

reply to them. Meanwhile, appeal to fact, by the method of constant and diligent observation, is open to us; and, as the double stars have yielded to this style of questioning and disclosed a series of relations of the most intelligible and interesting description, we may reasonably hope that he assiduous study of the nebulae will, ere long, lead to some clearer understanding of their intimate nature.—*Ibid.*

THE STAR.

WEDNESDAY, JANUARY 15, 1834.

For Sale,

BY

**PRIVATE CONTRACT,
WITH IMMEDIATE POSSESSION,**

ALL that Piece of LAND situate on the North side of Carbonear, a short distance in the rear of the Town, about 1,100 yards from high-water-mark, comprising Two Acres, partly cultivated, held by Grant and subject to a Quit Rent to the Crown of Sixpence $\frac{1}{2}$ Acre.

Also,

ALL that Piece of FREEHOLD LAND, with DWELLING-HOUSE thereon, situate on the North side of Carbonear, and in rear of the Town, bounded on the East by a Wood path, West and North by Property belonging to Mr T. CHANCEY, and South by Property belonging to JOHN COX, in the occupancy of the said JOHN COX, at the yearly rent of Forty Shillings Currency, until the 31st day of October, 1835, at which time full possession will be given.

Further particulars may be known, on application to

GEORGE RICE,

At

Messrs GOSSE, PACK, & FRYER'S.
Carbonear, Jan. 15, 1833.

Knowing the anxiety of the public to be informed of all the particulars attendant on the Harbor Grace tragedy, we have excluded other interesting matter, (among which is the excellent address of the *new* chief judge), to enable us to copy the following from the *Newfoundlander* of Thursday last:

SUPREME COURT.—*St. John's. Jan. 3.*

Trial of Peter Downing and Patrick Malone for the Murder of Mr. Robert Crocker Bray, at Harbor Grace, in July last.

The Hon. Chief Justice BOULTON, and the Hon. Judges BRENTON and ARCHIBALD, took their seats on the bench at a quarter after 10 o'clock, and immediately afterwards the prisoners were placed in the Dock.—There were forty-eight petit Jurymen in attendance, and the prisoners were informed that if they had any objection to any of the Gentlemen, they might challenge them before they were sworn.—Downing said they were all strangers to him, but that he had no objection to any of them—he was sure they would do him justice.

BRYAN ROBINSON and GEO. H. EMERSON

Esqrs., had been assigned by the Court as Counsel for the Prisoners; and it was intimated to them that as the Gentlemen of the Jury were strangers to the Prisoners, they might challenge on their behalf, if they thought necessary,—no challenges however took place, and the following Gentlemen were sworn and took their seats in the Jury Box—they were not called upon to appoint a foreman:—Messrs. John Berrigan, Patrick Furlong, Thomas Ryall, Thomas Grace, Adam M'Larty, John Rendle, James English, Thomas Mullowney, Thomas Flahavan, Thomas Allen, Robert Murphy, Patrick Culleton.

The indictment was then read by the Clerk of the Court—the Prisoners stood charged for the murder of Mr. Bray alone, although his child and servant girl perished at the same time.

The Hon. JAMES SIMMS, Attorney-General, stated the case to the Jury in a very eloquent and impartial address.—He abstained from any observations calculated to prejudice their minds against the prisoners, but detailed the circumstances of the case in such a clear manner as to enable them to form a just estimate of the evidence he intended to adduce in its support. He entreated them to divest their minds of every thing they had heard outside the Court, of the awful charge for which the prisoners were to be tried,—but to make up their minds, as to their guilt or innocence, upon the statement of the witnesses whom he should produce.

THOMAS DANSON, Esq., sworn.—Has been for many years a Magistrate at Harbour Grace.—Knows the prisoner Downing—(Downing's written confession was here handed to the witness.) The confession was Downing's, who signed it voluntarily—there was no promise, inducement, or threat, held out to induce Downing to make the confession; the other prisoner, Malone, was present when Downing made the confession. A second confession (the document was here shown the witness) was also made and signed by Downing under the same circumstances.

Cross-examined by Mr ROBINSON.—Downing had been committed to gaol by witness on the 19th or 20th of July last—was brought up to make his confession before the Magistrates, on the 26th July, having previously signified a wish to Mr Currie, the Gaoler, to do so—when brought before the Magistrates expressed his willingness to make a confession—it had been intimated to Downing that Malone had made a confession, and on that account Downing said he would make one.

Downing's confession before the Magistrates at Harbour Grace, on the 26th July last, was then read by the Clerk of the Court, in Downing's own words, as follows:—

Confession.

"Peter Downing desires that Patrick Malone may be permitted to be present while he, the said Downing, makes to the magistrates a voluntary confession of all the circumstances concerning the death of Mr. Bray, his child, and servant maid; which he wishes to do the same as if he were going out to be hanged.

"Peter Downing saith, that about three or four days after the fire of the Harbor last year, when the greater part of it was burnt, Patrick Malone and I were in the farm belonging to Mr. Bray about breakfast or dinner—while engaged in starting stumps with crow-bars, Patrick Malone said to me, "Did you see the bag of

dollars that I carried into Mr Bray's house?" I answered, "I did not, no more than any other load we carried in;"—"well," says Patrick Malone, "Peter, there is where the treasure lies I could not lift it until Mr Bray helped it upon my shoulders; now, if we, Peter, put our minds together you and I, we will have that money." I replied, "It would be a very good thing if it could be done." Malone replied, "That it was as easy to be done as to walk up to the tilt,—it is where I lodged the bag of dollars is in Mr Bray's bed-room, and it is by where I sleeps; there is nothing between us but the wainscot, even there is a door coming in from the room where I sleeps to where Mr Bray sleeps, so I think it would be very easy to start in that door and jump into Mr Bray's bed-room, and for us to have either a mask, or to black our faces, and to have a man to come over Mr Bray and his wife, and to tell them not to stir or they would lose their lives; that the man over them should have a pistol, sword, or bayonet, the other man whether it would be Patrick Malone or I that would be over them, that it was equal which would be over them, but if they stirred he was to kill them, and that it would not be a long delay for the other to get Mr Bray's money, which when found, the man over Mr Bray was to remain until the other would have time to be nearly up to Mr Lampen's farm, and when he thought he would be nearly arrived, then he was to follow him as quick as he could." "Well, Patrick," said I, "how will it be with you in the morning, that you did not hear the noise, what excuse will you give?" Patrick Malone stopped and paused a bit, when I asked him that question—he then said, "I will give you a good excuse, that I went to go to my brother's house at Musquitto." I replied, "that it is a thing that two men could never do; that of course Mr Bray and his wife would not see their house robbed without losing their lives; that it was a scruple to take away Mr Bray or his wife's life for the lucre of his money, or any other man's. It would be a good plan, Patrick," said I, "to get two men more, and to have us all masked, or blackened all one colour, and to carry a line, and to have Mr Bray and his wife tied in their bed, so that they should not stir out of it." Patrick answered, "where would we get the two men that we could trust to?" I answered, "would not your two brothers be good comrades?" Patrick replied, "I would not, by any chance, acquaint them with it." I then said, "On what account would you not acquaint them with it?" He answered, "that he would not wish to let them know any thing about it."—"Well," I observed, "never mention it again, because it is a thing that never can be done by two men without murder, and that's a thing I never will do." No further conversation took place on the subject at that time.

In about two months after, he brought on the conversation again; he said "We were two cowards, it was as easy to have that money as it was to walk out of doors."—I answered "It would be a very good thing, but it would not be done without murder,—that I was in the latter end of my days, and did not wish for all the money in the world or ever he had to be guilty of killing him." The conversation dropped at that time. This conversation was begun again in the same way at different times after, and to the same effect as before. Some time after this, Malone informed me that he was shipped to Mr Bray. "Now," said he, "I have a fair opportunity before my time is out to have the money, so that you join me; and we will have it in a way in which we will have no man's life; I answered "I wish that we had it, if there is a hundred and a half of dollars as you mention, it would enrich us for ever." He answered "Most likely there is, and soverigns too; the winter will be long said he, and I will lay out every measure for having the money, even they are out very often at tea parties." I then said "If you can get a proper time when he would have the house to himself I will assist you." Some time after, he called at my house, and in another conversation said, he would not scruple to