

THE TRIAL OF GRACE MARKS.

THE Trial of Grace Marks, for the murder of Mr. Kinnear, took place the following day. The evidence was substantially the same as in the former case. *James Newton* bore testimony to the prisoner's good behaviour, and that he never heard Mr. Kinnear complain of her. The defence set up was that *McDermott* threatened to take her life, if she disclosed any thing of what had taken place; that she was in terror of her own life; that *McDermott* had actually fired at her, but missed, and the ball lodged in the jam of the back kitchen door. *Mr. Boyd* swore to the ball having been found there, and that it had the appearance of having been recently lodged in the wood. This examination was made, in consequence of the fact having been stated by the prisoner in her examination. *Mr. Bridgeford* also heard Grace Marks say that *McDermott* had fired at her. Both barrels of the gun had been fired; the ball was found in the door. *John Wilkie* understood the prisoner to be a decent respectable girl. He took the ball out of the door; thinks it must have been fired about four paces off. *James Walsh* identified some clothing which the prisoner wore, as having belonged to Nancy Montgomery. He stated, in addition to his former testimony, that when he saw the gun in *McDermott's* hand, on the Saturday evening alluded, Grace Marks said Mr. K. had not come home, and that Nancy was over at Wright's. He asked her how she had gone; she said, if he wanted to know so badly, that a man came, and they took the horse and rode over together. Witness was struck by this contradiction—as how could they take Mr. Kinnear's horse, when he had not come home. She was better dressed than usual, and seemed in good spirits. After speaking to him she walked over and joined *McDermott*. Witness did not go into the house, but went home and left them together.

Some other witnesses were examined, and the Jury having been addressed by Mr. Blake, for the Crown, and by Mr. Mackenzie, for the prisoner, the Chief Justice summed up the evidence. The Jury having retired, soon returned with a verdict of GUILTY, but recommended the unhappy prisoner to mercy. Sentence of death was pronounced against the prisoner Grace Marks, to be executed at the same time as *McDermott*. The prisoner, on hearing her sentence fainted, but soon recovered. The Chief Justice held out no hope for her pardon, but would forward, to the proper authorities the recommendation of mercy by the jury.

It will be observed that the indictments were for the murder of Mr. Kinnear only; those for the murder of Nancy Montgomery, the housekeeper, not having been gone on with—they of course, being now unnecessary.