

exclusively upon the charge of attempt to murder, and further considering that the said presiding Judge charged the said Jury that the said jurors should not consider any charge under Articles 210 and 215 for various reasons, and amongst others, because the age of the said Celina Lapierre had not been proved.

Considering that the representative of the Honorable the Attorney-General prosecuting declared, in the presence of the accused and of the Court and Jury, that the prosecution was not based in any way upon Articles 210 and 215 C. C. ;

Considering that the application of the prisoners counsel that they be discharged for want of proof of the charge made against them was properly dismissed during the said trial ;

Considering that the Judge presiding at said trial distinctly charged the Jury that they must ignore the said Articles 210 and 215, and render their verdict upon the sufficiency of the evidence adduced as to whether the prisoners were guilty or not of having done the acts charged against them, with intent to bring about the death of Celina Lapierre and thereby to commit murder, or to commit some one of the offences included in such a charge as was fully explained by the said Judge in his charge ;

Considering that all the proceeding in the said trial were legal in every respect ;

Doth dismiss the said motion.

N. B. — An application was subsequently made on behalf of the prisoners to the Hon. the Attorney-General of the Province for an order to grant a reserved case, which was rejected on the 8th of November, 1897.

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