

hovering about in the vicinity of the premises, watching a favourable opportunity to pounce upon the poultry in the back-yard. He went into the house and brought out the gun, and laid it by so as to have it ready to get a shot at the hawk. In the meantime Geehan told Johanna Hamilton to let him know when she was going to call Garrett Sears to dinner, in order that he might warn him not to make a noise as he was accustomed to do, bawling and hollering at the hens, as that would have the effect of frightening the hawk. She had called him and he had passed into the house, unknown to Geehan, who shortly afterwards came up around the Western end of the house to take aim at the bird that had perched on the tail-board of a cart situate at the Eastern end of the house. As soon as he had opened the hawk to sight he fired, and as he did Garrett Sears suddenly coming out of the back door of the porch received the shot, uttered some loud cries, wheeled to the left, and heavily fell on the rocks. The prisoner, terrified, dropped the gun from his hands, and running to the wounded man, exclaimed, "If the shot did not kill you you are dead now, you unfortunate man," and turning him up he found he was dead. Finding he had accidentally shot his brother-in-law, and flurried, frightened, terrified and dreadfully excited as a man in such a predicament must have been, what naturally would be the first thought to suggest itself to him, especially as in his unfortunate case the old proverb that one evil never come alone was awfully verified in the sudden death of his wife from terror and fright at the death of her poor brother, what more naturally could be his thought in such a moment of melancholy bewilderment, than to secrete as soon as possible the body of his brother-in-law, till he could devise some means for the burial of the wife? He wept and bemoaned the dreadful change that a few minutes had brought over him, and in a dreamy listlessness knew not what was best to be done. For he thought and shuddered at the thought, that he had put himself in the power of the law. He knew nothing of the various sorts of homicide? he thought that no matter how one killed another, be it through accident or malice, that he equally incurred the penalty of the law. His first impulse then was concealment of the body, with total disregard of the suspicions and consequences that would arise from such conduct, in fact not giving them a thought. Himself and the girl removed the body into the stable, until between ten and eleven at night, when they went to remove it to the pit. When he reached the stable for the purposes of such removal, he found the pigs had broken from their pound and were rooting about in the vicinity of the corpse, and in the glimmering light cast by a lantern, he seized a pitchfork and struck at the animals, and, as he tells me, felt the prongs bring up as if they had entered the body of the man. This blow produced the punctured wounds on the face; for you will recollect that in addition to the statement of the doctor, saying they might have been caused in the manner described we have also the fact of their having been no blood around the wounds, thus confirmatory of the strong suspicion that they must have been made after death. Here too doubtless, were the ear and the first joint of the fingers of the right hand severed by the bite of the voracious pigs. Thus mutilated they bore the body to the pit, and in the perturbed hurried manner in which the work was performed, may we not safely assume that the spade hit the body of the unfortunate Sears more than once. You know how sharp is that implement, and that one of its ill-directed thrusts in the darkness of night may have produced one of the cuts detailed. It must be borne in mind in connection with the appearance of the right arm that O'Brien swears that the greater quantity of the blood-stains were upon and in the immediate vicinity of the shot-holes, thus tending to prove that the ear must have been removed after death in some such way as we have described, since if it were severed during life the flow of blood would be more profuse down over the neck, arm and side, but being confined to the place about the wounds on the arm it consequently follows that it arose from such wounds. Having thus deposited the body of Garrett Sears, he cast about him for some way in which he might wake his wife; he could not now consistently call in the neighbours and proclaim her dead, because he had already more than once stated that she had gone around the Bay in company with her brother. Through fear, trouble, and lamentation he kept her in the house till Wednesday night, and then brought her down and placed her in the attitude in which she was found on the most frequented portion of the Spaniards Bay road. She was found there of course and brought home on the next evening. But behold the inextricable labyrinth in which he now finds himself. He is forced to keep up the story of the departure for St. John's as long as possible, while every moment discovery is becoming more and more imminent. How unfortunate a thing it was for him that fright and ignorance in the first place caused him to conceal the body, since if he had confessed the accidental shooting to the authorities he would not be in the precarious position in which he now stands. Once or twice he was about to divulge the secret, but dread of the consequences withheld him. If the witness Morrissey, instead of being the frightened ghost-seer that he was, was a man of sound common sense, or possessed of the least sympathy, it was the intention of Geehan to have broached the whole mystery to him on the evening of the conversation between them. Behold what a different construction Morrissey puts on the question asked him by Geehan, from that which naturally he ought to give it. Morrissey asked him "Did Garrett Sears go down the road last night?" for as Morrissey swears he saw

him pass. This was after the burial of Mrs. Geehan. "He did not go down," said the prisoner unless he went down dead;" and immediately added, "Do you think that the brother would kill the sister?" This question was asked in surprise and meant to repudiate Morrissey's seeming suspicion attaching to Garrett Sears, of foul play on his part towards his sister, inasmuch as he having been with her on the journey would surely know something about her when he passed down the road Geehan's reply "he did not go down unless he went down dead" would have been followed by a full discovery of the circumstances of the death, as by instruction I have already detailed to you, had not Morrissey—suspicious, unsympathetic boor that he was—walked away from him. Thus was more time lost, and the chain of apparently strong circumstances was being lengthened and strengthened until at last he was arrested, and then in the vain hope that the circumstantial evidence, wanting a foundation, as it does, in truth, would have no force against him, he still persists in the story at first concocted to account for the absence of the wife and brother-in-law. Now, Gentlemen of the Jury, consider for a moment the whole circumstances of this case, remember that every witness for the Crown without exception testifies, strongly testifies without evasion, to the good, sober, moral character of Patrick Geehan from his earliest years; to the affectionate terms upon which he lived with his wife, and to the brotherly terms that ever existed between him and Garrett Sears; bear in mind also that no one witness ever heard or knew of this criminal infamy that existed between the prisoners, and which is given as the motive of the murder. Especially would I draw your attention to the fact that the Doctor swears a compound fracture might have been produced by a heavy fall, that the punctured wounds in the face, with the severance of the fingers and right ear might have taken place after death, and in the manner we describe; and having in view all this, I ask you, can you without doubt bring in a verdict of guilty on the charge? Much weight will be attached by the Crown to the contradictory statements of the prisoner Geehan. Please to remember that his statement made in Harbor Grace was the simple narrative of the story which had already been known to the neighbours, viz: that the deceased had gone to St. John's, to which he would have gone but for the fatal accident, while the statement made in the Penitentiary was made under such circumstances as ought at all events to lessen its importance before you, although after weighty argument the Court decided to let it in as evidence. Mr. Lilly called on the prisoner and took a voluntary statement, on the day after the prisoner again sent for him, and told him that there were some things which he had said in the statement of the previous day that were not correct, and he wished to have them amended. Mr. Lilly refused to do so, and was certainly quite right in not disturbing the contents of the prisoner's written statement, but we do think that he ought to have taken down in writing anything further that Geehan had to say, whether it were contradictory or explanatory of the other statement, and let the two documents be taken together, and judged by you for what they were worth. However, although Mr. Lilly refused to take any further written statement of the prisoner, he testified to the position of the statement taken what the prisoner said was not true, viz, with reference to the using the pitchfork. Geehan said that that was incorrect: that he was very much troubled because of the injury he had done the girl in saying that she had handed him the pitchfork, saying, "Finish him with this." There was no pitchfork used Gentlemen of the Jury, do you think that the motive on the part of the accused, suggested by the Crown for the commission of this murder has been proved? I submit that it has not. Failing in the proof of that motive, behold the position which the Crown is forced to take, viz, that without probable cause, brutal murder has been committed in the open day, in a pretty central and populous neighborhood, at that hour, too, above all others in the twenty-four, when the neighbors around would be leisurely passing in to the midday meal; and committed, too, not with a secret weapon, such as a knife, or hatchet, but with a gun, that instrument beyond all others that would be sure to discover on itself, and expose the man who fired the shot. Was it done from the greed of gain, the cause of so many murders? No, for Patrick Geehan had nothing to acquire from the death of Garrett Sears; was it done to gratify the spirit of revenge or vindictiveness for real or supposed injuries? No, for it was established by all the witnesses that the two men lived on the most amicable, nay, brotherly terms; was it done in a moment of passion consequent on sudden quarrel? No, for the evidence negatives this position, too. What then are we to conjecture? The Crown has utterly failed to establish the malice aforethought, failed to establish that the prisoners coolly and deliberately planned the death of Garrett Sears. Gentlemen, if it has not been shown by the most unshaken testimony that there was this malice, expressed or implied before the shot was fired then has it not proven the case with that clearness and freedom from doubt which ought to be demanded by you for the justification of your consciences. Their Lordships have a weighty responsibility in this case; the Attorney General has his responsibility in this case; my learned friend and myself have ours; but the responsibility of all of us combined is as but a feather compared to the graver, weightier responsibility which the law casts upon you. With you rests the power of life and death. This constitutes you the judges of either the guilt or innocence of the prisoners. If it invests you with a mighty power, it at the same time gives you many privileges; it tells you, that if upon your minds rest the remotest

shadow of a doubt, that such doubt justifies you in acquitting. This is a great and necessary power while the death penalty is still inflicted by civilized people. Many look upon it as a remnant of the barbarity of bygone times. After a time there is very little doubt that capital punishment, even for aggravated murders, will follow the fate that it met in the other one hundred and sixty crimes for which it was prescribed to be inflicted by the British laws not two centuries ago. Society has wonderfully benefited by the gradual abrogation of such a barbarous code; would that the day were come when it relinquished this last great and terrible prerogative of the Almighty himself—the right assumed by weak men to sentence his fellow to death to the exercise of which, even the wisest of us can bring but a halting finite knowledge either of the crimes committed or of the motives that actuated the criminal to be gleaned sometimes from the evidence of one or two facts, much oftener from the accumulation of circumstances, which on mature scrutiny are not unfrequently found untrustworthy; the revelation, alas, too often coming when it is beyond the reach of Juries or Tribunals to repeal the irrevocable doom of a death undergone. Ah! yes, too late then! Legislators should never be in a hurry to sanction an act that could never be repealed. From God we hold our lives, we get them without the intervention of human law, and hence it is a great question with many illustrious minds, whether such law, ought to arrogate to itself the power of taking away God's greatest blessing. However, it is in vain that advocates put forth all the strength of the arguments used against capital punishments, since Courts are but the exponents of the existing laws, whatever they may be. Gentlemen, I now leave the case for the prisoner Geehan in your hands, and trust that the inability of the advocate will not in your minds be in any way detrimental to the accused; but, that looking at the case from the many points of view presented, you will prudently consider which seems the most natural and truthful, and so frame your verdict on the evidence adduced, as to be able in after life to rest your justification before God and man on a certainty undisturbed by any doubt as to the conscientious fulfillment of the responsible duty demanded of you.

THE STAR.

HARBOR GRACE, JUNE 25, 1872.

THE Mails recovered from the wrecked steamer "Gaspé" are hourly expected at St. John's, per S. S. "Alhambra." A dense fog is said to cause her delay.

We are pleased to learn that the zeal and firmness displayed by our Police during the disturbance which took place in this town on the evening of the 3rd instant, has met with due appreciation, financially, from Government, and that the following members of the force have, through the recommendation of Inspector Foley, been suitably rewarded:—High Constable Fallon, Lance Sergeant J. R. McCowan, and Privates Freeman, Hammond and French.

OUR Trinity Harbor correspondent, writing under date of June 21st, furnishes us with the subjoined cheering account of the prospects of the fishery in that quarter:—

"The fishery opened here earlier than usual, with prospects of a very good voyage. Owing to scarcity of bait, little was done during the early part of the month; but since the caplin made their appearance, very good catches have been taken. Some of the small boats load twice a day. Fair accounts reach us from different parts of the Bay. Some of the old fishermen say that we are going to have a good summer's work. We hope their prognostication will be verified."

LOCAL VARIETIES.

In consequence of the departure from his Government, on leave of absence, of His Excellency Governor Hill, C. B., His Honor Sir Hugh Hoyle, Knight, was this day, at noon, sworn into office under his Commission as Administrator of the Government in the absence of the Governor, by the Hon. Thomas Glen, the Senior Member of Council present, His Honor's Commission having been first read over. The Members of the Executive Council, official and other gentlemen, were present upon the occasion. His Honor was shortly after pleased to issue the customary Proclamation.—Gazette extra, June, 21.

We understand that the Right Rev. the Coadjutor Bishop of Newfoundland will soon enter upon his annual Visitation to the external settlements of this Colony, in the beautiful yacht "Lawrock," the remarkably handsome gift to the Diocese (as acknowledged in the Times of the 15th instant) of the noble-minded Lieut. J. J. Curling, R. E.—The "Lawrock" has a valuable appendage—no less than a fine little Steam launch, which is likely to render good service from time to time.—Times of Saturday.

A very unusual occurrence is reported by our fishermen in this vicinity, of the presence of squid in large quantities, which are now being used as bait instead of caplin, the latter not yet having made their appearance. How far this may affect the fishery injuriously is a problem, as squid are known to prey upon the caplin and drive them off shore, and hitherto they have been obliging enough to keep off the ground until the caplin have spawned.—Courier of Saturday.

We understand the shareholders of the Union Bank, at their late annual meeting, resolved to increase the capital stock of the Bank to £5,000, by converting into stock £25,000 of its rest nearly £100,000, the holder of every two shares receiving an additional share, and the holder of one share, or an odd number being entitled to an additional share on paying in £25.

This Banking Company has been now 18 years in operation, and of its judicious and successful management during the whole time, under Mr. Smith, there is but one opinion in the mercantile community, that it could not be surpassed.—Express of Saturday.

Quite an evation took place on Thursday evening on the Galway wharf, on the departure of His Excellency the Governor, Mrs. Hill, Hon. C. F. Bennett, Hon. J. S. Clift, and others in the *Moravian* for Liverpool. A guard of honor from the Police Force, under command of Inspector Foley, and accompanied by the Volunteer Band, were in attendance, and saluted His Excellency, after which "Auld Lang Syne," and a number of other appropriate airs were played. As the steamer got under way, and passed out from the wharf, cheer after cheer was given by the large assemblage for His Excellency and for Mr. Bennett, which were responded to by those on board. We think we may fairly regard this demonstration as a fitting tribute of respect for His Excellency and Mr. Bennett, and which will no doubt be appreciated by them as the spontaneous offering of the grateful people of St. John's who hold both gentlemen in such esteem,—and justly so, for both are entitled to all the respect that can be shown them by the people of Newfoundland.—Chronicle of Saturday.

CORRESPONDENCE.

SUMMER AMUSEMENTS.

[TO THE EDITORS OF THE STAR.]

DEAR SIRS,— It appears to me that there is a great lack of amusements in this town, adapted for this season of the year, and practised to a great extent in other countries. Cricket is a game admired very much, and I am glad to see that a number of our young men take advantage of the facilities afforded for its practice; for I know of no game more interesting or beneficial to youth, or more calculated to develop the faculties they are endowed with. I hope soon to witness some very exciting contests between some of them and our Carboniferous friends; and it would be well to incite them to constant and careful practice—"for practice makes perfection"—so that they may be able to give the St. John's eleven a tougher struggle for the victory than they did last year. It is pleasing to notice that the business community and adults generally have always countenanced the game and were never backward in closing their places of business to allow every one to share in the enjoyment offered on such occasions; and I have no doubt they will be as liberal this as in former years. But lay cricket aside and what amusements have we for our young people. Certainly we have a fine harbor adapted to boating; but how is it taken advantage of? Comparatively speaking, not at all; for it appears to me that there are fewer pleasure boats out this year than usual. I should like to see some of our usually active citizens take a leading part in this matter, with a view of having a regatta this summer, seeing that we had none last year, and that it is likely to fall off altogether unless a fresh impetus is given to carry it through. Now I come to consider the fair sex. What amusements have we to offer them? I may say none whatever. By the bye there is one exception, namely—that so much lauded by your correspondent "Adam and Eve"—"firting;" but as too much of a good thing is good for nothing, I would recommend something diversifying, such as Croquet; and I am surprised that "Adam and Eve," or some other of our gallants, do not introduce some such game, at once scientific and enjoyable, for our fair lady friends, and facilitate the aforesaid "firting" as well. Hoping this will stir up the young folks a little,

I am yours, &c., DOUGLAS. June 24.

[TO THE EDITORS OF THE STAR.]

DEAR SIRS,— Could you inform me, through the columns of your widely circulated paper, whose duty it is to see to the removal of the dogs which are shot daily by the Police, as it is patent to every one that they are left lying about the public thoroughfares and docks, to the great annoyance of parties living in the neighbourhood, and the general public; one would think that it would be more consistent for the Police to prevent nuisances and not create them. It shows, I fancy, great carelessness or laziness on their part in not bagging their game after killing it. Yours respectfully, EAU DE COLOGNE.

P. S.—Perhaps the Health Wardens (if we have any) would see to the matter. E. D. C. June 25.



Latest Despatches.

LONDON, June 18.

Earl Dufferin sailed to-day for Canada.

Whether or not the English argument on the arbitration case has been presented to the Geneva tribunal is uncertain.

Earl Granville in the House of Lords and Mr. Gladstone in the House of Commons stated yesterday, in reply to questions, that the English argument had not been presented; but the Geneva correspondent of the New York "World" insisted, notwithstanding all denials, that it was submitted. The proceedings have not transpired. The Board stands adjourned until Wednesday.

The twenty-sixth anniversary of the accession of Pius IX to the Pontifical chair was celebrated in Rome on Sunday.

The Rev. R. Norman McLeod, a leader of the Scottish Church and Editor of "Good Words," died yesterday. NEW YORK, 18.

The President returned to Washington this morning, and the Cabinet assembled. Secretary Fish presented despatches received from Schenck, bearing upon the treaty and Geneva conference, which were received since the President left Washington a week ago. Nothing is known as to its decision.

The President returns to Long Branch to-morrow.

A Geneva special despatch states that the members of the Court are dealing with the matter, so that their action may not embarrass either party. If the Court should make any suggestion, it is believed it will be something in the nature of a compromise; but at present the tribunal merely listens to statements on both sides. Gold 114.

LONDON, 18.

The miners' strike in Westphalia, Prussia, is spreading.

The Pope has issued an important circular as to the present condition of the Holy See.

Sarilla has accepted the premiership of the Spanish Ministry, and he proposes to remove at once all Judges guilty of malfeasance.

The Brazilian Chamber of Deputies has been dissolved because of its vindictive opposition to the Prime Minister. The new election will take place in September.

LONDON, 19.

There was a great thunderstorm yesterday afternoon in the Northern midland counties of England. Many persons were injured.

Despatches to the London papers say that the English and American representatives at Geneva were engaged yesterday with despatches from their Governments. Sir Roundell Palmer and Mr. W. M. Everts were in consultation twice during the day. The arbitrators meet this afternoon. Efforts are being made to settle cardinal difficulties which have arisen.

The decline in Erie has caused failures of dealers in that stock.

NEW YORK, 19.

The indications are that the labor strike in New York is rapidly approaching its end. It is stated as if by authority that our Government has not objected to the postponement of the arbitration in the Alabama case as requested by the British Government, and that it does not propose to object. The despatch which contains this statement further says that no fears of a failure of the treaty are entertained in Washington.

Wall Street was excited yesterday almost to a panic.

It is thought in official circles at Washington that the Board of Arbitration may probably render an opinion relative to indirect losses substantially satisfactory to both Governments, which may obviate the necessity for an adjournment. Gold 116.

BOSTON, 19.

To-day the Prussian Band received an enthusiastic reception similar to that of the English Band.

MONTREAL, 19.

Preparations are being made for a dinner to the Governor General to-morrow night. It has the appearance of a ministerial puff. The speakers will be all Government supporters. Sir Hastings Doyle will be present.

Two well defined shocks of earthquake occurred at Port Hood, C. B., at 10 a. m. to-day; about a minute between each other.

GENEVA 19th.

The Arbitrators met to-day and adjourned until the 26th. It is expected that intelligence will be received by that date, which will prove favorable to the settlement of the differences. Vague impressions respecting indirect claims,

are causing the arbit... on the que... next sessi... parties in... es from... British r... termine... nesday m... The P... tonelli to... of conven... sires forei... Carlist... some sect... The P... session ye... for the ex... German... Two m... soon be e... The B... count to... The P... yesterday... agricultu... enthusias... In a r... to-day fo... Goldie of... by E. S... York, wh... Lave Ke... was ent... heat wil... Smith an... In the... ing, Dist... question... quence of... tions in... he had c... present... lations b... ed State... Walpole... of the la... tration a... whatever... dian or... been ac... generally... next me... be annot... direct cl... will the... Smith... heats an... It is... istry lla... tion of C... Mars... terday... Stoke... two jur... The B... the sam... kind and... The... in Boste... and ind... a music... dier Ba... to-day... asm att... British... public o... 1st July... The... au-Prim... flect, th... demnity... Hayti f... volution... then pa... 000 on... Color... Chief J... The... hung th... husband... New... Repo... on Cap... In the... ant is a... troying... comman... though... success... of his d... who left... garrison... ant of... allowing... selves r... during... The... Commi... by whi... onies a... ed at... Vienna... the Bri... Lord... Cowper... Lord... Brasse... ers, wi... secreta... The... ain D... and S... Messrs