

Around the bar were seated James O'Reilly, Esq., Q. C., who appeared for the Crown; the Hon. J. H. Cameron, Q. C., Hon. M. C. Cameron, Q. C., Kenneth McKenzie, Esq., Q. C., prisoner's Counsel, with whom were associated, P. J. Buckley, Esq., Barrister of this city, and, unofficially but most actively, and no doubt efficiently, John O'Farrel, Esq., of the Quebec Bar.

There were also present the Hon. Col. Gray, M. P., His Worship the Mayor, His Honor Judge Armstrong, His Honor the Police Magistrate, J. M. Currier, Esq., M. P., R. W. Scott, Esq., M. P., Robt. Lyon, Esq., M. P. P., and a large number of the members of the Ottawa Bar; besides Major Alexander, Colonel Coffin, Major Moore, and later in the day, the Hon. Mr. Mitchell, with many leading citizens, and others of note who evinced a deep interest in the proceedings.

The Clerk of the Court called over the panel of *petit jurors*, almost every one of whom answered to their names.

At the instance of Mr. O'Reilly, the Crown witnesses were then called, and due process entered for the production of a few absentees.

The prisoner, Patrick James Whelan, was brought into Court, as on the occasion of his arraignment, in charge of Detective O'Neill and four policemen, preceded by the Governor of the gaol and the Deputy Sheriff, and secured as before with "the nippers" on his wrists. Whelan walked with a jaunty step across the yard of the Court House and up the steps, coming into Court with a countenance somewhat paler than before, but otherwise unchanged. He wore an irreproachable, well brushed black silk hat, black frock coat, white vest with narrow gold chain and black pants. He watched the proceedings with great apparent interest, but very little change of countenance, though when one of the jurors was charged by his Counsel with having said that if on the jury "he would hang him," he certainly did give the juror in question one of his sternest looks.

On the Clerk calling upon the prisoner to stand up, he responded, "Yes, sir," and being asked by the same functionary was he ready for trial, he responded, after a moment's pause, "I am, sir." At this time, as generally throughout the proceedings, there was great stillness in court.

Summoning the Jury—Interesting Points in Procedure, &c.

On the Clerk's proceeding to empanel the jury;

HON J. H. CAMERON addressed the Court, and said he wished the full jury to be summoned to the box before any challenge would be made, and that the prisoner have the right of challenge on each juror's being presented with the book to be sworn.

THE COURT—What have you to say to that, Mr. O'Reilly?

MR. O'REILLY—I think this is quite an unusual course, in our courts, your Lordship, and I would ask the learned Counsel if he has any authority to cite in its favor?

CAMERON, J. H.—This is the correct course, and I desire the point to be brought before the court. He then cited his authority.

MR. O'REILLY—The panel has already been called.

CAMERON, J. H.—Only to see if the jurors are all present in court, but my object is to have the full jury in the box, before being called upon to exercise the prisoner's right of challenge.

THE COURT read the authority, shewing that this course had been followed in the English Courts, and explained at the same time that such had not been generally followed in this country, challenge being usually made when the juror was called.

MR. O'REILLY—Of course; if this rule is adopted, the Crown will have the same right as the defence.

CAMERON, J. H.—Of course.

The Clerk proceeded to call the jurors, when the following answered to their names, and took their seats in the box: Alexander Huston, William Boucher, Richard Smith, Robert Smith, Thomas Morland, Laurie Alexander, Robert Little, John Fudpa, Richard Kempt and William Purdy.