

“ by two Witnesses, or two of them by one Witness to each, whose testimony you believe, the evidence will be sufficient—the Prisoner will not then be entitled to the presumption of innocence, the crime of High Treason, will stand *proved* against him, and your Verdict on the oath you have taken, according to the duty you owe to GOD, to your Sovereign and your country must be, that he is GUILTY, in manner and form, as he stands Indicted.

WITNESS FOR THE CROWN.

William Barnard—Deposed, that he was of Montreal, a British Subject, that he first saw the Prisoner, at the Province Line in July 1796; the Prisoner told him, he wished to have some private conversation with him, when alone the Prisoner said, “ I have something of importance to communicate to you, it is a secret, in telling it *I put my life into your hands,*” he added, that it might appear singular for an apparent stranger to address him in that way, but that in fact, he the witness, was no stranger to the Prisoner, that he the Prisoner, had made many inquiries respecting him, and had been particularly recommended to him, as a man that might be trusted, that the Prisoner however exacted a solemn promise that the Witness would never divulge what he should tell him, which the Witness gave—He then said that he was there for the purpose, “ *of bringing about a revolution in Canada,*” that he wished for assistance within the Province, and pressed the Witness to take an active part in the business, which he said should make his fortune, this the Witness refused and left him—The Witness saw the Prisoner a few days after in Montreal, and was again solicited by him to join him.—The Witness again refused, the prisoner reminded him of his promise, not to divulge what he had told him, and assured him that he should be protected if he kept his secret—In November last the Witness saw the Prisoner again at La Prairie, near Montreal—the Prisoner then told him that things were ripening fast, that this was already a conquered country; that a French army and fleet would be in the river early in the Spring and pressed him again to take an active part, which the Witness professed himself unwilling to do, the Prisoner then asked him if he would engage to sound the minds of the people, and let him know who might be depended upon, that if he would and likewise inform him where the property of the Seminary and of the principal Merchants at Montreal was deposited, he should at all events be protected, on this the witness said he would reflect, the prisoner left him shortly after. The witness said that previous to the last conversation he had given information to Mr. M^cCord, a Magistrate at Montreal of the prisoners views, and that by his advice, he appeared to acquiesce in his offers at the last interview, intending by that conduct to obtain more ample information of his intentions—but that the Prisoner did not appear to be satisfied with him, and told him at parting, that he could not communicate any thing further to him, before he undertook to assist him.

Being cross examined by Mr. Pyke of Counsel for the Prisoner, the Witness said that he had not received, and had not been promised, nor did he expect from government or from any person, any reward whatever, for appearing as a Witness on this Trial.—That the prisoner had told him he was