

12 TRIAL OF EDWARD AND MARGARET JORDAN.

Should the Evidence come up to my detail of it, of which I have not a doubt, your Excellency and Honours can have no Difficulty, in your minds, as to what course your sentence should take towards the Prisoner Edward Jordan. With regard to Margaret Jordan, I admit there are many shades of Guilt between her conduct and that of her husband, in the horrid transaction ; but it is my duty to add that, although in the eye of our Law and of Humanity, the coercion of a husband may, in many cases of Guilt, extend a great way towards the exculpation of the wife, the principle cannot be applied to a Crime of so heinous a nature as *Murder* ; I must also add that, in point of fact, I do not conceive it will appear that any coercion of her husband existed in the part she took, for, on the contrary, her interference must have been voluntary, and her feelings could have been under no restraint from the scene of Blood presenting itself to her view, when she exclaimed, in reply to Stairs calling for Kelly." "Is it Kelly you want? I'll give you Kelly."—Her conduct, however, and her fate I am willing to leave, without further observation, in the hands of your Excellency and Honours : Although acting for the King and for the Public, I am not ashamed to declare that, should your judgment acquit her, it will be no disappointment to the prosecuting Counsel, and the Public will, I am confident, apply the humane maxim of their forefathers, so peculiar to the Common Law of our Land, that, "It is better ninety-nine guilty persons should escape, than one innocent person suffer."

With regard to the prisoner Edward Jordan, I cannot but consider his life as inevitably forfeited, for it is not in the power of the human mind to reject the force of such testimony, as will soon appear in his presence, fraught with such circumstances of horror, as cannot but raise a blush in the face of human nature.---The crime of this unhappy man has been committed under the diabolical influence of almost every bad passion, that could irritate and torment his disturbed soul, nor could the presence of his wife and his children rouse a sentiment in him to oppose the instigation of the devil.---From the time of his quitting Gaspé, until his departure from the Bay of Bulls for Ireland, one would imagine that the sole occupation of his mind was blood and murder. On the other hand, how evident will the testimony show the interference of God in throwing continued obstacles in the way of his escape, that he might be brought to the place where he now stands, and in favouring the preservation of evidence, that his guilt might not go unpunished. The wonderful manner in which STAIRS has been saved to confront him, and the forthcoming of such intelligent witnesses, as I shall produce to the Court, produced by the hand of the Prisoner himself, after the commission of the horrid deed, shew the manifest aid of a providence.

As further evidence of the same providential interference, I may refer to the constant interruptions he met with, in the prosecution of his design to go to Ireland, to the many times the vessel was forced into Ports, to which the prisoner never intended to go, to the delays of departure which so incessantly

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