

which I have not a
ly, in your minds,
Prisoner Edward Jor-
many shades of
e horrid transaction ;
Law and of Huma-
nity, extend a great
not be applied to a
that, in point of fact,
r husband existed in
must have been vo-
cument from the scene
d, in reply to Stairs
e you Kelly."—Her
without further obser-
though acting for the
t, should your judg-
cating Council, and a
of their forefathers,
a better ninety-nine
suffer."

ot but consider his
e human mind to re-
his presence, fraught
a blush in the face of
en committed under
t could irritate and
wife and his children
e devil.--From the
Bay of Bulls for Ire-
mind was blood and
ony show the inter-
way of his escape,
dr, and in favouring
e unpunished. The
nfront him; and the
ct to the Court, pro-
mission of the horrid

rence, I may refer to
of his design to go
Ports, to which the
which so incessantly

occurred; and, last of all, to the sudden appearance of His Majesty's schooner Cuttle, which met him at the very moment of his flight, and after he had pronounced, in his hurry to be off, the words of "Go on Blood," to strike terror into those around him, by whose hands he vainly hoped to effect his escape, but soon whose evidence, the prosecution of him is now in a great measure founded. So plain and so forcible will be the impression of the proof, upon the minds of your Excellency and Honours, substantiating, beyond the possibility of a doubt, the guilt of the prisoner Edward Jordan, that I shall not take up the further time of the Court, in reasoning upon the evidence, or making any additional remarks upon the nature of it: the tale is tedious, but it is an awful and an interesting one.

To your Excellency and to your Honours I now commit the Prisoners.-- You compose a Court, to which the eye of an Englishman, it is true, is not much accustomed; but you are a Court high and honourable, to whom the prisoners may well trust their lives, in full reliance upon your ability, your integrity and your independence. The Prisoners may be looking round for a Jury, a sight familiar to us all in a British Court, and dear to every one of us, for I verily believe we imbibe the love of it in our mother's milk; but, upon the present occasion, the forms of a law, different from our own, are for the wisest purposes, directed to be observed. This can work no injustice or injury to the prisoners, who, if not tried here, must have been sent to England to be there tried, by a jury it is true, but in a strange land, in which they never could have been known, or heard of; but in the recital of the sad tale to be told against them; and where they could have been, but *nominally*, tried by their *Peers*, the great and just boast of our Common Law Tribunals.

Thus far I have discharged my duty in opening this important case to your Excellency and Honours.--You, Sir, and the honourable Men on each side of you, have a more serious part to act upon this occasion, which, I have no doubt, will be most conscientiously and religiously performed, and in the performance of which, you will have the satisfaction of doing a duty, which you owe to your King, to your fellow Subjects, and to your God.

Mr. Solicitor General said he should proceed to examine the Witnesses for the Crown.

John Stairs, being called and sworn, was examined,* and deposed as follows:—

I am a Mariner and Ship Master, and had last the command of the Schooner Three-Sisters, which I received, on or about the 15th day of July last, from Messrs. Jonathan and John Trémain at Halifax. I sailed from this place, in the same Schooner, on or about the 17th day of the same Month, bound to Percée in Gaspé, for the purpose of procuring a Cargo of Fish from Edward Jordan the Prisoner at the Bar. The crew consisted of John Kelly the Mate, Thomas Heath Pilot and seaman, Benjamin Matthews a seaman,

* Each witness was examined by questions in writing, delivered to the Registrar, who read them to him; but, for the sake of brevity, the greater part of the questions have been omitted; and the answers to them condensed in many places; case, however, has been taken to preserve, as much as possible, the words used by the witnesses.