

words. He did not see Isaac Jones fire a pistol; he only saw James Jones fire a pistol in the air. He does not know whether it was the pistol he saw him load or not. He had scarcely time to reach the house of Dumas, when the people ran out of the house of Mrs. Paul's with sticks. The witness says he was tipsy when he went to be examined before the Coroner. A cart had been upset containing materials to build a chimney for Dumas. A party went from Peter M'Nie's to protect the cart, between nine and ten o'clock. Some persons prevented the carters from unloading the stones. There were four carts, and about thirteen people to protect them; they first went to the house of Pierre Triganne, a constable, to get him to come to keep the peace, but he could not go in consequence of some sickness in his family. On arriving in the street, near to the house of Dumas, they were stopped by Alexis Peloquin. They told him they were going to build a chimney. Peloquin said they should not. Peloquin came by himself, and afterwards a number of persons rushed out with poles and rails from Mrs. Paul's. They were double the number of the party he was with. Maxime Aussenet then upset one of the carts, and was assisted by Peloquin and another. That party then commenced striking with sticks the party with which witness was. He saw a *caleche* going towards Mrs. Paul's. The witness then enumerated several names of persons that committed the outrage, by upsetting the cart and beating the party with sticks. They afterwards retreated to the lot of Dumas, and then separated to their own homes. He saw James Jones fire in the air, but he did not say "fire, Isaac, fire." He was close to him, and he could not say the words without his hearing them. He heard the report of several shots, but cannot say who fired them. He heard that Marcoux was killed, but did not see him dead. Peloquin took hold of the witness and desired him to go home, and that if he went back to Peter M'Nie's he would kill him. The witness then said that if he did not go back, he would lose his wages; upon which Peloquin said he would pay him. They then made the witness tipsy, drew out a deposition and made him swear to it. Alexis Peloquin dictated the matter to him. He was afterwards brought before the Coroner; and during the time between his taking his deposition before the Magistrate and the Coroner, he was threatened, that if he did not confirm his first statement, they would send him to jail. He drank several glasses with a clerk of Charles Gouin, who was a warm partisan of Mr. Pickel, on the day of the inquest, and it was through fear that witness made those depositions. At the time of the attack there was a great noise, and the witness ran upon the lot of Dumas, being afraid of being killed. It was then very dark, being between nine and ten o'clock on the 5th of November. He is positive that the attacking party were armed with sticks and fence rails. The noise might have been heard at a good distance. He thinks he was in danger of his life. After having given his deposition before the Magistrate, Alexis Peloquin, Duplessis, and others, threatened to kill the witness, if he went into the village of Sorel, except to church. They continued to supply him with drink; and till the inquest was held, he was in a constant state of alarm. He was really afraid of them, when under examination before the Magistrate and the Coroner. The inquest was held at Charles Gouin's house, and the persons he had named supplied the witness with liquor all the time. He was on the lot when James Jones was running away.

The SOLICITOR GENERAL here moved that the deposition of Carpentier, which had been taken before the Coroner on the Inquest, should be read to the Jury.

The CHIEF JUSTICE—Let the deposition be read.

Mr. HART—On the part of the prisoners, may it please the Court, I object to the application of the Solicitor General being granted, and will proceed to shew to the Court, that such an application is opposed to every principle in the law of evidence.

The CHIEF JUSTICE—Not at all, Mr. Hart, the Court have already decided that question; and there is no necessity of hearing another argument upon it.