows him very well; in going from Oak Orchard east, one mile and a half west of Gaines Corners, met a carriage about 40 rods from Robert Anderson's, which was going west; saw a man coming just behind the carriage, riding one horse and leading another, going pretty fast, who overtook the carriage, which stopped; the driver got off the box and unharnessed his horses. Mr. Elihu Mather, who rode up behind the carriage, got off the horse and assisted to unharness—put the horses he brought there, to the carriage, and started on west; Elihu Mather drove it—after witness had got by a few rods, looked back and saw the driver who took the horses from the carriage, coming with them east; don't know who this man was, never saw him before; can't recollect the day of the month, nor the color of the carriage; thinks it was a dark green; soon after he saw this carriage, heard it rumored that Morgan was carried off; can't state how long after. The carriage stopped in the road when the horses were changed; the carriage had stopped before he got to it; it passed on the south side of the road; thinks the nearest house about 30 rods off; had got some few rods by the carriage before Mr. Mather got on to it; Mather had on dark colored clothes—the other man, light colored. The horses Elihu Mather

drove belonged to James Mather, though he knew the horses he first saw before the carriage; saw them the next day but one, standing at Capt. Allen's in Clarkson, had frequently seen them in his employ; thinks he met the stage at Gaines' 2 and a half miles east of Oak Orchard; saw a sulkey standing under a shed at a tavern at Gaines Corners; knew it belonged to Simeon B. Jewett of Clarkson; saw the horse before it, which belonged to Ora Adams; thinks it was about 12 o'clock when he met the carriage; was a very pleasant warm day—curtains of the carriage down on the side he past, could not see the other side; the window was up and a curtain drawn before it on the inside; the curtains in front & rear of the carriage were closed; thinks the weather about that time was unusually warm.

Cross Examined—Resides in the town of Murray; present business is farming; in 1826 lived 4 miles east of Gaines—had drove stage for 11 years on the Ridge Road, between the Genesee and Niagara Rivers. Saw but two men about the carriage, Elihu Mather and the man who drove it when he first saw it; told Lyman H. Phillips the same day that he saw Mather do what he has now stated of him; James Mather had owned the horses some time—were called Mather's brown horses.

Lyman Turner—About the 13th of Sept. 1826 saw Elihu Mather driving a carriage about 6 miles west of Gaines corners; was going east from Oak Orchard Creek, and about a 100 rod therefrom, met Mather driving a carriage with two horses, going west—was some acquainted with Mr. Mather; recognized him at the time, and nodded to him as he passed; the horses of a darkish bay or brown color—thinks they were James Mather's—had seen them before and has since that time—had rode with James Mather once when he drove the same horses; thinks the carriage was a darkish color; was closed with the curtains down—thinks it was about ten o'clock, perhaps not quite so late—was warm weather—Mather was on the box driving—thinks no one was with him.

Cross Examined—Lives in Ridge way in a clothing and wool carder—has lived in the county 14 years next April—no person was with him when he met the carriage—thinks he observed the back curtain was down—knows that it was in the month of Sept.—thinks about the middle—has a distinct recollection that the carriage was a dark dirty yellow colour, what might be called brown—thinks the horses were brownish or a dark bay.

Israel Murdock—On the 13th Sept. 1826 was standing before J. L. Perry's house in Ridgeway, 9 miles from Gaines corners, not far from the middle of the day; saw a carriage coming, drawn by a pair of horses, from the east; as it came up, thought the man driving was Elihu Mather; nodded to him, but as he did not speak, rather concluded that it was not him; has since concluded that it was him; saw Mr. Mather the next day; he drove up a carriage to his house from the west; lives in the middle of 2 miles west of Perry's; could not say that he recognized the horses he saw the day before; thinks it was the same carriage, and that the same horses that went west the day before, driven by the person he nodded to, were before it; knows it was the 13th by reference to certain writings he made on that day, or the day he saw the carriage—thinks the carriage was either a brown or a chocolate color; thinks he met the same carriage in the street in Rochester on the evening of the 14th Sept. betwixt Christopher's and the Eagle tavern; thinks it was betwixt 10 and 11 o'clock the next day when the carriage came from the west; thinks the curtains were up; when it went west, they were closed; thinks Jeremiah Brown was in the carriage when it drove up to his house from the west; did not know by report at the time, that there was an installation at Lewiston; when the carriage drove up from the west, the stage was about ready to go, and he had got into the stage to go to Rochester; Brown called to the driver to hold on, and handed him a paper requesting him to transact some business for him at Rochester; Brown did not go in the stage with him to Rochester; Brown lives about 3-4 of a mile west from the house; Brown had not been at his house that day before the carriage came with Mather; did not see Mather go away with the carriage; don't know that he ever saw Elihu Mather drive a covered carriage before; had seen him drive a wagon past his house to his brother's in Middleport; thinks he once saw him drive a covered wagon.

Cross Examined—J. L. Perry keeps a public house; Charles Perry stood with him when the carriage passed; when he got into the stage, the carriage was 8 or 10 rods off; most of the stage passengers had not got into the stage when the carriage drove up; thinks he recognized it as the same that went west the day previous, before he got into the stage; first saw Mather to particularly recognize him when he drove up; the stage stood opposite the barroom door at the west part of the house; the horses of the carriage had partly past the stage, between the stage and the house; thinks he was pretty well acquainted with Mather; don't know that he spoke to Mather, or that Mather spoke to him when he drove up to his door.

Lewis Super—Resided in the fall of 1826 in Ridgeway. In Sept. of that year, some time about the middle of the month, saw Elihu Mather drive a carriage west; was in Ridgeway about 5 miles west of Gaines corners when he saw him; believes it was not far from

noon; at that time resided east of Lyman Turner's, a little over half a mile; did not mind particularly about the horses; the curtains of the carriage were down; did not notice so particularly about the door; thinks there was a curtain in it; could not see into the carriage at all; was closed in the rear; had been acquainted with Mr. Mather; strikes him that he nodded to Mather as he passed; thinks the colour of the carriage was brown; was not going very fast; think he saw Mather return with the same carriage the next day from the west; the curtains were up; did not see any one in the carriage; rather thought he had before seen the horses; Elihu Mather's man had more than once hauled bark from his house with a team that resembled these horses; after he saw this carriage, he heard a rumor that Wm. Morgan had been carried off; but how long after, does not recollect; had a training on the 7th of Sept. and about a week after, saw Mr. Mather drive the carriage; never has seen Mr. Mather drive a carriage since; thinks the carriage returned the next day about noon; heard soon after he saw the carriage, that Morgan had been carried off; this circumstance tended to refresh his memory as to the time.

Seymour Murdock—In Sept. 1826, lived at Israel Murdock's in Ridgeway; between the 10th and 15th of that month saw Elihu Mather drive past a carriage; said that he attended to the stage; that day the eastern stage came in full; a passenger in the stage took him into a room, and asked him if he was a royal arch mason; told him he was not; he then asked him for a pen and ink, which he gave him; he wrote a letter and sent it by a boy to Jeremiah Brown; Brown soon came there; saw the stranger and Brown conversing together on the platform; after dinner, all the passengers with this stranger, got into the stage and drove off; saw Brown 40 or 50 rods forward of the stage when it started, which overtook him; saw him either get in or on the stage, and went towards home; witness went in and eat his dinner and came out, and saw Brown coming, riding one horse and leading another, and put them under the shed. Brown came in and called for a peck of oats for his horses, & something to drink for himself. Witness soon went to the door and saw a carriage coming from the east; when the carriage came up saw Elihu Mather on the box driving; he sat on the near side; there was a man on the opposite side he did not know; carriage went on 10 or 15 rods past the house, when it slackened up, and Mather beckoned to Brown, who went up to him and Mather got off and they appeared to be talking together; were not together more than quarter of a minute; Mather came back to the shed and got his horses, rode one and led the other, and went on west after the carriage; was about 40 or 50 rods behind it; did not see Mather the next day; was out in the field sowing wheat; was well acquainted with Mr. Mather; did not particularly notice the carriage, but thinks it was a chocolate color; the off horse was a dark brown, the high one was a light bay; had seen the horses before; the curtains next to him were down.

Cross examined—Israel Murdock, his son, was not at home the first day; the man on the opposite side of Elihu Mather, was dressed in a drab colored surtout or frock coat; Mather was dressed in dark colored clothes; the man that asked him if he was a Royal Arch mason, was dressed in a blue frock coat; was a little under the common size; thinks he was between 30 and 40; dark complexion, thin face.

David Van Horn—Knows Elihu Mather; saw him in the fall of 1826; was at Johnson's creek, sixteen miles west of Gaines, and about five miles west of Murdock's; saw Elihu Mather driving a hack; should say about 2 o'clock P. M.; it was soon after the stage had passed, going west; cannot describe the color of the hack; thinks the carriage was closed; thinks he saw Jeremiah Brown pass after the carriage, might have been half an hour; both were going west; Brown was riding one horse and leading another; witness was setting on a platform in front of Hildreth & Co's. store; did not see either Mather or Brown return; don't recollect seeing any one on the box with Mather; was on the north side of the carriage as it passed; it was the day before there was to be an installation at Lewiston; thinks the installation was the 13th or 14th of Sept.

Cross examined—Saw Brown 3 or 4 miles west of his house; he passed him within 3 or 4 rods; knew Brown before; don't recollect seeing any other hack pass that or the next day.

Esbon Gregory—Was acquainted with Elihu Mather in 1826. In the fall of that year, whilst driving a load of hay from his house towards Oak Orchard creek, met Elihu Mather, on the sand hill east of Mr. Judson's, about 40 rods over the line in Orleans county, driving a carriage; thinks it was between 1 and 2 o'clock P. M.; nodded his head and said, how do you do, and thinks he bowed his head towards him; passed him on the south side of the road—there was a gentleman on the box with him, at his right hand; thinks both had on light colored over coats something like drab; the curtains of the carriage were down, and the windows of the door raised up; could not see into the carriage,

the rear was closed; it had rained a little; was very warm; thinks the color of the carriage was something like a chocolate or cinnamon; that he had seen the same carriage before and since in Rochester, and that it belonged to Ezra Platt; has frequently seen it used in Rochester. After passing the carriage, perhaps 80 rods, met the stage; next met a sulkey with a gentleman in it; concluded that it was Simeon B. Jewett's sulkey, of Clarkson; had seen him use it; the horse was one Ora Adams had in his possession; Burrage, Smith was the gentleman in the sulkey; stopped and had some conversation with him; thinks he told witness he was going either to Lockport or Lewiston; observed to him that he had Mr. Adams' horse, that he was driving it too fast; that it was a favorite horse; that Mr. Adams praised it very highly; he replied, no matter, the concern is able to pay for him. Witness passed on east, and Smith went west; thinks he first met the stage, then the carriage & then the sulkey. Next day was at Israel Murdock's on his way home from Oak Orchard, with a load of hay; had stopped at Murdock's; just as he was getting ready to go away a carriage came up, driven by Elihu Mather, who stopped and hitched his horses to a ring fastened to the stoop of the house, and went in; don't recollect seeing Mather before he went into the house; Jeremiah Brown was in the carriage setting on the back seat; the stage was standing forward of him; don't know when the carriage started, did not see it start. Believes it was on Wednesday, about the middle of the month when he first met Mather; heard that evening at Mr. Stebbins' that the masons had carried off a mason, and had attempted to burn a printing office; a few days after this, a general training, at J. L. Perry's in Ridgeway, saw the statement of Morgan being carried off in a paper; thinks it was within that week Brown got out and went into the house.

Cross examined—Don't know how Stebbins got his information; thinks a man from Batavia told him.

Wm. P. Daniels—Recollects that on the 14th of Sept. 1826, there was an installation at Lewiston. Witness was asked, if on the night previous to the installation, he was at the house of Solomon C. Wright in Newfane? Said he could not answer that question, as it would tend to implicate himself in the transaction.—The Court, on his stating that he had counsel in the village, granted him time to confer with him. [Tillingherst & White of Buffalo.] Witness again took the stand. The Court stated to his counsel, what the question and answer was; whereupon his counsel stated they had advised witness to say that he could not answer without impeaching himself, and saying, as he was one of the unfortunate men implicated as engaged in the abduction of Morgan, and that attempts had been made to indict him as an accomplice in that affair. He offered authority to show, that if a direct answer tended to criminate witness, he was not bound to answer; or, if by so doing, it would tend to subject him to infamy or criminal prosecution.

The Special Counsel submitted to the decision of the Court, whether he should not answer the question. After hearing the Counsel, both for the witness and the people, on the subject, the Court decided that the witness was not obliged to answer.

Witness says he now knows Elihu Mather. Did you see Elihu Mather at Solomon C. Wright's on the night of the 13th of Sept. 1826? Said he did not choose to answer the question; considered it the same in amount as the one previously asked. After again hearing the Counsel for the witness as well as for the people, on the subject, the Court decided that the witness be compelled to answer. The question was objected to by defendant's counsel as too leading. The Court overruled the objection. Was, or was not the person you now know to be Elihu Mather, at Solomon C. Wright's in Newfane, on the evening of the 13th of Sept. 1826? Witness still refused to answer. The Court then ordered the witness committed: a mittimus was made out, when witness again asked leave to confer with his counsel, who advised him to answer the question—he then said he did not know that he was—that he was not there to his knowledge. The Special Counsel again asked, do you now recognize Elihu Mather as the person whom you saw at Solomon C. Wright's on the evening of the 13th of Sept. 1826? Witness answered, I do not; says Wright kept a tavern at that time; lives 5, 7, or 8 miles west of Molleneaux's. Was asked if he knew a hack or covered carriage was driven to, or arrived at, Solomon C. Wright's on the evening of the 13th of Sept. 1826? Witness refused to answer on the ground that it might implicate himself; says he has been acquainted with Elihu Mather for 5 or 6 years; was asked whether he was at Wright's on the night of the 13th of Sept. 1826. Witness refused to answer, and again asked leave to confer with his counsel. Counsel for the defendant objected to the question as irrelevant. The Court decided that it was a proper question, and that the witness was bound to answer it. Witness took the stand, and the question was again repeated to him, when he commenced reading a written answer, furnished him by his counsel, which he endeavored to conceal. The Special Counsel objected to this mode of procedure, as unprecedented in courts of

justice. The court directed him to answer without the aid of any written paper. The question was again repeated as before. Witness answered that Eli Bruce was at Solomon C. Wright's on the night of the 13th of Sept. 1826. Was then asked if Jeremiah Brown was at the same place at the same time. Answer—supposed he was; the same man he now knows as Jeremiah Brown he thinks was there on that night. Says Brown was there, probably from 7 to 8; supposes Eli Bruce was there about the same time; cannot say how Brown came to Wright's; supposes he went in a carriage; supposes Bruce went away in a carriage. Was asked how did Eli Bruce go away from S. C. Wright's on that night? Said it was his belief that he left there in a carriage; Bruce probably left there between 8 and 9, can't tell; supposes they left there about the same time.

Cross examined—Was asked how he knew that Bruce was at S. C. Wright's on the 13th Sept. 1826. Declined answering on the ground that it would implicate himself in the transaction. The Court decided that he was not bound to answer the question. The Counsel for defendant then moved that the testimony in chief, as to Bruce and Brown, be stricken out. The motion was overruled by the Court.

Robert Mollenaux—Recollects that there was an installation at Lewiston in the month of Sept. 1826; did not attend it, but was at Lewiston on that day; thinks it was on the 14th of that month. On the night of the 13th, was called up by Eli Bruce, who said he wanted a pair of horses to put before a carriage that stood in the road, to go to Lewiston; went into the pasture and got the horses and helped put them before the carriage; went with the man who came with the horses taken from the carriage, and put them in the stable; both then went to the house and to bed; witness horses, with the carriage, were drove west by a man he had heard called Jeremiah Brown; has seen him several times since; it is his belief that it was the same man; it was a covered carriage; Bruce got into it; could not see the inside; saw no other person get into it but Bruce; he once opened the door and appeared to be in the act of whispering to some one in the carriage; saw some one of the company carry a bottle from towards the carriage to the house or bar; saw another man about the carriage, besides Bruce and Brown, whom he did not know; thinks he was on horse-back; he lodged there that night; has not seen him since. When witness got up next morning, found the horses returned and in the stable, and that those left there the night before, and their driver, and the man he saw about there with a horse, were gone; says his father was up when they got up; that he had been attending court as a witness, but was now at Gates sick; should not judge him able to be moved; thinks it was about 10 or 11 o'clock when he was called up by Bruce; lives about 13 miles east of Lewiston, and about 21 west of Israel Murdock's; supposed the horses taken from the carriage to be bay, with some white in their faces.

Court adjourned to meet at 9 o'clock next morning.

Wednesday, Nov. 18, 1829.

Corydon Fox—In the fall of 1826 lived with Samuel Barton of Lewiston; was employed by him to drive stages & carriages; was called upon on the night of the 13th or 14th of Sept.; recollects there was an installation at Lewiston; thinks it was at that time, to put a pair of horses before a carriage; hitched on the horses and drove to the stage office; then started to go to the Frontier House, when Mr. Bruce came to him, got on to the box with him, and directed him to drive on to a back street on the road leading to Youngstown, to a carriage standing in the road without any horses; saw one or more men standing about the carriage; some persons got out of that carriage into his; thinks three men got into his carriage; was then told by Mr. Bruce to drive to Youngstown; thinks it was 10 or 12 o'clock at night; was requested by Bruce to call at Col. King's house in the village of Youngstown; stopped at King's; Bruce got out and called to King, who came down stairs and met Bruce in the hall; there had conversation together; heard some person in the carriage ask for some water; Bruce said, you shall have some in a moment; Bruce and King both got into the carriage. Witness asked Bruce if he should stop at the tavern kept by Phillips; Bruce said no, drive on to the Fort; drove near to the burying ground; Bruce told him to stop, when they got out of the carriage and went off side by side towards the Fort, as he supposed locking arms; Bruce told him he might go about his business. Witness turned his carriage round and drove back to Lewiston; four persons got out of the carriage; knew none of them but Bruce and King. The voice from the carriage asking for water, was something similar to a woman's voice; thinks he got back to Lewiston about day light; that he saw Bruce the next day at Lewiston; it was a moon light night, and thinks the curtains of the carriage that he drove up to, were down; never drove a carriage into the back street men-

tioned, on any occasion before or since; did not see any person with a handkerchief or any thing singular about the head.

Cross Examined—Bruce got off the box of witnesses carriage as soon as he stopped beside the one standing in the back street; thinks he was the last person that got into his carriage there. When they had got in and shut the door, don't remember seeing any other persons about there; did not observe any thing singular; thinks when Col. King first came down stairs at the call of Bruce, that he had nothing on but his shirt and pantaloons. Had lived with Mr. Barton about 5 years; now lives at Lockport; knows Ebenezer Perry; the carriage house where witness harnessed the horses that night, could be seen from Perry's south window; that he hitched on his horses under the carriage house; don't know that he ever heard Mr. Perry testify; drove directly to front street about 10 rods; thence to the stage office 20 rods; from thence was going to the Frontier House about 2 rods off, when he met Eli Bruce, who directed him to drive on to the back street, a distance as he went, of about 50 rods, to the carriage, by which he was ordered by Bruce to top.

Ebenezer Perry—In the fall of 1826, resided in Lewiston on what is called back or ridge street; was an installation there on the 14th of Sept. of that year; says there was a young man sick at his house, with whom witnesses' wife set up the fore part, and he the latter part of the night; was a wake with his wife about 12 o'clock; heard a noise at Mr. Barton's stage stable; looked out of the window and saw some one tackling horses to a hack; went to the door and saw a coach standing in the middle of the road without any horses to it; saw another carriage immediately behind it, with two persons on the box; recognized one to be Corydon Fox, the witness just testified; stepped to the east door of the house and into a small patch of corn, which he passed through to the fence; saw the carriage Fox drove pass the other coach and stop. The man on the box with Fox, he then knew by sight, and has since known by name, to be Elihu Bruce; saw him get off the box and go to the south side of the other carriage, and, as he supposed, open the door; that immediately he saw one man stepping out of the carriage without horses, backwards, as he thought; as he stepped to the ground, he saw another and a third person step out of the carriage immediately after; they made towards the other coach; and as they passed by the forward part of it, one of them he thought, appeared intoxicated; had no hat on, and appeared to have a handkerchief about his head; all but one of the three persons got into the coach driven by Fox; Bruce did not then get in, but went to the other coach and took something out of it which looked like a jug or bottle; went to the other carriage and got into it, which started off. Witness says the middle one appeared to be helped into the carriage in the same manner that he appeared to have been helped out of the other; he did not seem to have the same use of his feet as the others, or as a man naturally would have, which gave witness the impression that he was intoxicated; as the three passed round the forward end of the carriage, so that he could fairly see them, he noticed the two persons had hold of his arms.

David Maxwell—In the fall of 1826 resided in Lockport on the ridge road; kept the turnpike gate 6 miles east of Mollenaux, and from 6 to 10 rods west of Solomon C. Wright's. On the night of the 13th of Sept. 1826, 10 o'clock, saw Jeremiah Brown drive a carriage past to the west; that he paid him the toll on the carriage; witness said to him how do you do Capt. Brown, to which he made no answer; asked him what was the matter; he answered nothing; was a very light night and witness saw plainly that the carriage was closed up; saw the same carriage next day about sunrise; and noticed that its color was brown; when it went east, Brown did not drive it; curtains were up, and Brown set upon the hind seat apparently a sleep; took it to be the same carriage he went out in; was a brown two horse coach; fine pleasant weather; saw no other person about it when it went west; the man driving east next day was of the middle size, light complexion, well dressed; did not take him to be a stage driver from his address; spoke to the man and he answered him; he paid the toll going back; knows it was the 13th of Sept. 1826, from the fact of the installation being at Lewiston on the 14th of that month; supposed this carriage was going there.

Frederick B. Moore—In the month of Sept. 1826 resided in Ridgeway near Oak Orchard Creek; saw Elihu Mather driving a carriage to the west not far from the middle of the month, and not far from the middle of the

day; thought he knew the carriage; had seen it in Rochester, was reputed to belong to Ezra Platt; formed that opinion when he saw it pass with Mr. Mather driving it; carriage was closed; Henry Moore was on the box with Mather, who is now dead; should call the color of the carriage chocolate.

Cross Examined—Had seen the carriage in the street in Rochester and at the Livery stable of Ezra Platt.

Court adjourned till to-morrow morning at 9 o'clock.

Thursday, Nov. 19, 1829.

The testimony having been closed on the part of the People, the counsel for defendant proceeded to the examination of witnesses on behalf of defendant. William Bardner, Deacon Lyman and Doct. Nicholson were sworn and testified to Mr. Mather's good character previous to the offence for which he was now arraigned.

Here an attempt was made by the defendant's counsel to impeach the testimony of Esbon Gregory. Seven or eight witnesses were sworn to prove his character for the truth and veracity bad, and two or three to sustain it, which occupied the court till Nov. 20th at 5 o'clock P. M.

Mr. Adams, addressed the jury in an argument of four ours, in which he acknowledged that Morgan was taken from the jail in Canandaigua—that he was heard to cry murder, but that was no proof of his having been put into that carriage; that no attempt had been made to open its doors, during the whole route, to show that Morgan was in it. But suppose, he said, we concede that Morgan was in that carriage, how did he come there? Is it not fair to presume that Lawson was able to coax him away or prevent the publication of the book with which we are so well acquainted? He urged upon the jury, that if Morgan was carried through this country, he was induced to go by persuasion rather than by force. From the testimony he concluded he had a right to contend that he went through the country by his own consent. He said he should not deny the fact that Elihu Mather did drive that carriage, but contended that he did it innocently without knowing that any illegal act was contemplated. He again added there was no doubt but he drove that carriage and that he now sincerely regrets it,—not only because it gives good men a bad opinion of him, but because the prosecution in the affair had ruined his prospects and swept from him his property! Mr. A. closed his argument at half past 10 o'clock and the court adjourned to meet at 9 o'clock to-morrow morning.

Saturday, Nov. 31, 1829.

Mr. Barnard spoke, followed by Mr. A. H. Tracy in an eloquent and forcible argument. Mr. Spencer closed with a clear and powerful argument, which, if we attempted, we should utterly fail to delineate. Judge Gardner then charged the jury with great ability, but in language which left doubts on the minds of many, whether they would find the defendant guilty of more than two counts in the indictment, viz.—falsely imprisoning, and carrying away Wm. Morgan; but of these, all felt confident he must be found guilty.

A few minutes before 12 o'clock the jury returned with a verdict of NOT GUILTY.

NEW STORE, IN THE TOWN OF MACEDON, Near the Upper Locks.

PURDY, WILLITS, & CO.
HAVE now opened a general assortment of MERCHANDISE, embracing almost every article called for in a Country Store.

As the Goods are all new, and have been purchased expressly for this place, and at very reduced prices, they are enabled to offer their stock to customers as cheap as has before been sold in this part of the country.

Believing that the citizens of Macedon will patronise their own town in preference to others, where the inducements are equal, they particularly invite the attention and solicit the public in general, to call and examine for themselves.

Salt for Sale.

Most kinds of Produce taken in payment for GOODS.
Macedon, Nov. 24, 1829. 48

500 BUSHELS CORN,
WANTED by the subscriber immediately.
GEO. N. WILLIAMS.
15th Oct. 1829. 43tf

CASH FOR RAGS!

A. HADLEY will pay 5 cents per pound for clean Cotton and Linen RAGS. April, 1829.

THE FREEMAN.

TUESDAY, DEC. 15, 1829.

OPINION OF GREAT MEN.

"BEWARE OF SECRET ASSOCIATIONS."
—George Washington.

"I am decidedly opposed to ALL SECRET SOCIETIES WHATSOEVER."
—Samuel Adams.

"I am opposed to ALL SECRET ASSOCIATIONS."
—John Hancock.

"I AM NOT, NEVER WAS, AND NEVER SHALL BE A FREE MASON."
—John Quincy Adams.

"That masonry is sometimes applied to the acquisition of POLITICAL POWER. CAN NOT BE DISPUTED."
—De Witt Clinton.

"A man wishing to achieve ALL evil, SHOULD NOT BE A FREE-MASON."
—C. D. Colden.

"I AM NOT, NEVER WAS, AND NEVER SHALL BE A FREE MASON."
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Masonic Foreword!—The Sentinel of 1st Friday, professes to contain the "preamble and resolutions of the New-England Methodist Conference, held at Portsmouth, New-Hampshire." One of the resolutions, as given in the Sentinel, is the most glaring, barefaced attempt at imputation we have ever witnessed. It runs thus:

"Resolved, That we will have no connexion whatever with THE EXCITEMENT; and this Conference will consider any member who disregards this resolution, as offending against the authority of the Conference."

The resolution, as passed by the Conference, and as published in the Freeman on the 14th of July last, taken from the Christian Advocate and Journal, the paper in which the proceedings of said Conference were originally published, reads verbatim et literatim as follows:

"Resolved, That we will have no connexion whatever with SPECULATIVE FREE-MASONRY; and this Conference will consider any member who disregards this resolution, as offending against the authority of the Conference."

Black indeed must be the heart of the miscreant who thus reviles and slanders the highly respectable Conference above alluded to; and desperate must be the cause that requires to be upheld by such barefaced villainy. We thought the Sentinel, while under the editorship and control, as it recently has been, of an abandoned and worthless free-mason, as much degraded as it possibly could be; but its present dishonest, querulous editor seems to have sunk it another degree in the scale of depravity. The corrupt and odious institution of free-masonry, has in that print, a suitable advocate.

We perceive by the Yates Republican, that he masons and jacks of that county, are making a desperate effort to remove from office the Sheriff of the county, Miles Benham, Esq. because he is an anti-mason! We should be pleased to know what the brotherhood expect to gain, in case Mr. Benham should be removed. Do they suppose they can elect a Sheriff friendly to their corrupt and sinking cause? We can assure them at once, that this they can never do. There is too much virtue in the enlightened, independent, and unshackled electors of Yates county, to permit the occurrence of an affair of this disgraceful nature.

☞ We are this week unavoidably compelled to leave out the renunciations in Seneca county.

It was resolved at a meeting held in Canandaigua, week before last, to petition to the Legislature at its next session, to construct a Canal, connecting the Canandaigua Lake with the Erie Canal.

The Lyons Jack brayed quite obstreperously on learning that we were about to remove to that village! Keep cool, Jackey—we certainly shall not eat any of your fodder!

MARRIED—Last evening, in this town, by the Rev. Mr. Campbell, Mr. Hazard Rogers to Miss Betsey Johnson.

POSTPONEMENT.

The sale of the mortgaged premises, advertised to be sold on the last page of this paper, by virtue of an indenture of mortgage from David S. Jackways to Israel J. Richardson, and assigned to Truman Hart, bearing date the 27th day of December, 1826, the sale of which is postponed to the sixteenth instant, at the house of House Church, in the village of Palmyra, at 12 o'clock at noon, is further postponed till the sixteenth day of January next, then to be made at the place and hour above mentioned.—Dated Dec. 15, 1829.

TRUMAN HART, Assignee.
I. J. RICHARDSON, Att'y. 51

FEMALE SEMINARY, WATERLOO.

MRS. ELDER'S

SEMINARY will in future consist of two sessions in each year, commencing the first of November and the first of May, and continue 24 weeks each. It would be desirable to have Scholars enter at those periods on account of Classing; but they will be received at any other time.

TERMS, PAYABLE IN ADVANCE.

Reading, Writing, Grammar, and plain Needle work, \$6 per Session.
Arithmetic, Geography, use of the Globes, delineating Maps, History, Philosophy, and the higher branches of Mathematics, \$10 per Session.
Flower and Landscape Painting, Painting on Velvet, Lace work, Music, French and Spanish Languages, on the usual terms.

BOARD \$1 50 per week. Washing, &c. \$5 per Session. No other charges to be apprehended.

Mrs. E. assures the parents and guardians of young Ladies entrusted to her care, that the strictest attention will be paid to morals. The domestic part of the School will be well and judiciously arranged. Competent teachers are constantly engaged. Several branches will be taught by analytic demonstrations.—Dr. Elder will give 2 or 3 Lectures per week, on Geography, History, or Philosophy.

STEARNS' INQUIRY.

FOR sale at this office, "An Inquiry into the nature and tendency of speculative free-masonry: with an appendix. To which is added, plain truth; a dialogue; and the author's reasons." By John G. Stearns, minister of the Gospel, Paris, N. Y.

AN Antidote for the Doctrine of Universal Salvation. By J. C. Stearns, Minister of the Gospel.—For sale at this office.

CUMMINGS' GEOGRAPHY.
For sale at the office of the Freeman.

**NEW STORE,
AND
NEW GOODS.**

The subscriber offers for sale at the four corners, near the Friends Meeting-House, a general assortment of

**Dry Goods,
Groceries,
Crockery,
Glass and
Hard-Ware,**

of late purchases, made in Albany and New-York; all of which he flatters himself he shall be able to sell as low as can be bought in Palmyra or the county. Most kinds of produce received in payment for Goods. He solicits a share of public patronage.—ALSO,

**DOMESTIC SHEETINGS,
SHIRTINGS, AND
COTTON YARN,
MACKEREL,
COD-FISH, &c. &c. &c.**

BENJ. T. HOXIE.
Macedon, Nov. 2, 1829. 3m45

ADDRESS

OF

MYRON HOLLEY,

DELIVERED at Lyons, September 11, 1829, in commemoration of the outrages committed on that day, and subsequently, on WILLIAM MORGAN, and other citizens, by free-masons; exhibiting the dangerous principles and criminal conduct of the fraternity; and containing an exposition of the principles of anti-masonry. For sale in a pamphlet form, at the Freeman office.

NOW

IS the time to buy Goods much cheaper than ever, at the new CASH STORE in Ontarioville, where a large assortment has just arrived, of an excellent quality. Neighbors! please to call and examine them, and you will much oblige

V. YEOMANS.
Ontario, Oct. 27, 1829. *6w44

THE ANTI-MASONIC SONGSTER,

A COLLECTION of Anti-Masonic Songs, and masonic Songs, with answers, containing 15 plates illustrating the conspiracy, with explanations to the same.

This Song Book will be ready for delivery in two weeks. It will be printed on good paper and type, and contain from 40 to 50 pages.

Price per hundred, \$5: 75 cents per dozen. Orders for the present, sent to the printer; E. Scrantom, Rocheser, post paid, and enclosing cash, or to the editors of the Anti-Masonic Enquirer will be attended to.

Printers inserting the above, will be served with a copy or two by mail. Rocheser, Oct. 27, 1829.

Dissolution.

THE co-partnership heretofore existing between the subscribers, is this day dissolved by mutual consent. All persons having unsettled accounts with the firm, are earnestly requested to call and settle as soon as convenient.

ELIJAH LINNELL,
ALVIN FOOT.

Palmyra, Aug. 4, 1829.

The subscriber will continue the

SHOE



BUSINESS,

in Palmyra, as usual. He feels grateful to the public for the liberal patronage he has received, and will endeavor to do business that will merit the same in future.

E. LINNELL.
Aug. 4, 1829. 6mo33.

**Coarse and Fine Salt,
1,000 BBLs.**

COARSE and fine SALT, by the quantity or single barrel, for sale by GEO. N. WILLIAMS.
Nov 1, 1829. 45tf

**EDWARD GIDDINS' ANTI-MASONIC ALMANAC,
FOR
1830:**

JUST received and for sale at the Freeman office, by the dozen or single, by J. A. HADLEY.
Sept. 29.

**DR. MERWIN'S
HEPATIC DROPS
FOR DISEASED LIVER,
FOR SALE BY
J. A. HADLEY.
PRICE ONE DOLLAR.**

**PALMYRA
LIVERY STABLE.**



M. KINGMAN,
RESPECTFULLY informs the public that he continues the above business on an enlarged scale, having made considerable addition to his stock of

Horses, Carriages, &c.

Grateful for past favors, he hopes his endeavors to accommodate Citizens and Travellers, will merit and ensure him a continuance of public patronage. His CARRIAGES are new and convenient; his HORSES gentle and fleet; and his Drivers and Attendants trusty and obliging.

**Coaches, Gigs, Sulkeys,
DOUBLE AND SINGLE
PLEASURE WAGGONS,
Saddle Horses, &c. &c.**

ready to go any direction, at a minute's warning, may be had by applying at Mr. Church's Eagle Hotel, at Mr. Nottingham's Bunker Hill Hotel, or at his new Stable, a few rods south of the Eagle Hotel.

Summer Arrangement.



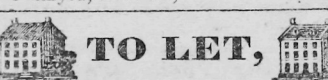
M. KINGMAN,
in company with Mr. L. TILLOTSON, of Canandaigua, continue to run a

DAILY LINE OF

Post Coaches,

between Palmyra and that village, leaving and arriving at each place, at such times as to accommodate persons travelling in the Canal Packet Boats. Every attention will be given to render his whole establishment an accommodation to the public.

Palmyra, June 23, 1828. 1y26.



TO LET,

ON reasonable terms, a well improved and valuable FARM, containing 30 acres, pleasantly situated about a mile north of this village. On the farm are a convenient dwelling house, a good barn, and other out houses—together with a large orchard of excellent fruit trees.

Possession can be given immediately.

C. SOUTHWICK.
Palmyra, Oct. 4, 1829. 41tf

STRAY COLT.

STRAYED from the pasture of the subscriber, near Penn Yan, Yates Co. on or about the 15th of July last, a two years old

MARE COLT,

with a light silver mane and tail. Said colt was raised in the town of Williamson, Wayne co. Whoever will return her to the subscriber or William Babcock, of Penn Yan, or give information where she may be found, shall be handsomely rewarded.

A. C. THOMPSON.
Penn Yan, Sept. 12, 1829. 38.

E. GIDDINS having removed to Lockport, Niagara county, N. Y. all orders on him for anti-masonic publications, will hereafter be directed to that place.
Lockport, Sept. 8, 1829.

BLANKS.

WARRANTY and Quit Claim Deeds, Mortgages, Bond, Executions, Warrants, Summons, &c. &c. for sale at the Freeman Office

DEMPSTER'S SERMON.—For sale at this office, "A Sermon, delivered at the opening of the Methodist Church in Newark, N. Y. Sept. 20, 1827, by the Rev John Dempster." Price 15.

MARSHALL'S & WEBSTER'S

Spelling Books,

FOR SALE BY
J. A. HADLEY.
Palmyra, Aug. 4, 1829.

Shingles.

FOR SALE by the subscriber one hundred thousand first quality Pine SHINGLES. Those wishing to purchase for cash, will be accommodated cheap. Also, a large quantity of

Joist and Scantling.

GEO. N. WILLIAMS.
Palmyra, June 23, 1829. 26tf.

FOR SALE,

A SLIP in the New Episcopal Church—also, To Let, one half of a Slip in the Presbyterian Church. Enquire of C. SOUTHWICK.
Palmyra, April 14, 1829. 16tf.

BLANK SUBPENAS. A number of gross just printed, and for sale by Ap'l 21. J. A. HADLEY.

KIRKHAM'S GRAMMAR.

J. A. HADLEY,
HAS just received and offers for sale at the office of the Palmyra Freeman, SAMUEL KIRKHAM'S system of English Grammar in Familiar Lectures, accompanied by a Compendium; embracing a new systematic order of parsing, a new system of punctuation, exercise in false syntax, a new system of philosophical grammar in notes, and a key to the exercises: designed for the use of schools and private learners. Price 7 shillings.
Palmyra, Feb. 10, 1829.

RECOMMENDATIONS.

The following are extracted from some of the numerous testimonials received by the author of the above named work: From his Excellency De Witt Clinton, late Gov. of New-York.

I have looked into the "Compendium of English Grammar by Samuel Kirkham," and consider it a work deserving of encouragement, and well calculated to facilitate the acquisition of this useful science.

DE WITT CLINTON.
Albany, Sept. 25, 1824.

From the Rev Martin Ruter, D. D. President of Augusta College.

Mr. Kirkham—Having examined with some attention your "Grammar in familiar Lectures," I feel a pleasure in recommending it for the use of our schools and academies. In the definitions, rules, and order of arrangement, it possesses superior merit, and cannot fail to lessen the labor of teachers and pupils. I hope it will be examined by instructors of youth, particularly in the Western Country, and that it will receive extensive patronage.

MARTIN RUTER.
Cincinnati, Aug. 5, 1826.

We fully concur in the sentiments above advanced by Dr. Ruter, in relation to Mr. Kirkham's Grammar.

JOHN WINRIGHT, } Academics
JOHN L. TALBERT, } Instructors.
T. HAMMOND, }
JAMESCHUTE, }

From Mr. Blood, Principal of the Chambersburgh Academy.

Mr. Kirkham—It is now about twenty years since I became a teacher of youth, and, during this period, I have not only consulted all, but have used many, of the different systems of English grammar that have fallen in my way; and, Sir, I do assure you, without the least wish to flatter, that yours far exceeds any I have yet seen.

Your arrangement and systematic order of parsing are most excellent; and experience has confirmed me, (having used it, and it only, for the last twelve or thirteen months,) that a scholar will learn more of the nature and principles of our language in one quarter from your system, than in a whole year from any other I have previously used. I do, therefore, most cheerfully and earnestly recommend it to the public at large, and especially to those, who, anxious to acquire a knowledge of our language, are destitute of the advantages of an instructor.

Yours, very respectfully,
SAMUEL BLOOD.
Chambersburgh Academy, Feb. 18, 25

ANTI-MASONIC

BOOKS, PAMPHLETS, &c.

JUST received and for sale by the subscriber, at the office of the Palmyra Freeman, the following anti-masonic publications, &c.

THE ANTI-MASONIC ALMANAC for 1829, containing 48 pages and 13 engravings, showing the ceremonies performed during the initiation, passing, raising, and exaltation of a candidate; and other childish mummery practised by that pretended Ancient and Honorable Institution, while assembled and at work in their secret conclaves—by Edward Giddins.

A SOLEMN WARNING against Freemasonry, addressed to the young men of the U. States—by Solomon Southwick.

AN ORATION, delivered in Le Roy on the 4th of July, 1828, at the Convention of Seceding Free-masons—by Solomon Southwick.

LE ROY OYSTER SUPPER, a poem—by Le Roy Bard.

J. A. HADLEY.
Palmyra, Dec. 30, 1828.

Job Printing.

J. A. HADLEY,
HAVING supplied himself with a new and choice assortment of JOB TYPE, is prepared to execute all kinds of Job Printing, such as

**PAMPHLETS,
HAND-BILLS,**

CARDS, LABELS, &c. &c.

in the neatest style, and as expeditiously and reasonable as at any office (whether Anti, Masonic, Jack, old Administration, or even "Jackson Republican") west of the Capital.—Palmyra, April 14, 1829.

DR. J. C. MERWIN,

HAS removed his office to the village of Lyons, near Denning's Tavern. All those indebted are invited to call and settle. Those who have demands, may send their accounts to A. Dorsey, Esq. and they will be attended to.

N. Y. BANK NOTE TABLE.

Corrected Weekly.		
NEW YORK.	State b. Albany	do
N. Y. city banks	do	do
Dutchess co b	do	do
Laurensburgh	do	do
State b. Albany	do	do
Bank of Albany	do	do
Mech. & Far. do	do	do
Col'm b. Albany	do	do
Troy	do	do
Farmers, Troy	do	do
Mohawk	do	do
Newburgh	do	do
Colum. Hudson broke	do	do
Middle district 60a65	do	do
Orange co	do	do
Catskill	do	do
Geneva	do	do
Utica	do	do
Auburn	do	do
Central	do	do
Canandaigua	do	do
Utica branch	do	do
Ontario	do	do
Chenango	do	do
Jefferson co	do	do
Rochester	do	do
Wash. & Warren	do	do
Barker's Exch'ge	do	do
Green co	do	do
Plattsburgh	do	do
Niagara	do	do
CONNECTICUT.	do	do
New Haven	do	do
Bridgeport	do	do
Norwich	do	do
Eagle	do	do
Derby	do	do
All others	do	do
MAINE.	do	do
Winthrop	do	do
Castine	do	do
Wiscasset	do	do
Hall. & Augusta	do	do
Kennebec	do	do
Passamaquoddy	do	do
All others	do	do
N. HAMPSHIRE.	do	do
Cheshire	do	do
Concord	do	do
Coos	do	do
Exeter	do	do
New Hampshire	do	do
Stafford	do	do
Portsmouth	do	do
Rochingham	do	do
Grafton	do	do
Cann. river	do	do
MASSACHUSETTS.	do	do
Boston bks	do	do
Manuf. & Mec	do	do
Pacific, Nantucket	do	do
Phenix, at do	do	do
Beverly	do	do
Essex	do	do
Merrimac	do	do
Glooucester	do	do
Hampshire	do	do
Lynn Mechanics	do	do
Mechanics	do	do
Franklin	do	do
VERMONT.	do	do
Barre	do	do
Worcester	do	do
Hamden	do	do
Falmouth	do	do
Tamilton	do	do
Springfield	do	do
All others	do	do
NEW JERSEY.	do	do
Hoboken bk broken	do	do
State b. Newark paid	do	do
do Elizabethtown do	do	do
do N Brunswick do	do	do
do Patterson broke	do	do
Newark Ins. co do	do	do
Trenton b co do	do	do
Salem	do	do
Protn & Lom broke	do	do
Trenton state b do	do	do
Jersey city stop'd	do	do
Franklin, J city do	do	do
All others	do	do
PENNSYLVANIA.	do	do
Philadelphia bks	do	do
Lancaster	do	do
Gettysburgh	do	do
Silver lake	do	do
Huntingdon broken	do	do
N Hope br co do	do	do
All others	do	do
DELAWARE.	do	do
Laurel broken	do	do
All others	do	do
MARYLAND.	do	do
Baltimore bks	do	do
Port Deposit	do	do
Som bk Snowh'l	do	do
do br Priu's Ann do	do	do
Frederick co	do	do
Harve de Grace do	do	do
Hagerstown	do	do
Upper Marlboro' do	do	do
Westminster	do	do
Elkton	do	do
Cumberland broke	do	do
Farmers & br's	do	do
Annapolis	do	do
DIS. COLUMBIA.	do	do
Franklin broke	do	do
Alexandria mec b do	do	do
B of Columbia	do	do
All others	do	do
VIRGINIA.	do	do
N W bank	do	do
All others	do	do
N. CAROLINA.	do	do
Newbern	do	do
All others	do	do
S. CAROLINA.	do	do
Charleston bks	do	do
GEORGIA.	do	do
Augusta	do	do
All others	do	do
OHIO.	do	do
Columbus	do	do
All others	do	do
CANADA.	do	do
B of U C at York	do	do
do Kingston brok	do	do
Other banks, C.	do	do

N. Y. PRICES CURRENT.

Corrected Weekly.

ASHES.			
Pot, first sort	ton	\$152	a
Pearl		152	a
FLOUR AND MEAL.			
N. Y. Superfine	bbl	5 62	a
Western Canal		5 50	a
Middlings, fine			a
Rye Flour		3 87	a
Indian Meal		2 75	a
GRAIN.			
Wheat, N. River	bush		a
do. Genesee			a 1 16
Rye		64	a
Corn, Yellow, North		58	a
Barley, N. R.			a
Oats, South and North		36	a
Peas, white, dry, 7 bush			a
Beans, per tierce, 7 bush		7	a 9
IRON.			
English and Scotch, ton		50	a
Pig, American,		30	a 45
Bar, do		80	a 85
do. Peru Iron co.			a
do. Russia, old Sable,		102 50	a
do. do. new do.		96	a 97
do. Swedes,		100	a 102
do. English, assorted,		80	a 82 50
Sheet, cwt.		6 75	a 8
Hoop, American,		7	a 6 76
do. English		6 50	a 7
LEATHER.			
Sole, Oak	lb	20	a 26
Sole, Hemlock		18	a 23
Dressed, Upper, side		1 75	a 2 62
Undressed do.		1 50	a 2 25
LUMBER.			
Boards, N. River, Pine, M. feet		a 16	
do. Eastern, do.		a 12 50	
do. Troy and Alb do. pce.		a 16 18	
Shingles, Pine bundle		2 50	a 3
Staves, white oak, pipe, M.		40	a
do. do. hhd.		30	a
do. do. bbl.			a 23
do. Red Oak		20	a
Heading, White Oak		35	a
Hoops		25	a
PROVISIONS.			
Beef, Mess	bbl	9 50	a 10
— Prime		7 50	a 8
Butter, N. Y. dairy	lb	13	a
Hog's Lard		5	a
Pork, Mess	bbl	12 50	a 13
— Prime		10	a 11
Cheese, American	lb	6	a
Hams, Northern		9	a
SUGARS.			
St. Croix	lb	9	a
Lump		15	a
Loaf		17	a
TEAS.			
Hyson	lb	90	a 1 11
Young Hyson		80	a 1 11
Hyson Skin		45	a 57

DEFAULT having been made in the payment of a certain sum of money, secured to be paid by an indenture of mortgage bearing date the twenty-seventh day of December, in the year of our Lord one thousand eight hundred and twenty six, executed by David S. Jackways of the town of Palmyra, in the County of Wayne, and State of New-York, to Israel J. Richardson of the Town, County, and State aforesaid; and the said mortgage having been duly assigned to the subscriber—NOTICE is hereby given, that by virtue of a power contained in said mortgage, and of the statute in such case made and provided, all that certain tract or parcel of land situated in the town of Palmyra aforesaid, and bounded as follows, to wit, beginning on the North line of Main-street, in the village of Palmyra, at the South-west corner of a lot now or lately owned by Jeremiah Hurlbut, and running from thence North on the line of said lot to the Erie Canal; thence West on said Canal to a lot now or lately owned by John Hurlbut; thence South on said last mentioned lot to Main-street; and from thence East to the place of beginning—the same being part of the lands whereof John Hurlbut, late of the town of Palmyra aforesaid, died seized; also three undivided seventh parts of the following pieces of land, situated in the town of Palmyra aforesaid, bounded as follows, to wit, one piece beginning on the North line of Main-street aforesaid, at the South-east corner of a lot now or lately owned by Abraham Spear, and running from thence North, on the line of said Spear's lot, to a lot claimed and occupied by William Jackways, called the Willson lot; thence East on the line of said Willson lot and on the Erie Canal, eight rods to a lot now or lately owned by Charles Hurlbut; thence South on the line of the last mentioned lot to Main-street; and from thence West on the line of said Willson lot, and running North to mud creek, and bounded on the North by said creek, and on the South by said Canal, and running so far East as to include one third part of the lands North of said Canal, whereof the said John Hurlbut, deceased, died seized; and also one other lot beginning at the North-west corner of a lot now or lately owned by John Hurlbut, and running from thence South on the line of said lot eighty-six rods, to a lot occupied and claimed by the said party of the first part, (to the said mortgage;) thence