

forgotten, in the first instance, when he denied having ever telegraphed for his keys to Chisholm—he did telegraph for his keys. And on Mr. Jones mentioning the circumstance, Mr. Wilson said that on that occasion he did leave the keys, when he went away, hanging in his desk ; but that at that time, when he telegraphed, he had the distillery keys in his pocket. He says that sometimes the keys were locked up in the desk. Chisholm says he was directed by Wilson to get the keys ; and Jones says take them, and he thinks Chisholm got them and did not return them the next day. It is further said that Wilson told Jones that if at any time he left the keys he would be obliged to Jones to take care of them. What do you deduce from these facts ? Chisholm was the book-keeper and paymaster, and this man had the keys of Mr. Wilson's desk, and if the other (the distillery) key were there, could, of course take it. The Crown shows this opportunity had of opening the locks, and says they had evidently no difficulty in getting what they wanted out of the receivers, for Wilson was there sometimes only half an hour, sometimes part of a day. These, gentlemen, are the leading facts, so far as they are material, on both sides. The Crown must satisfy you, beyond any reasonable doubt, that it was defrauded—that the liquor was taken out without paying duty ; for the defendant has a strict right to say—we will give you no information—we will not open our books in any way—we will stand with folded hands, and put the Crown to the proof. Does, then, the proof satisfy you that any quantity and what quantity was taken away from Maitland without payment of duty ?

Hon. Mr. CAMERON—I would wish to call your Lordship's attention to one or two points on which you have not made any observations to the jury. First, that a large number of cattle, called 1,000 head, was fed at Maitland. Then, that there was a loss on one cargo of 1,500 bushels.

HIS LORDSHIP—That cargo was never distilled.

Hon. Mr. CAMERON—Yes ; it is all put in.

HIS LORDSHIP—I think not.

Hon. Mr. CAMERON—Then there is the point as to the vessels in the distillery being secured with locks ; and as to the breakages.

HIS LORDSHIP—The defendant calls attention to these points, and of course they are all for your consideration. It is said there were about 1,000 head of cattle fed at the distillery ; and that—especially in the first year, concerning which we have nothing to do—there were stoppages in the distillery frequently, in consequence of breaking down ; and then it is represented that, on such occasions, meal had to be given to the cattle. Of course, when the distillery broke down, and the stock of slops was exhausted, the cattle had to be fed on something else. But, according to the statement in the books, as I understand it, they were allowed to take credit for all they claimed as fed to horses and cattle ; and the quantity so claimed was excluded from what was made out against them. However, you are to consider that. You see, too, that there are not so many gallons charged against them as their grain would have made—there is a very con-