

vate conversation or articles in the public prints. Their duty towards themselves and the prisoners was to render their verdict upon the evidence which would be produced to them. The crime which the prisoners stand charged with, is the foulest in the long catalogue, namely, that of murder, a crime every where punished with death, on the authority of the Divine law itself. He stated this to them in order to show that if the prisoners were found guilty they could expect no mercy at the hands of the King's representative in this Province. He now would proceed to detail some of the circumstances of the case. Express or positive malice in the commission of the deed, would be feared he proved too plainly against the prisoners. He did not wish to press against the life of the unfortunate individuals at the bar, more than a mere recital of facts, but it was his bounden duty to call forth witnesses and avenge the blood of an innocent man. The unfortunate deceased, Living Lane, had resided at St. Giles for a period of a year or two; the prisoners had also been residing there for some time. Lane had obtained permission to go upon No. 8. and afterwards obtained a location ticket. On the evening of the 5th December, he engaged one Russel to assist him in clearing the land and building his residence. Both Russel and himself agreed to stop on the ground all night and sleep there in order to have a long day. They had commenced working the next morning when the prisoners at the bar made their appearance, and were shortly after followed by two other individuals, Robert and David Suiter, who were included in this indictment but withdrawn by the finding of the Grand Jury. Lane was seated on a spruce log, and Russel was opposite working at a log house which they had begun. The three prisoners led by the old man proceeded directly to the side on which the deceased sat; they addressed him, and one of them bid him *marche-donc* and quit the land. The elder Suiter said also "quit the land or I'll blow you to hell." Russel will tell you that he did not see the Suiters fire, but he heard old Suiter cock his gun and immediately after heard the report and saw Lane fall. Russel anxious to obtain their assistance in relieving Lane, told them he was not much hurt; doubtless also he was apprehensive that if he told them Lane was mortally wounded, he would have shared the same fate. The first individual whom Russel met after he had gone in quest of assistance, will tell you that when he came up to the deceased he said to him, "I am sorry to see you so low." The deceased answered him, and said he had been shot by old Suiter and one of his sons who had both