

on their trial upon the same indictment. Mr. W. R. Riddell represented the Crown, while the prisoners were defended by R. C. Clute, Q.C., and the late S. B. Burdett, Q.C.

It was proved by the evidence of Stephen Davis, the brother of the prisoner Davis that the latter had said that he understood that Emory was going to shoot him, and that he would try and get the first ball in if he could; that shortly before the murder the prisoner asked him where Emory was, and on being told "at home," he answered with a fearful oath, "He had better be at home. I will have the blood of them that are making enemies for me."

This evidence was given with an indifference and callousness which one would not expect of any witness giving such evidence against even a stranger, but coming as it did (and apparently with perfect truthfulness) from a full brother of the prisoner, it caused a shudder to run through the court room. The brothers of the female prisoner gave evidence in much the same way. One of them swore that Davis had said that if he ran across William Emory, and Emory "mis-listed" him, he would shoot him. Another of the brothers swore that he had seen the prisoners standing hand in hand, and a sister of the female prisoner swore that she had seen the latter sitting on Davis' lap. It was also proved by the brothers and sisters of Mrs. Emory that she had shown great agitation when Davis was accused or suspected of the murder, and cried "The Emorys will hang him yet." These people gave evidence with the utmost candour, and there was not the slightest feeling apparent of any concern as to how the evidence would affect their sister. One of them gave strong evidence against the male prisoner, of the threats made by him some time before, that he would ultimately marry Mrs. Emory, no matter who stood in the way; that he would marry her within a year, and that he would think no more of taking Emory's heart's blood than a dog's. A lad, another brother of Mrs. Emory, proved that Davis had said that he had half a mind to kill Emory with a club. This was about three weeks before the murder. He further gave evidence that he had carried letters from Mrs. Emory to Davis, who