

their request, entreat your Excellency to consider the humane doctrine of the law of England, that it is better that many guilty persons should escape the punishment due to their crimes, than that one innocent person should perish : and our client, may it please your Excellency, is innocent until he is legally convicted. Is it necessary for us to ask your Excellency is Cadien legally convicted, if two, of the three Honorable Judges who tried him, shall tell your Excellency that they have serious doubts on the subject ?

Your Petitioners, in closing this Petition, beg your Excellency to consider that the warmth which your Petitioners may seem to feel in favor of their client is an honest one, that it is called for by the circumstances in which that unfortunate and unprotected man is placed, whose life, as your Petitioners fear, is about to be unlawfully sacrificed, at the instance of the powerful company who ask it of the hands of your Excellency : and whatever the result of this Petition may be, your Petitioners can confidently say that they have to the utmost of their feeble power, acquitted themselves of the debt they owed to their client, to humanity, and to their consciences.

Wherefore your Petitioners humbly pray, that the execution of the said Baptiste Cadien may, by your Excellency, be graciously respited to the first Friday in June next, and your Petitioners, as in duty bound will ever pray.

Three Rivers, the 18th April 1838.

Signed,

EDW. BARNARD.

H. JUDAH.

No answer having been received to this Petition ; and as the time approached of putting, unlawfully, as it was conceived, in execution the sentence against Cadien, it was thought adviseable to write the following letters :—

Sir,

Three Rivers, 26th April 1838.

As the Advocate of Baptiste Cadien, now lying under sentence of death for murder, I beg to apprise you for the information of His Excellency Sir John Colborne, that, it is apprehended the sentence is a nullity and a blank piece of paper, inasmuch as it is not conformable to the provisions of the Statute 25 Geo. II. ch. 37.