

left an impression upon my mind that he was desirous of enlisting in our cause against the Americans—for he said that he had made up his mind not to put his foot again upon American soil if he could avoid it—or words to that effect. All this was said by the prisoner after the statement had been read over to him by me, and I looked upon it as a conversational remark and therefore did not add it to the statement.

*Suth.* Did witness or any other person on said examination, ask prisoner to sign the paper produced and alleged to contain the statement of prisoner?

*Ans.* *I did not ask him to sign it, nor did any other person in my presence.* In my practice as a magistrate, I generally take down the statements of prisoners and read over and explain them to the prisoners, and make a minute at the foot of what they state, after having had the same read over and explained to them—and I never ask them to sign them.

*Suth.* Has witness ever examined the sword taken from prisoner—if so, describe it?

*Ans.* I have examined the sword and it is a *tawdry Yankee sword*. It is remarkably sharp at the end—sharper than swords generally are, and appeared to have been recently ground and whetted. The scabbard is washed or plated white, with devices on the outside—and as he has asked me to describe it, I add that it is of *so fine and paltry a character, that I believe a British officer would feel himself disgraced by wearing it.* I consider it to be efficient to thrust with.

The witness here was directed to withdraw, and he withdrew accordingly.

*Prideaux Girty*, of the township of Gorfield in the Western District of Upper Canada, Esquire, and a Captain in the first regiment of Essex militia, having been duly sworn, states to the Court:

That on the fourth instant I was returning from Point Pele' Island with Colonel Prince, and a man named Haggerty with us. When we were about a mile and a half above Big Creek, which is six miles below Amherstburgh, Colonel Prince said that *there were two objects on the ice.* We drove on still towards Amherstburgh, perhaps the distance of a mile. *We then discovered that they were two men.* I mentioned to Col. Prince that I suspected they were persons wishing to avoid our guard, they being entirely below the usual place of crossing, and recommended that we should pursue and ascertain who they were. We drove a short distance from the main to the American shore. We then turned round and concluded to go up to Anderson's, at Hartley's point, to obtain a fresh horse, and as they were approaching our shore we thought they would be upon it by the time we returned, and if they were not that we might pursue them. But we