

*Cross-examined by Hon. J. H. Cameron*—It is on the assumption that the revolver had been carried about, that witness considers that he could judge of the grease on it being fresh or otherwise. The stain of powder will last perhaps two days after the discharge. Witness does not say now what barrel it was that had been most recently discharged. If the barrel were now empty, and were to be fresh loaded, it would not be in the least like the others in appearance. This witness swears positively. [Witness here went into an elaborate explanation of the greasing of pistol cartridges.] The grease he found on the balls was certainly applied after they had been put in. Cannot say how long the grease would remain noticeably fresh. It was as white as snow when witness found the revolver on prisoner. The coat produced (which prisoner had worn at the time of his arrest) is not what would be called a very long one. Prisoner had no other coat on. This coat had no inside pockets. Revolvers are numbered as to the sizes. Any revolver of that number would carry such a ball.

SEERGEANT DAVIS re-called—Noticed the chambers of the revolver when witness took it from prisoner; noticed one cartridge fresher than the others.

*Cross-examined by Hon. J. H. Cameron*—Witness shoved one of the cartridges right out with his thumb after he got up to the City Hall. Identifies the cartridge which he shoved out. This cartridge was looser than the others, and peculiar in make.

ELIZA TIERNEY (stating in reply to the Court that she was fourteen years old, lived at Starr's, never went to school, but learned her catechism, and has some idea that she will be punished after death as well as here in case of telling untruths under oath) sworn—Lived as a servant at Mr. Starr's at the time of Mr. McGee's death. Had lived there for six weeks; knows the prisoner at the bar; saw him first at Starr's six weeks before Mr. McGee was shot. Prisoner was boarding at Starr's when witness came there. His room was a little one on the first flat. Witness has been in the room. Has seen a pistol in the prisoner's looking-glass drawer there. This was about three weeks after witness came there. Did not look at it particularly. Saw nothing again there. Saw a pistol on the chair there while prisoner was in bed. The pistol was on a chair near the head of the bed. This was about half-past seven in the morning, about a week after witness had seen the pistol in the drawer. Has heard of a person being hurt at Starr's, but did not see her. Recollects the Monday night before Whelan's arrest. Saw Whelan in the house that night. He went out after supper. He wore then light pants, light vest, and black coat, and a cap. Saw him no more that night. Witness went to bed about ten. Saw him next morning coming down stairs. This was the usual time, between six and seven. Breakfast is at half-past seven. Prisoner went out without waiting for it. Prisoner washed himself in the dining-room on coming down stairs and then went out. Mr. Dillon came in and told Whelan and the other girl in the kitchen that Mr. McGee was shot. Witness did not hear prisoner say anything. Prisoner then went up stairs and dressed himself before he went out. Mr. Starr and Mr. Kilby were in the bar-room when Whelan came down. Did not see Whelan before dinner time, about twelve o'clock. The back door of Starr's house was never fastened at night. Did not know what time Whelan came in that night.

*Cross-examined by Mr. M. C. Cameron*—The prisoner asked witness that morning if breakfast was ready. Witness said "No," and prisoner went out. Witness knew prisoner to be a tailor working for Mr. Eagleson.

JOSEPH FAULKNER sworn—Lives at Huntingdon, C. E. Has lived in Montreal. Lived there until last March when he went to Huntingdon. Is a tailor by trade. Had lived four years in Montreal up to March last. Knows the prisoner. First made his acquaintance in Montreal in June, 1867. Recollects the Montreal election between Devlin and McGee about a year ago. Witness and prisoner were then in Montreal. Both worked in the same shop—Anderson's, Great St. James street. Has occasionally conversed with prisoner, and heard him talking in the shop. Knew Mr. McGee by sight. His name was often mentioned in the shop by every one in it. Has heard the prisoner mention it, and say that Mr. McGee had deserted his principles and that prisoner was opposed to him for that. That was the principal thing he said. [Here Mr. J. H. Cameron