

TRIAL OF JOHN KELLY.

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office have been performed by the conviction of the prisoner; should his objection not avail him, it will only remain for the Court to pronounce the judgment of the law."

After some consultation on the bench, the *President* delivered the opinion of the Court in the following words:--

"If the objections, which have been made by your Counsel, have sufficient weight to arrest the judgment in a *Common law* proceeding, your having pleaded to the fact is, by the *Civil law*, a waiver of all technical objections to the articles of charge; but they will be represented to the King, together with the recommendation for mercy, and will undoubtedly be fully considered."

"*John Kelly*,---I have performed the office of informing you of the conclusion the Court has come to on the trial of your case, and you have not been able to offer sufficient matter to arrest that judgment the law appoints for the crimes of which you stand convicted: I have therefore now only to discharge my duty, as President of this Court, of pronouncing the awful sentence of the law, which is,---that you *John Kelly*, be taken from hence to the place from whence you came, and from thence to the place of Execution, there to be hanged by the neck until you are dead! and may God Almighty have mercy upon your soul."

"The Court has, however, recommended you to your King for pardon, which recommendation will be represented to His Majesty for his gracious consideration."

The prisoner was then remanded to the custody of the Provost Marshall, and the Court adjourned *sine die*.

