

up, and he and witness then searched prisoner. Found a box of cartridges in his pocket. (Cartridges produced.) Found also some papers, tickets, the *Irish American* newspaper, of date of the 7th March, 1868; found also a badge of the "Toronto Hibernian Benevolent Society." [Badge produced, is of green silk, bearing the phoenix, the sunburst, and other such devices in gold,] found also a card of the St. Patrick's Benevolent Society, which seems to intimate that prisoner's dues have been paid up to 26th of December; found also a photograph of a lady, a ticket from the St. Patrick's Literary Society, two tickets of the Shamrock Quadrille Club, signed W. D. O'Brien, Secretary, one of them in blank, the other favoring Mr. Jas. Whelan and lady. (All these articles produced.) There is no date on these last tickets; the second of which is endorsed "not transferable." [In reply to the Court, Mr. O'Reilly intimated that he did not consider these sufficiently important to require noting down.] Found also a revolver, which witness saw Sergeant Davis take. Witness had previously felt it in prisoner's pocket. There was also a cleaner, like a ramrod. All these were found on prisoner's person. Nothing else.

To THE COURT.—The revolver was taken from the right hand side pocket of prisoner's coat, in front.

To MR. O'REILLY.—Brought prisoner up to his room, and asked him to point out his clothes. Prisoner did so, and witness took possession of them. Also of the saddle-cloth and trappings produced. [These are green and gold, and were used by prisoner as Assistant Marshal of the St. Patrick's day procession.] The cartridges produced are known as "Leet" cartridges, and fit the Smith and Wesson revolvers.

[Sergeant Davis here produced the revolver, and was put into the witness box, to identify it as the one found on the prisoner. In reply to Mr. O'Reilly, Davis gave the following evidence: Assisted O'Neill in the arrest and search of prisoner. Took this revolver produced out of his pocket. Knew him before, having seen him last winter with Mr. Eagleson, the tailor. Witness pointed him out at the time of the arrest.]

O'Neill's examination resumed.—The revolver produced has every appearance of the one witness saw taken from prisoner, and then examined. Found then that five of its cartridges (six chambered cylinder) had the appearance of having been in for some days, while one seemed recently inserted in the chamber. On the top of each of the balls was fresh grease pressed in on every side of the chamber. The grease was then much more obvious than now. This was quite new grease, while the cartridge grease was old and of a different color. If this grease had been put there by the revolution of the cylinder, it would have been on one side only, not all round the balls. The inside of the barrel appeared to have been recently greased or cleaned, but at the mouth showed the appearance of a fresh discharge of powder. [Witness here pointed out the cartridge which he believes to be the newest, but which was much brighter at the time of his first examination.] Five of the cartridges had some dirt on the ends, as if old; the sixth was free from all dirt, from which witness inferred that it had been recently inserted. Its flange was a little thicker than those of the others. The new cartridge was very easily distinguishable at the time from its brightness. Dr. Vancortlandt gave witness a bullet and some teeth (produced). The bullet is of the same size as those in the cartridges. Witness asked prisoner to account for himself when bringing him up to the station, telling him that he had been seen in the gallery of the House that night. Prisoner said that he had left before the adjournment, and came right home, across the grounds, by the Post office, and over the Sappers' bridge, and down Sussex street. Said also, "Why should I be remarked for going there that night when I was there often before?" Does not recollect prisoner saying anything further. [Mr. O'Reilly here proposing to question witness as to the newspaper found on prisoner, Mr. M. C. Cameron appealed to the Court to say whether such examination could be brought into evidence. The defence felt it dangerous to object to anything, but left it to the Court to say whether such matters could fairly be connected with the crime charged. Hon. J. H. Cameron argued also in support of this view, and Mr. O'Reilly desisted.] Found also a pair of light pants (produced). Found no cap.