THE JUDGE CHARGES AGAINST THE PRISONER

The Jury Disagree and are Discharged.

PRESENT POSITION OF THE CASE.

Further Proceedings Hang Fire, and Postponement is Taken.

THIRD DAY. LONDON, Oct. 6 .- The Court sat for nearly eleven hours to-day, and the evidence was of much interest. It indicates pretty clearly the state of feeling existing in Biddulph up to the time of the murder, and gives a history of the meeting and movements of the vigilants. The leading witness was William Donnelly, who leading witness was William Donnelly, who alone escaped the vengeance of the pursuers of his family. William Donnelly is a lame man, and his appearance is above all things tragical. The events of the past year have added a thoughtful look to his countenance. He wears a moustache and imperial à la Cardinal Richelieu, and long hair which falls in black ringlets almost to his shoulders. His evidence of course dealt with the events which took place, at his home on the fatal took place at his home on the fatal night, but it also tended to show the feelings which existed between members of his family and the prisoners. Those ill feelings, how-ever, his Lordship ruled, could not be allowed in any way to prejudice the case, neither could the antecedents of the Donnelly family. To aid the jury in the understan William Donnelly's evidence a model of the house of the witness was produced. This model was an exact reproduction of the house, and contained not only the counterpart of all the windows and doors, but a representation of the deceased John Donnelly, whose position after the shooting was marked by the witness. About half of the Crown witnesses have now been examined. The jurors during the day, and indeed during the entire trial so far, have shown much patience, and the only complaint that has come from them was the observation of one of them to night, sitting in one posi-tion, to the effect that his back was nearly broken. The attendance in the Court to-day has been very large. A great many Biddulphites have been in town at the fair, and while they were in the city they no doubt thought they might as well take in the trial. The men found a difficulty in gaining admission to the Court, but the gallant county constables could not find it in them to turn away the women. A great many Biddulph ladies,

The most important evidence to-day was that of Wm. Donnelly. WILLIAM DONNELLY'S EVIDENCE. WILLIAM DONNELLY sworn-I am a son of WILLIAM DONNELLY swords
the late James Donnelly, and live at Whalen's
Corners. James Keefe, who is now in Nebreaks was at my house on the night of raska, was at my house on the might of february 3rd. He had supper with me. Old Mr. Kennedy, my father-us law, called during the evening and went away. My brother John came in too. James Keefe left about half-past eleven o'clock. My brother John came to my place on a pony to borrow my cutter. He put the pony over night in a small shed at the rear of my stable. I had two horses in the stable. My wife went to bed about nine o'clock. About half-past twelve I wound up the clock. Martin Hogan, who was with us, went to bed with my brother. We were all now in bed. The first thing I heard was my brother John rushing into my room, saying, "Who is calling fire?" At that time I heard some one rapping on the door and crying "fire." My brother John went to the door and asked who was there. The reply was, "Fire! fire! Open the door, Will!"
He opened the door, and there were immediately two shots. John fell back with his head towards my bedroom door. He said, "Will, I'm shot. May the Lord have mercy on my soul." I then heard seven shots coming from between my house and Mr. Blackwell's house, which was next door. When my brother fell back I told Hogan he was shot. Hogan spoke low, and told me to keep quiet. I sat up in bed and turned back the blind of the window next to which I lay and looked out.

Mr. IRVING—What did you see when you tooked out?

have supplied them liberally with eatables.

WITNESS-I saw John Kennedy. Q. Who else? A. James Carroll and James Ryder. I saw three other men whom I could not recognize. They were standing just outside on the highway. When I looked out I heard Carroll say, "What next?" or "What best?" I also heard Kennedy say my brother-in-law is easy at last. The three men spoke, but I could not hear what they said. My wife said she would get up, even though she was shot. not hear what they said. My wife said she would get up, even though she was shot. She caught hold of John to draw him into my room, and Hogan crawled out on his hands and knees and helped her. I told my wife to get a piece of blessed candle out of a trunk, which she did. She lighted it and gave it to Hogan to hold in Johnny's hand while he was dying. I RECOGNIZED THE VOICES

of James Ryder and Martin McLaughlin the men were crying "Fire, fire! Will, Will!" The next day I found a bullet resting on one of the sills. It had passed through the wainscotting. Soon after John had the candle my wife told me John was dead. It candle my wife told me John was dead. It was then a minute or two to half-past two o'clook. My wife was crying all the time, and Hogan got under the bed. I looked out of the window at four o'clook and got up as soon as it was daylight. I asked him if he had seen anybody.

Mr. IRVING—What did he say?

Mr. Wayneywa said Mastin Hogan and he was a second of the second

Mr. IRVING—What did he say?
Mr. Meredith said Martin Hogan would have to tell that for himself.
Mr. IRVING said he would call Hogan, and

admonished the witness not to say what Hogan had said.

WITNESS continued—I examined the footwirness continued—I examined the loot-prints round the house and ran to Mr. Black-well's next door. When I went to Black-well's I noticed that the bar of the door of a second stable, in which I had a stallion, was down. I thought, perhaps, the stallion was stolen, but it was not. It was very much frightened. There were tracks in the stolen, but it was not. It was very much frightened. There were tracks in the snow all round that stable as well as at the back of the smaller stable in which the two horses and the pony were. Both Blackwell and I examined the tracks. When I caine back from Keefe's I called Mr. Walker, who lives near, and got him to go with the pony and cetter to my father's. I stayed at home that day and sent to the coroner. In the evening I saw the chief of police and gave him information.

Mr. IRVING—Previous to this had you had a visit from the vigilance committee?

WITNESS—Yes, in September.

Q. What were you doing? A. I was at home.

home.

Q. How many were there? A. There were about forty, carrying sticks. One had a piece of scantling. They had a team in which some of the old men were riding. Old Michael Carroll was in the team for one.

They stopped opposite my place, a little to the north. John Kennedy and Edward Ryan came and sat on a log opposite my place. Ryan commenced to point at my place. I saw there also James Carroll, Martin place. I saw there also James Carroll, Martin McLaughlin, Big Anthony Heenan, George Jenson, Pat Dwan, William Jackson, Daniel McDonald, Jeremiah McDonald, Pat Green, ar., James Carrigan, James Harrigan, James Ryder, sr., James Heenan, sr., John Heenan, Patrick Dorsey, James Kelly, John Dorsey, James Maher, sr., William Feeheley, James Feeheley, sr., James Ryder, one of the prisoners, William Thompson, Michael Carroll and his two sons, Pat Quigley, Edward Ryan, John Cain, William Carey, John McLaughlin, Martin Dorsey, John Quigley, and John Thompson. As to Kennedy's expression,

" BROTHER-IN-LAW IS BASY AT LAST." I may say that Kennedy used to call me brother-in-law instead of by name in order to make fun of me. I remember Carroll and Hodgins coming to look for my brother Thomas. I remember the charge of robbery against Thomas. Thomas was charged with robbing Ryan. He was acquitted by four magistrates. When he was acquitted Carroll stood up in court and said he was speaking for Ryan and would take the matter further. A year afterwards the case was brought A year afterwards the case was brought up again and dismissed again. The case was brought up a third time before the Grand Jury, and a bench warrant was issued for Thomas' arrest. Carroll executed the warrant, and came to my house to arrest my brother.

Mr. MEREDITH-If the object of the Crown counsel is to prove Thomas Donnelly's inno-cence of the offence, I will have to bring evidence on the other side.

His LORDSHIP said the object was rather, so far as he could see, to prove the prosecu-

so far as he could see, to prove the prosecution.

The Witness proceeded:—After the trouble about Thompson's cow, John made out an information for trespass. He was subsequently arrested for perjury, and tried before Mr. Stanley at Lucan. The case was dismissed. Carroll then laid an information for the same offence against my brother before Mr. Grant at Grantham. The result of the second prosecution was that John was sent for trial. Carroll also laid a charge against John for giving a horse to Tom with which to escape. John was sent for trial on that charge but the trial never came off. In the perjury trial at Grantham, Carroll was complainant and constable. I was in my father's house not long before the murder. I took there Michael Feheeley's gun which was destroyed in the fire. There were no valances to the bed. There had not been any there since my sister was married six or seven since my sister was married six

years ago. MARTIN HOGAN corroborated the evidence of William Donnelly, and stated that he urged William to keep quiet and lie in his bed, as if the men found out that they had not shot him they might come back.

After a cross-examination of Hogan,
The Court adjourned at 7.40 till 9 o'clock

-morrow morning.

FOURTH DAY. LONDON, Oct. 7.-The Assize Court, Mr. Justice Armour presiding, was opened this morning at nine o clock. During the morning an important stage in the progress of John Carroll's trial was reached. It was

nothing less than the termination of the case the women. A great many Biddulph ladies, therefore, had a chance of seeing the prisoners. Among them Carroll seems to be yno means out of favour. Smiles and words passed between them and him, and tasty morsels were handed in to him for dinner. During their entire imprisonment the prisoners have been well treated by their co-religionists in the township, who, no doubt, could not think of permitting men against whom the offence has not been proved to live on bread and water, and who as a consequence have supplied them liberally with eatables. abroad on an unlawful expedition on the night of the murder. Johnny O'Connor's evidence, if considered satisfactory by the jury, would prove this; but such evidence had to be corroborated, and the man to support it William Donnelly, who stated that he Carroll on the road when John Donnelly carroll on the road when John Donnelly was shot. William Donnelly's evidence, of course, introduced the shooting case, and gave the details. After that evidence further testimony had to be brought forward to establish the shooting. This is how it comes that the shooting business—notwithstanding that the shooting business—notwithstanding that the prisoner is not at present being tried for it comes to be so much discussed. It w be noticed that although Carroll's prisoners are not standing their trial, evidence is brought against them, and an them, and an endeavour is made to prove their presence at the murders. The bringing of this evidence the murders. The bringing of this evidence forward was probably considered necessary as a further corroboration of O'Connor's narrative. The evidence which was taken for the defence to-day was in the direction of showing that Carroll was in bed, and could not therefore have been present at the murders. His brother and Mr. and Mrs. Thompson, in whose house he is said to have slept, swore to this. Carroll' brother William is a young man of about twenty, evidently unaccustomed to giving testimony in court. He was rather nervous

during his examination. Another feature of the defence was the calling of Purtell, one of the prisoners, who gave evidence in his own defence. He was called, no doubt, not with a view to impressing the jury with his own innocence, for that would be no good, as the same jurymen may not be no good, as the in his case, but to throw discredit in O'Connor's story. on O'Connor's story.

DANNELLY, WM. BLACKWELL, and others were called, and the Crown case was THE CASE FOR THE DEFENCE. The defence was then commenced. Mr. IRVING in the first place reque

Mr. Isving in the first place requested the presence of Wm. Donnelly in court.

Mr. Meredith' protested that Donnelly should not be admitted, as it was material, in view of the likelihood that the Crown might recall him, that he should not hear the evidence of the witnesses to be called.

His Lordship said that Donnelly's presence could not affect the case. In fact, putting witnesses out of court in cases which were prolonged beyond one day was almost a farce, as the evidence was all published in the papers. absence was up all the winter. papers.

Mr. Invine said he did not intend to call Donnelly was then allowed to remain in

Donnelly was then allowed to remain in court.

WM. THOMPSON, sworn—I am a farmer, living in Biddulph, and my farm is to the north of Jas. Donnelly's, and adjoins it. I have been married seven years. I was home on the day before the burning of Donnelly's house preparing grist for the mill. William Carroll, brother of the prisoner, was helping me as a farm hand. Patrick Ryder, sr., was at my place in the afternoon of Tuesday feeding a cow of his. James Carroll came in the MY BROTHER WAS IN BED WITH ME at my place in the afternoon of Tuesday feeding a cow of his. James Carroll came in the afternoon and asked his brother about a cutter. He only stayed a little while, and came back again about eight in the evening. He had been staying at my house before. He and I, my wife, and Wm. Carroll sat in the kitchen talking. I, William Carroll, and the prisoner took our boots off at the side of the stove and left them. William and the prisoner went upstairs to go to bed, and I slept down stairs. The door of the stairs was closed and my door was open. I did not go to sleep till after twelve. I heard the clock strike.

Q. Did you hear anyone come down stairs Q. Did you hear anyone come down stairs that night at all? A. I did not. The door joining the committee I signed a paper, and some one told me that I must not tell what I heard there. that night et all? A. I did not. The door of the stairs opens with difficulty and makes a noise, as the house has settled somewhat. The front door was bolted but not locked. There is only one room upstairs and only one window in the room. The window has nine panes, seven by nine. I was the first to get up the next morning. I went out into the kitchen. On looking out of the window I saw the smoke from the fire. I called to my wife and told her there was a fire up the road. I also called for William and James Carroll. My wife put on a shawl and came and looked out of the window, and then went back to bed. James and William Carroll came down stairs then. I said, "There has evidently been a fire at Donnelly's place." James said he wondered how it had happened. The prisoner had his trousers on and his shirt, but it can they were still in

JOHN PURTELL, one of the prisoners, sworn, said—I am in custody on the charge of being concerned in the Donnelly murder. I was arrested on Friday, February 6th. I did not belong to this committee, and I never attended any meetings. I was living at James McGrath's, near the church, where I was working as a hired man. John McGrath, a doctor, was living at the house at that time. The doctor was in a consumption, and he has since died of consumption, and he has since died of consumption at his brother's at Bothwell. I commenced to work there on December 18th. Old Mr. and Mrs. McGrath slept down stairs. James McGrath also slept down stairs. James McGrath also slept down stairs. In McGrath slept upstairs. Ellen Blake slept in another room upstairs, and I slept in still another room upstairs. During the Monday ONE OF THE PRISONERS ON THE STAND

the kitchen. I left him putting on his boots and went out. I did not see any tracks in the snow around my house.

His LORDSHIP—Did you look for any?

WITNESS—I did not look particularly, but I did not see any. As I was going over to the stable to feed my horses I saw Patrick Sullivan, an old, man of seventy, and talked to him about the fire. After attending to the cattle I went to breakfast. Carroll, his brother William, I, and my wife breakfasted together. I went to Exeter to the mill afterwards. Carroll said he was going to Grantham, wards. Carroll said he was going to Grantham, I think, but I do not know which way he

MORE ABOUT THE VIGILANCE COMMITTEE. I belonged to the vigilance committee. The first meeting I held was when I lost the cow. There were about thirty there. I went to Lucan to get the search warrant and went to Lucan to get the search warrant and came back to the school-house where the meeting was. We then went to look for the cow. On going to Donnelly's, John, the old man's son, said he did not think there was a cow there, but we might look all over. The old man also said we might turn every straw in his stack over if we thought we could get it. The next meeting of the committee was in connection with the trespass suit. The next was about John Donnelly and the perjury, and the next was about Ryder's farm.

Mr. McMahon—Could Carroll have come down that night without you knowing it?

Mr. Irving—That is not a proper question. The witness has only to state the facts, and it is the province of the jury to form the opinion.

Mr. McMahon—True, but from witness' knowledge of the house and its means of ingress and egress he should be permitted to

express an opinion.
Mr. Irving—The law of evidence does not permit such an opinion being given by a witness. The witness has stated that he did not hear the prisoner come down or go up stairs, and that is all he can say.

His Lordship—I think I will permit the question to be put; it is only the witness'

Mr. IRVING—I can assure your lordship that the question has been discussed, and decisions have always been adverse to the asking of such a question.

His Lordship—If you produce a pre-

ceedent I will follow it.

Mr. IRVING, quoting from American law reports, showed that three decisions had been given in the United States to the effect that given in the United States to the effect that it was not competent for a witness after saying that the prisoner slept with him, or that he knew of the prisoner's whereabouts in the house during the night, to testify further that in his opinion the prisoner could not have gone out without his knowledge, as that would be testifying to an inference which it was for the jury alone to draw.

Mr. Merroith—I don't think you will find that such a decision was arrived at in any English cases.

any English cases.
His LORDSHIP—I think, Mr. McMahon, you should put it in another shape.
Witness proceeded then, in reply to Mr.
McMahon, to state that he did not hear Carroll go out or come in during the night.

In the course of the examination Mr. MoMahon incidentally remarked it might be
necessary to ask his lordship to allow the
jury to have a view of the place.

His LORDSHIP—I certainly cannot expose
the jury to a trip down the Roman line.

CARBOLL'S WHEREABOUTS ON THE NIGHT OF THE FIRE.

Mr. McMahon then asked witness if it

upstairs is creaky, and there is no carpet on it, or on the stairs. I do not think the Carrolls could have got out of the their window was above mine. with the Donnelly family. I would bid them the time of day when I saw them and that was all. I was married seven years ago. I had Wm. Donnelly arrested for a charivari with which he was connected at my wedding. I also had him arrested for trying to abduct my sister, who wanted to marry him. I had Michael, James, Patrick, and the old man

Michael, James, Patrick, and the old man arrested at the same time. I will swear that I did not tell the Chief of Police that I did not know whether any one got out of my house on the night of the fire, has stopped at my place about twelve times in two years. I don't know that he had any particular reason for staying at my place that night, but we were talking of building a driving shed, and he had helped me in building at other times.

After an intermission for dinner,

The Court resumed, and
Mrs. Thompson, wife of the last witness, was called. She gave evidence similar to that given by her husband. She saw Carroll go ap-stairs to bed. During the night she heard no one go out, and if any one had gone out she thought she would have heard the noise. To Mr. Irving—I remember the chief of police, Mr. Phair, and Mr. Pain, a newspaper reporter, coming to my house the Sat after the fire. I do not remember those parties that the last time James Carrol those parties that the last time James Carroll slept at our house was two weeks before the murder. Neither did I say that the door of our bedroom was closed that night. The door is always open. The Chief of Police did not ask me whether we slept sound at night. The Chief made two visits to my house. The window blinds and pillow slips in the room in which Carroll slept were not changed between the first and second visit the Chief made to the house. I did not put up an additional blind between the visits. The second blind which the Chief says was put up during his

absence was up all the winter.

WILLIAM CARROLL, a younger brother of
the prisoner, called, said—I had been at
Thompson's working a short time before the.
Donnelly fire. I slept in the big room upstairs. My brother came to Thompson's about
three in the afternoon of the day before the fire, to borrow a cutter. He stayed a very short time, and went to Maher's, I think, as he had a summons forone of the McLaughlins. My brother came back in the evening, and stayed at Thompson's, and slept with me, We went to bed at half-past nine, and slept up-stairs. I went up first, and he was just behind me, but he got into bed before I did. We both undressed that night. I heard it strik one o'clock that night, and

then. I then went to sleep. My brother slept on the inside part of the bed, where, as the roof is a gable, the ceiling was low. I don't think my brother could get out without disturbing me. My brother did not leave the house all night. In the morning I was the first to come down string. was the first to come down stairs. When I got down Mr. Thompson pointed out the first to me. I do not know whether I locked the stair door when I went to bed. It was closed when I came down. I and my brother closed when I came down. I and my brother left our boots at the stove when we went to bed. They were there in the morning.

To Mr. Irving—I was once at the Swamp school house meetings. This was after the scrape about the cow. I was not a member of the committee. I went over to join. That was the only time I was at the meetings. In including the committee I sugged a paper.

and Tuesday preceding the fire at Donnelly's, James McGrath and I were splitting rails and drawing them at Zachariah Hardy's, two miles distant. On Monday evening we stopped work at five o'clock. On Tuesday night we got home about six o'clock. We had our supper soon after. About nine o'clock I went to bed. I was the first to go to bed. I took my boots, coat, and vest off down-stairs. In order to get upstairs I had to pass through the dining room. When I got upstairs I went to bed at once. I had not seen Carroll, Tom Ryder, McLaughlin, or Kennedy the day previous or the day before that. I did not know of the existence of the vigilance committee and did not belong to it. When this occurrence took place I had not shaved for four or five weeks. I think the 1st of January was the last time I shaved before I was arrested. I shaved when I was arrested. I usually shave only once every four or five weeks during the winter. My beard at the time of, the cocurrence covered my chin entirely and the scar on my face. If I had got up during the night and gone out I should have had to pass through four doors. I went down to the Donnellys' wake at O'Connor boy. I saw William Donnelly there. I went to the funeral—that is I went from MaGrath's to the church.

Q. Had you any knowledge in any way that a murder was committed or intended? A. No, not till I had heard it after the occurrence.

To Mr. McGee+Yes, I have been convict-

To Mr. McGee + Yes, I have been convict

of an offence. It was four years ago, at Stratford, for assault. I was sent down to gaol for three months. It was not for wounding, but for assault.

Mr. McGre here produced a certificate from the clerk of the peace of Perth county, to the effect that the conviction was for assault and wounding.

to the effect that the conviction was for assault and wounding.

Witness continued—I did not know of the society, as I said before. Neither did I say to Martin Hogan at any time that I would like to join the society. My occupation is to work around wherever I can get work. My father and mother are dead. My only relative is a brother, who was brought up by James Ryder.

Q. Do you know Thos. Ryder? A. Yes.
Q. You are very intimate with his boys? A. Why, he hasn't any, except a couple of little children.

Q. What time did you go to bed the night of the Donnelly fire? A. About nine o'clock.
Q. What time did the others go to bed? A. I don't know. I went to sleep very soon, after I went to bed.

Q. And you could not hear the others com-

after I went to bed.

Q. And you could not hear the others coming up? A. No.

Q. Then it would be possible for you to come down and go out without the others hearing you? A. Yes. I did not meet William Donnelly on the day of my arrest; nor did I begin to cry and say I was undone. Neither did I ask him if the prisoners at London had told all. I did pay him \$50 I owed him on the day of my arrest. Martin Hogan him on the day of my arrest. Martin Hogar advanced me the money.

James McGrart called—I am a farmer

and live on lot 20 of the 7th concession of Biddulph. I have been there about eleven years. I have four children, the eldest of whom is now seven years old, and the youngest about a year. John Purtell was working for me at the time of the Donnelly fire and murder. On the day before the murder Purtell worked with me in the bush. We came home to tes and stayed in during the evening. My father, mother, Helen Blake, by brother, John McGrath, and the prisoner Mr. McMahon then asked witness if it could be possible for Carroll to get out without his knowledge.

His Lordship—I think I will allow the question. It is only the witness' opinion after all.

Witness—I think the Carrolls could not get out without my knowledge. I do not think anyone could come down stairs and go out without waking the immates. The floor bed I locked the kitchen door. I also shut the downwhich life of the complete the neighbouring from the large of the heighbouring from the large of the large of the heighbouring from the large of the

the door which divided the kitchen from the dining-room. When I shut the door I put a chair against it. The door leading upstairs is in the dining-room, and if any one had chair against it. The door leading upstairs is in the dining room, and if any one had come down stairs and gone out, the chair against the door dividing the kitchen from the dining room would have had to be removed. When a put up in the monning, rather before the other, in other than the chair was first where I left it up against the door. The only other way in which Purtell could have got out, except through the window, was through my father's part of the house. My father always kept the door dividing his part of the house from ours botted on his side. He also locked the doors leading to the street. The first thing doors leading to the street. The first thing I did when I got up after fixing the fires was to look out to see whether there was any snow. I looked out because I was anxious to have snow. There had been no good slighting and I want of the street of the s

good sleighing, and I wanted to draw some rails, and that is why I looked out to see if there was any snow. There was fresh snow. Q. Were there any tracks on the snow around your house? A. No. around your house? A. No.

To Mr. McGee—I went to sleep soon after
I went to bed, and sleep soundly. One of
the children might have cried and I would
not have noticed it. It is not usual for me put a chair against the kitchen door. oined the vigilance committee in October. went down to it because it happened that

was not at church at the time the book wa signed, and I did not wish it to be though hat I favoured the ANTICS OF THOSE WHO WERE KEEPING THI PLACE IN TROUBLE. When I joined I promised to keep secret any information given to the committee which had for its object the issuing of a warrant

until the warrant was issued and the person

were arrested. Q. Whom do you mean when you mentic people as performing antics? A. I do not think I should answer that. His LORDSHIP-Answer the question. WINESS—Well, Ryan was blamed for a good deal of mischief, and the Donnollys were blamed for a good deal which I believe they never did. Still they harboured people who did commit the depredations, and I am told on good authority that they shaved my horses' tails, but that was two or three years ago, and I did not mind that because the

tails grew out all right.
Q. Was John Purtell a member of the vigilance committee? A. No, he was not at the meeting; nor was John Blake a member the committee.
Mr. MEREDITH—Why, he is a member o

the bar engaged in this case.

Mr. McGer—Oh, I beg your pardon.

Matthew McGrath, father of the last witness, was called. He said that as near as witness, was called. He said that as near as he could make out he was sixty-five years old. He testified to all the last witness had said regarding the doings at his and his son's house on the evening before the murder, and told, with streaming eyes, of the death, by consumption, of his son John. His son and Purted went to bed about nine His son and Purtell went to bed about nine o'clock. The old gentleman continued—I always go to bed late when I'm well, because as I do nothing now I could not sleep if I went to bed early. Before I went to bed I bolted the door which separated their part of the house from mine. If anyone passed through that door in order to get out on the road, he would have first to open four other loors.
To Mr. McGee—Witness stated that the

To Mr. Mouse—witness stated that the reason he bolted the door between his own part of the house and his sons, was that the children, who rose early in the morning, might not get into his part and disturb Mr. McManon here informed the cour

Mr. McMahon here informed the court
that three days before the death of John McGrath at Bothwell a deposition bearing on
the evidence just given was taken, the
county attorney being present.
His LORDSHIP—Who made the order for it?
Mr. McMahon—No one.
His LORDSHIP—Then of course it is not
evidence. The Court then rose

FIFTH DAY. LONDON, Oct. 8.—The trial of James Carroll for the murder of Judith Donnelly was continued to-day, and the defence was concluded. As will be seen by the evidence which follows, all the prisoners, with the exception of James Carroll, were called and circumstantial evidence in support of their testimeny was taken. The drift of the de-

fence is to prove an alibi on behalf of Carroll and his fellow-prisoners and to discredit the statements of Johnny Q'Connor and William Donnelly. The court room was crowded during the entire day. At the conclusion of the evidence for the defence, Mr. Irving proposed to proceed with the rebuttal, but Mr. Justice Armour said he would prefer to adjourn as it was half-past six. He added that if the addresses of counsel were not concluded early to-morrow he would find it necessary to postpone the delivery of his charge to the jury until Monday. The charge will probably be very lengthy. As his Lordship observed, the case is one of unusual importance. In the event of the charge being portance. In the event of the charge being postponed until Monday the jury will spend their Sunday in the court house. Great care is taken to prevent any intercourse with the jury. To-day a brief note from a juryman's wife, telling the juryman'in question that she was in excellent health, had to be delivered to him in open court, the Crown counsel and the counsel for the prosecution agreeing that the paper might be delivered to him.

EVIDENCE OF THE PRISONER RYDER

When the Court opened the detence was proceeded with, Thomas Ryder, one of the prisoners, being called.

Thomas Ryder, sworn, said—I am brother of Patrick and James Ryder, and live in lot 26, 7th concession of Biddulph. There is an indictment against me for murder. I remember the night before the Donnelly fire. I was at my own house. My family consists of myself, my wife, and my mother. I am about thirty years of age, but I cannot exactly say. On the night in question Valentine Mackay, a brother in-law of mine, came to my house about six o'clock, on horseback, to see about getting out some stave-bolts for me. James Twohey and my brother James also visited my house that night. It was about half an hour after Mackay came that Twohey came. When the clock struck ten, Twohey remarked that it was about time to go home. Twohey came to borrow a chain to move a granary with. My brother left shortly afterwards My wife went to bed by go home. Twohey came to borrow a chain to move a granary with. My brother left shortly afterwards. My wife went to bed between nine and ten o'clock with the baby. We were playing cards during the evening. Mackay left the house a little before two-o'clock in the morning. He and I, after the others left, were playing euchre. We were playing for money, ten cents a piece, I went to bed immediately after I had seen Mackay go. I did not hear anything about the Donnelly fire until the next morning, when my go. I did not hear anything about the Don-nelly fire until the next morning, when my brother Pat told me of the house being burned

Q. Johnny O'Connor says you wore a cap at Lucan with ear laps. Have you a cap of that kind? A. Yes, I have worn one like that for four or five years. I was in the habit of going to Lucan to market and I have often seen O'Connor there. The cap is a

Q. Now were you at Donnelly's place that Q. Now were you at Bonnelly's place that night? A. No sir.
Q. Did you know anything about this murder directly or indirectly? A. No sir.
To Mr. McGee—On the day before the fire I was at Lucan. I got home about four in the afternoon and did not go out again. I had been talking to Mackay about getting out the stays belts some time before the date. out the stave-bolts some time before the date in question, and it was because there was an appearance of snow and of sleighing that he came to my house that evening to see about getting at the work. After my brother and Twohey left I and Mackay, while playing another talked about the stays belts the house euchre, talked about the stave-bolts, the burn-ing of my brother's barns, and the trial which was to take place at Grantham, which, which was to take place at Grantnam, which, I said, I was going down to see. I asked Mackay to stop all night that night, and go down to the trial. He said he would rather go home. I do not remember any talk about the Dennelly family.

Q. You warned the people to come to the matting of the vigilance committee after the

Ryder barns were burned? A. I warn about ten or twelve, amongst whom were Jas. Twohey, John Thompson, James Mc-Grath, Steven McCormick, Patrick Breen, and James Hawrigan. I was at the meeting, and left about eleven o'clock.

His Lordship—How far do you live from Two miles.

A. What kind of a country is it between your place and the Donnelly's? A. There are two big hills.

Q. When you went out to see Mackay off about two in the morning did you see a glare in the sky from a fire? A. No sir.

To Mr. McMahon—Thomas Donnelly spoke to me about the Ryder threshing. It was a year ago last harvest, as I was coming out of my farm. I saw Tom on the road He was with Twohey, but he came aside t me and asked about Tom Curtin. I said h me and asked about Tom Curtin. I said he had gone either to Lucan to get his threshing machine mended, or to Clinton to see about getting a new one. Tom Donnelly said, "I wanted to see him." I said, "You can see him to-morrow." He said, "I understand he is going to thresh for Edward Ryan, and I don't want him to do that." and I don't want him to do that." I said to him, "Now, Tom, you had better take it easy, The man is sure te get his grain threshed anyway." I also said to him that I was opposed to such work as that. I added, "I suppose you are aware that I must make this known." He began to laugh, and said, "That is what I want." He said, "Ryan bought a new pair of sewed boots to send me to Kingston, and I'm going to

ANOTHER OF THE PRISONERS EXAMINED. JAMES RYDER, another of the prisoners sworn—I am a son of Patrick Ryder, and have been charged with this murder. I live with my father and have five brothers. Four besides myself were home on the night of the Donnelly murder. They were Patrick, Michael, John, and Morris. Michael Blake was also at the place on the day of the was also at the place on the day of the was also at the place on the day of the mur was also at the place on the day of the murder. I and my brother Pat and a man named James Carroll (not the prisoner) were scoring timber. Blake was hewing. We worked in the bush as long as it was light. About eight in the evening I went to chase away a dog that we thought had been worrying our sheep. When I got to the road I saw the prisoner. I spoke to him and walked with him to Thompson's gate. He asked me if we were getting out timber, and I said we were. He said it was a good time to get out timber, and that we were going to Thompson's to see about getting out timber for Thompson's driving shed. When I got home from talking with Carroll, I went back home and went to bed. Michael Blake slept with me, and I occupied the inside part of the bed me, and I occupied the inside part of the bed next the wall. In the morning we got up and had breakfast together and went to the next the wall. In the morning we got up and had breakfast together and went to the bush again. During the morning Blake sent my brother Pat back to the house to get a scratch awl, which he had forgotten. When he came back he brought with him the news of the fire at Donnellys'. That was the first I heard of the fire. That was the first I heard of the fire. After wards we heard of the shooting of John Don-

Q. Did yen know or hear that Donnelly's place was to be burned or that John Donnelly was to be killed? A. No, sir. To Mr. McGee-I was a member of the vigilance committee; so was Michael Blake. I do not think Michael Blake was particularly active member of the committee.
Q. Was not he then at all the meetings?
A. I don't know. He might have been abent and I not see him. (A laugh.)
Q. Did you not tell William Donnelly on the day preceding the murder that the beautiful or the day preceding the murder that the beautiful or the day preceding the murder that the beautiful or the day preceding the murder that the beautiful or the day preceding the murder that the beautiful or the day preceding the murder that the beautiful or the day preceding the murder that the beautiful or the day of the day day preceding the murder that the vigilance committee would get the start of him when he least expected it? A. I told him no such day preced You were arrested at London? A.

Q. You were arrested at London? A. No, at Lucan.
Q. Well, who arrested you? A. Murphy came down to our place when I was working in the bush and said he wanted me to go to Lucan with the rest of the neighbours to the inquest. I said I would go in and get my clothes changed and an overcoat. He said I need not mind about that, as I would not be away long. So I went, and I was arrested. went, and I was arrested.

Q. Now, who were in the waggon with you?

A. I was not in a waggon. I was in a Q. Did you take part in the hunt after Tom Donnelly after the bench warrant for him was issued? A. Yes. Q. How many of you chased him? A.

There were a constable and some twenty or To Mr. McMahon—My younger brother Michael had a sore foot at the time of the Donnelly fire. The foot had had stitches put in it, and my mother had to dress the wound

two or three times a day and twice in the PATRICK RYDER, brother of the last wit-PATRICK RYDER, brother of the last witness, testified that he and his brother James, Carroll (not the prisoner), and Blake were working in the bush the day preceding the murder. He said—The timber was being got out for my father's three barns, for the building of which, after the fire, Blake had the ing of which, after the fire, Blake had the contract. At night, after supper, father sent me to hunt up some hands for scoring timber. The next day he said I had better go to Maher's, about a mile distant. I took a horse and rode up to Maher's bareback. Old James' Maher came to the door. I told him to send some hands to expected. Maher came to the door. I told him to send some hands to our place. He said he would send his son James. I did not get off my horse. I had to get Tom Purtell also, so I turned to go up to Morgan's, where he was working. I did not go all the way, but turned back when I was half way. On my way back home I saw old Mr. Keefe just near Maher's gate and two other men at Keefe's gate lawer down the read

gate lower down the road.

Q. What had you with you that night?

A. I had a piece of a cane in my hand which my father handed me when I got on the horse. The cane was a piece of elm which my brother, who had a sore toot, used in getting about the house. The horse was slow and walked post. house. The horse was slow and walked past the two men. In fact it walked all the way home. I was striking it just as I was passing the two men. When I got home my brother Morris brought me a light and I put the horse in the stable. Soon after I came in James, who had been out, came in. Half an hour after I and my brothers Morris Michael and Lung and the stable and the st my brothers Morris, Michael, and James, and Blake went to bed. We all slept in the same room. The beds were all in a row on one side of the room. I and Michael occupied one, James, who is a prisoner, and Michael Blake occupied another. Morris slept on a shake-down. I know Michael went to bed. He had a sore foot, to which mother attended. On Wednesday morning, which was the day after the fire, we went to the woods again to score timber. About eight or nine o'clock that morning Michael Blake sent me back to the house to get an awl we had forgotten. When I got back to the house my brother Morris came up from our other farm, and told us that Donnelly's place, which he passed on the way, had been burned. At midday we heard that the burned. At midday we heard that the Donnellys themselves were burned. We heard of the shooting of John Donnelly heard of the shooting of John Donnelly from the ashman, whose name is Simpson. I was arrested by Constable Murphy after the fire and kept in custody for three weeks, when I was discharged. The bed which my brother James occupied creaked a great deal and

JAMES COULD NOT GET UP WITHOUT MY HEAR-ING HIM. His LORDSHIP-I suppose he could not turn over in bed without waking you. WITNESS—Yes, sir. It was a rope bed.
To Mr. McGee—I do not know Dennis
McCarthy personally. He lives on the 10th
concession, four miles from our farm. I did
not tell the chief of police of London when I was arrested that I was at Dennis McCarthy's the night of the burning, but I told him that I was at Maher's. I did not give the chief to understand that my brother Morris did not sleep on a shake-down. I did not say to constable Murphy that this was Texas law and that I believed in it.

Q. Do you believe in Texas law? A. I on't know what that law is. Q. Did you have a revolver in your house? A. Yes, we used to keep it upstairs in a clothes barrel on the top of the clean clothes.
Q. Do you remember using it? A. No, I

Who did use it? A. I remember one time that my father shot out at a dog which used to come in and worry the sheep.

MICHAEL RYDER, sworn—I had an accident in the middle of last January. I cut the cords of my foot with an axe. I had it sewn. ords of my foot with an axe. I had it sewn.
I had it sewn up by Dr. Lang and had to
I had it sewn up a shingle. My foot at the have it tied up on a shingle. My foot at the time of the Donnelly fire had to be dressed at nights before it went to bed and in the merring early. The foot pained me, and it used to keep me awake at nights. My brother James slept in the same room as myself. I was wakeful all night, and

COULD HAVE HEARD IF ANY ONE HAD GOT UP. I remember my brother Pat going up to Maher's on horseback. Just before he went Maner's on horseback. Just before he went
my father asked me where the stick was that
I used to help myself round the house with.
Mr. McGee—And could you do without
that stick, seeing that your foot was so bad! WITNESS-It was evening, and I used not to hobble about at night. My father used to keep the revolver in the bureau drawer when not in use. I remember him firing two or three shots at dogs which worried sheep, and I fired a shot into the mantelpiece the day before the Donnelly fire.

Q. Who put the revolver on the clothes

Q. Surely after you had killed the Donnellys you were not afraid of anybody? A. We did not kill the Donnellys.

Q. Well, after the Donnellys were killed you had nothing to be afraid of. A. I thought e were just as likely to be killed as the Don

nellys. After a brief recess to enable the jury to take dinner,
MICHAEL BLAKE was called. This witness said he was a member of the vigilance comnittee. The

BULES OF THE VIGILANCE COMMITTEE were these:—Parties were to report any depredation, and to prosecute the offenders in any court of law if found necessary. The committee secured parties prosecution. In case anything was stolen all were to turn out and search for it. No member of the committee, if a prosecution was found necessary, to tell who was to be arrested, so that there would he no likelihood of essent. There were not the committee of the committee of the committee of the committee of the committee. who was to be arrested, so that there would be no likelihood of escape. There was no discussion at meetings of any other means than the law of suppressing crime. Q. Could any one have joined that society? Any person who was not suspected of

Q. Was anything said or done about doing violence to the Donnellys or any one else?

A. No.

Witness proceeded to corroborate the the statement of James Ryder regarding his having slept with Ryder on the night of the Donnelly burning. Ryder, the witness said, slept on the inside of the bed, and could not slept on the inside of the bed, and could not have got up without my knowing it. We slept all night, and James Ryder was lying beside me in the morning. I remember Martin Hogan, jr., coming to the first meet-ing of the committee. He was drunk, and his entrance was objected to, but we let him in and then went through the first little. in and then went through the formality of voting against him in order to get rid of him. MARTIN MCLAUGHLIN, one of the prisoners, sworn-I am charged with being at John Donnelly's house at the time he was shot. I have lived in Biddulph thirty-five years, and have owned a farm there for twenty-two years. I am a married man and have chilwas appointed a magistrate last fall. I was not near William Donnelly's house the night John was shot. I went to bed somewhere

John was shot. I went to bed somewhere about eleven o'clock and did not go out after that. I had nothing to do directly or indirectly with any of these murders.

To Mr. McGee—There was staying at my house my family and my hired man, Michael Welsh. I did not buy a rifle, as you state, but I bought one last November. I used to have a shot gun before that in my house. I borrowed it occasionally to shoot at birds which destroyed my fruit. I know Patrick Nangle, I neverabused him as you allege. I did for himse my fruit. I know Patrick Nangle. I never abused him as you allege. I did for hiring William Donnelly's stallion. I took my children to Whalen's Corners to school the morning after the shooting, but I did not go into Donnelly's house. I did not hear of the burning till the evening of Wednesday, when two butchers, one of whom is named Samuel Micheltree, called at my house to see if we had any cattle for sale, and told us of the fire. I went to see Patrick Breen the evening before the fire on school matters. Patrick Breen was not chairman of the vigilance committee. I was in the chair once or twice.

To Mr. McMahon-I am a member of the TEMPERANCE McLaughlin, daughter of the previous witness, sworn—I slept at home as usual on the night of the Donnelly murder with my little sister and brother. In the middle of the night I got up and went down stairs to get some water for my little brother.

I went to father and mother's bedroom and

got a light. I saw my father and mother in This was at two o'clock. Mr. McGre-Where are the stairs down which you had to come to get the water? WITNESS-In the dining-room.
Q. Where was the water? A. On the dining-room table.

Q. Do you usually keep water there ? A Q. Then if you always keep water there and you knew where it was, why did you want a lamp? A. In order that I might see, as it was dark. Q. Did you see any light outside ? A. No. My father, as you state, keeps a rifle. It hangs up in the front bedroom. I took it

JOHN KENNEDY, another of the prisoners, sworn-I am in gaol on the charge of n

Mr. McManon-William Donnelly married your sister?
WITNESS—I think so, but I did not see way. I live on the 11th concession of Biddulph, and am married and have two children. The evening before the Donnelly murder I was at James Carthy's. There were present myself, James Carthy, Dennis Carthy, William Hodgins, James Ryan, James Bryan, Thomas Bryan, and their children. We played cards until about ten o'clock, when went home. The Carthys, the Bryans, and Hodgins are all Protestants, and have nothing to do with this committee business. Bryan came to my house about two o'clock that night. His child having been taken ill, he came to ask how we treated our children who had been sick. I was not at Whalen's Cor-

Morris | ners that night, and I know nothing of the murder.
Mr. McGee-How did you know it was two o'clock when Bryan called? WITNESS—I heard it strike. The next day
I went to work at Mr. Fulton's, three miles from London. I heard of John Donnelly's death in the afternoon, and went down to Grantham to hear all about it. Q. And you mean to say that when you heard of John's death, instead of going to your sister's, where he died, you went all the way to Grantham? A. Yes.
Q. You were not friendly with William Donnelly? A. My feelings towards him were that I did not want to have anything to say to him. He insulted me just after he married my sister. I met him a few days after his marriage at Lucan, when he told me

HE WAS KEEPING A DISREPUTABLE HOUSE. I then told him I did not want anything to say to him, and that if my sister was with him I could not help it. I never said of William Donnelly that he was the man I hated most in Biddulph. DENNIS CARTHY, sworn, testified to the presence of Kennedy at his house the even-

ng before the murder.

WILLIAM HODGINS, who was at Carthy's that evening, gave similar evidence.

James Bryan, sworn—I live about two hundred rods from John Kennedy. I am a Protestant, and am in no way connected with the vigilance committee. On the evening before the murder I was at Carthy's, where I saw John Kennedy and Hodgins, the last witness. I went home about ten o'clock. During the night my child took ill. I thought the child was getting the croup. I knew Kennedy's children had been ill, and I thought perhaps he might have something in children, so the he I went to his place and knocked at the back door. He got up and asked me if there was anything wrong. While he was doing this anything wrong. While he was doing this he opened the door and let me in. He asked me if I had a match, and he lit the lamp. I told him what was the matter with the children, and he told me what the doctor children, and he told me what the doctor had told him to do with his children. While I was talking to him the clock-instructs two, which surprised me, as I did not think it was so late. I then went away home. When I got home I looked at my own clock to see if it corresponded with Kenedy's A. Lept Kennedy's. As I got towards my own door I noticed the reflection as from a fire a few

miles off. To Mr. McGee—The first man to speak to me as to what I knew about Kennedy was Dr. Hossack. I told him that I saw Kennedy at Carthy's, but I did not tell him Kennedy at Carthy s, our the morning. John Wilson, postmaster at Whalen's Corners, testified that he examined the out-side of William Donnelly's house at half-past eleven of the morning after John Donnelly's

murder, but COULD FIND NO BULLET HOLE

outside of the house.

WILLIAM MORLEY, a farmer living at Whalen's Corners, sworn—I examined the front of William Donnelly's house the morning after John was shot. I found in the snow the track of but one man, and one mark in the snow where one man may have stood and

stamped his feet.

John Herbert, farmer, sworn, said—I live on the third concession of Biddulph. On the morning after the murder I got up at five minutes to two, did up the chores, and drove in my cutter to Exeter, ten miles distant. I think it was a little after three when I started went down to the town line of Osborne. Before I got to the town line I saw two men

Q. Did you catch up to them? A. Yes, and stopped my horse and asked them to get in and ride. One got in and sat beside me and the other doubled in the crook of the cutter. They were large-sized, rough-looking men. His Lordship—What has this to do with the case? Mr. McMahon-I am going to show that

they had fire arms.
WITNESS proceeded—One had a rifle, which
he put between himself and me, and the other carried a double-barrelled gun, which he put in the crook of the cutter. They travelled a mile and forty rods with me, and got out when I turned up a side line to get to he town line. This was three miles from Whalen's Corners.
His LORDSHIP—I don't see what this has

to do with the case. You may find men in any part of the county going out at this time of the morning shooting.

Mr. McMahon (to the witness)—Did you ask them where they were going?
WITNESS—Yes, and, they did not answer.
I also asked them if they knew whose barns heads one to the other, and made no answer, To Mr. Irving-I did not mention the cir-

the Crown attorney or the police, but I talked about it about town.

PHILIP BROOKS, sworn—I am a farmer living on the north boundary of Biddulph, and ing on the north boundary of Biddulph, and am a Protestant. I remember the night of John Donnelly's murder. I came over to look at the place between eight and nine o'clock. I asked William Donnelly if he saw anyone or heard any voices he could tinguish, and he said he did not, because

HE WAS AFRAID TO STIR. DANIEL WHALEN, a farmer living near Lucan, was called—I met Johnny O'Connor the day after the Donnelly fire. He was on Lucan, was called—I met Johnny O'Connor the day after the Donnelly fire. He was on horseback. He cried out to me, "Did you hear of the fire?" I asked, "Where?" He said, "At Donnelly's." I said, "Are their barns burned?" He said, "Their house. A lot of men came and killed them; a lot of black men came and drove them to the bush." I said, "If they drove them to the bush how would they kill them?"

Mr. McMahon—What did he say to that?
WITNESS—He said they brought them back and shot Tom. After a break or two he said that John and Tom Donnelly were shot.

said that John and Tom Donnelly were shot. I said, "How did you hear it so early this way I remember so well is that I have told it to Mr. Irving—Did you know John O'Cen-

or before? WITNESS—Yes, sir, Q. Are you related to the other Whaless?
A. Not a bit of it.
Mr. Invivo—Well, we have done with you for this evening.

WITNESS-Thank you, sir. JOEN FOX, sworn—I am a me Incan. Johnny O'Connor came inthe day after the Donnelly burcame in alone. I asked him if he of the parties who killed the Donnels they were dressed in women's closed he could not see any part of the latter asked asked was under the heart of the said he was under the heart asked see he was under the heart asked heart their feet, as he was under the behind a clothes basket. He also said tied old man Donnelly's hands. He had some kind of bonnets on their
To Mr. Irving—I keep a store in
Q. You took refreshments into

when it was sitting there? coroner's orders I took them bicakes, but did not give them beer. Q. Did not they have beer? hey did, but I did not take it in His Lordship—Did you pay for WITNESS—Not to my knowledge

Mr. IRVING—The boy said he or men's feet? A. Yes.
Q. Then how could he have they wore bonnets and had black

I don't know. WILLIAM STANLEY, son of Berns of Lucan, sworn—The morning Donnelly fire Johnny O'Connor or our store and said he knew none who were in the Donnellys' place ne of them had women's black faces.
Mr. IRVING—Did he say any their feet?

WITNESS—Yes; he said he co tinguish them as he could on Q. How then could he see their I don't know. That's what he sa The court rose at 6.45 p.m.

SIXTH DAY. LONDON, Oct. 9.—The trial of Ja for the murder of Judith Donnelly termination to-day, but notwiths ix days spent in the hearing of e in deliberation, the investigation out to be without result, the jury ate hour to-night disagreed. by counsel occupied each about lelivery. The charge of the ju was a close analysis of the evidence over two hours. His Lordshi the entire case with m and drew conclusions from mony which, as readers of the observe, were by no means favour prisoner. The jury, who went for the sixth time at nine in the listening to the evidence in rebui addresses until 4.30, when they discuss the verdict. Having ha since morning, being unable to receiving their discharge until o'clock at night, they were fagged out when they re-ap court. Their fatigue was, ho nothing compared with the evide of the prisoner, who, when the tri menced, had some show of confid chances of getting off, but who, his Lordship had concluded hi the jury, gave unmistakable signs of opinion in that regard. Perha attentive listener to all that has been Wm. Donnelly, the accident of the tragedy. Before the trial have been sure of the conviction soners, and during the trial, while the defence was going on, hand constantly, assisting in per

case for the Crown. ANDREW KEEFE, SWOTD-I 1 dulph. I know James Maher, wh me on the Thursday night before at Walker's hotel, Lucan. go into court and swear that it day, the night of the murder, that together. I said I did not like the Q. Did he not say something Donnelly's deserving their fate? much as said that whoever shaved tails there was nothing that could them was too bad. That's all I k don't think it should be brought?

Mr. Merepith—You don't things should be told in court.
Witness—Now go and sit dow ask me any questions.
Mr. MEREDITH—Answer my WITNESS-Now the less you better, so you go and sit down.

Mr. Meredith—Have you b this morning?
WITNESS—Yes.

Mr. MEREDETH-To whom have WITNESS—To no one at all. THOS. BREENE called, said-McLoughlin the night of the murc Harrigan's gate. I also saw T the two men were not together.

HUGH MCFEE, of Stratford, known William Donnelly fifte

years, and the man had behaved Mr. IRVING—What is his re telling the truth? WITNESS—It is not a very goo Q .- Would you believe him on A.—I think so.

JAMES WRIGHT called, I wo anything as to whether people wor fied in saying Donnelly should no ed on oath. He carried parcels ed on oath. He carried parce delivered them honestly. To Mr. McMahon—I know

people have a bad opinion of him. WILLIAM RYDER, sworn—I wo lieve Donnelly any more than I w any other man.

ROBT. KEEFE, recalled—I have Donnelly do anything bad. I the much entitled to be believed as a His LORDSHIP-How many me of this kind have you? Mr. IRVING-I have only

more. His Lordship—Well, it appear you can bring one faction to swe not believe Donnelly and anot that they will. Evidence in support of Donne ter was also given by James Ke Grace, Joseph Simpson, John Stephen McCormick, John R. P. Gibson, Robert Thompson, and J. ADDRESS OF COUNSEL FOR THE

This closed the evidence. T were then proceeded with. Mr. MEREDITH, in address behalf of the prisoner, said they we proaching the close of the most rial that had ever been held in the trial tria the country. If ever there was which the responsibilities of partie with it were heavy it was this one withstanding the importance of the counsel, their responsibilities w which it was highly import jury should not allow any outsid any opinions they might have for the trial, or any newspaper repor ence them. Neither should they religious faith of the prisoner to in their judgment. The prisoner wa ent faith to any of the jury, ar juryman of his own faith who wa ned away from the jury-box counsel for the Crown. the counsel for the Crown. the crime for which the p being tried took place, the C

no doubt endeavour to prove that and that the organization which w put down depredations was unn unlawful. The fact was that the was a law-abiding people until tunate family now dead came to li commenced the depredations of were suspected. It was the dep these people which made the form society necessary, and as to the of the society, this was what Cl Wilson said at the last assizes 'There can be no objection to "There can be no objection to pering themselves together for the result their life and property, and for purchases. It would be singular honest men could not combine the result of the