

Witness and Jordan stopped the cab on Sparks street. Thinks it was he who told the cabman. Stopped above the corner, perhaps three blocks of, 66 feet each—it might have been more. Sent a ray the cabman, because they did not want him to know what they were after. [Witness hesitated on being asked if Whelan was then in gaol.] Knows that Whelan had been arrested. It was not very dark when they brought in Lacroix, not very light, half and half. Disremembers if it was moonlight. Either witness or Jordan asked Lacroix "Where was it that you saw the row?" Lacroix then started off down the street towards Desbarats' block, and, turned up in a hurry to Wellington street. Witness followed at a distance, and found him standing at the theatre corner. He then doubled back—the constables watching him from the vacant lot—to the corner of the fence, where he turned short and walked down Sparks street. [Witness hesitated again, and repeated many of the questions put to him, when interrogated as to whether he crossed to the south side of Sparks street.] Witness then described what Lacroix told him of his observations on the night of the murder. Lacroix was east of Mrs. Trotter's when he stopped first to show where he had first seen the big man. It was nearly opposite Mrs. Trotter's. Lacroix walked about 30 feet before he stopped to indicate where he had seen the second man. The men were 25 or 30 feet apart, the first man being about 25 feet from Trotter's. Lacroix heard the shot when he was near Mrs. McKenna's door. Showed witness which archway the man came out of. There are two. He came out of the nearest to Mrs. Trotter's. The post against which the man ran was nearer to Mrs. Trotter's than the archway. Knows Edward Germain, a tanner. Never said to Germain that witness wanted a good witness against Whelan, and that if he had a good witness he would get part of the money. Never said this to him or any other man. Had no conversation with Germain about the murder. Does not recollect asking about witnesses in any house where Germain was. After having made the examination of the ground with Lacroix, took him to Mr. O'Gara's, getting there a little after 12. Mr. O'Gara was at the station. The evidence was taken down that night. The prisoner was not then committed for trial. Lacroix was never brought up to give evidence in presence of the prisoner. Prisoner was not committed for some time after. Lacroix was examined a second time.

Mr. M. C. CAMERON here demanded from Mr. O'Reilly the deposition of Lacroix before the Magistrate.

Mr. O'REILLY declared that none had been taken.

Witness continued.—Was sent nearly two weeks after to hunt up Lacroix. On the first occasion there was no formal examination of Lacroix. Witness did not tell Mr. O'Gara anything of what Lacroix had said. Witness was surprised at his having been sent away. The next day some policemen mentioned this matter of Lacroix's laughingly, and witness thought that it would be different when Mr. O'Reilly came home. Told the Chief of Police what Lacroix had said. All the conversation with Lacroix was in English. Lacroix could have explained it equally to Mr. O'Gara as to him. Witness told the Chief of Police the second day that Lacroix had been brought there, that he said he had seen the man shot, and that witness believed him. This was before Lacroix was taken the second time. Told the Chief of Police that Lacroix had seen the man "fall," not shot. Mr. O'Gara had told witness to bring up Lacroix, and when he did bring him up Mr. O'Gara discharged him. Witness heard them laughing during their conversation with him. Sergeant Davis was there, and a Montreal detective. Mr. O'Gara had not promised to remain until witness brought back Lacroix. Never saw a photograph of Whelan with Jordan. Never saw any such photograph except in shops. Never showed one to anybody. Jordan never showed one to Lacroix in witness's presence.

Re-examined by Mr. O'Reilly.—Does not know the conditions of the reward spoken of by Mr. M. C. Cameron. It would be hard for witness to read it, being no scholar. Does not therefore know that Mr. M. C. Cameron's name was attached to the proclamation; that, in fact, Mr. M. C. Cameron had himself signed this very proclamation of which he is now speaking. (Applause in court.) It was Mr. O'Reilly who sent witness the second time for Lacroix, who was found