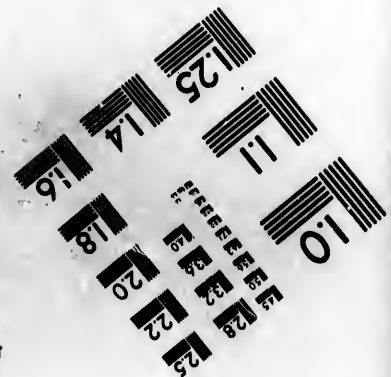
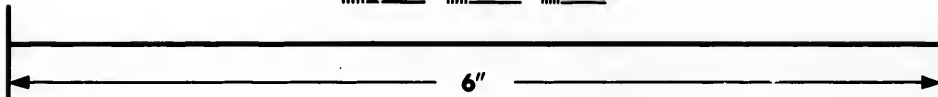
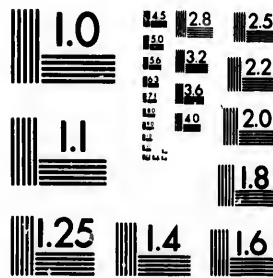


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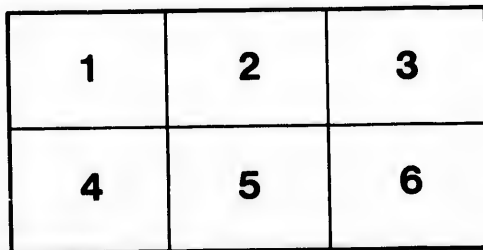
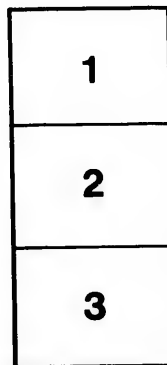
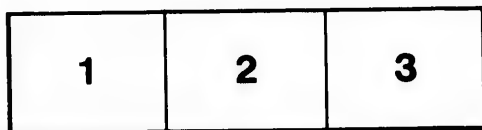
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AN
INTERESTING TRIAL
OF
—EDWARD JORDAN,
AND
MARGARET HIS WIFE,
WHO WERE TRIED
AT HALIFAX, N. S. NOV. 15th, 1809,
FOR THE
HORRID CRIME OF
PIRACY AND MURDER,
COMMITTED ON BOARD THE
SCHOONER THREE SISTERS,
CAPTAIN JOHN STAIRS,
ON THEIR
PASSAGE FROM PERCE, TO HALIFAX.
WITH A PARTICULAR ACCOUNT OF THE EXECUTION OF SAID
JORDAN.

BOSTON:
PRINTED NO. 75, STATE STREET,
FOR SALE THERE, AND AT NO. 52 ORANGE STREET.
PRICE 20 CENTS SINGLE, 150 PER DOZEN.

1809.

25256.X3.267

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26 Nov. 1860

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TRIAL OF
JORDAN, &c.

On Wednesday last a special Court of Admiralty, convened under the Senate of the 11th and 12th of William and Mary, was held at the Court-House in Halifax, for the Trial of EDWARD JORDAN, and MARGARET his wife, charged with the crimes of Piracy and Murder. The Court consisted of the following members :

HIS EXCELLENCY

Sir George Prevost, Baronet,

Lieutenant Governor and Commander in Chief in and over his Majesty's Province of Nova Scotia, and its Dependencies, &c. &c. &c.

—President,

THE RIGHT HONORABLE

SIR JOHN BORLASE WARREN, B. K. B. & K. C.

One of the King's Most Honorable Privy Council for the Kingdom of Great-Britain, Vice Admiral of the White, and Commander in Chief of all His Majesty's Ships of War on the Coast of North America.

THE HONORABLE

Sampson Salter Blowers, Esq.

Chief Justice of the Province of Nova Scotia and President of His Majesty's Council for the Province.

HON. JOHN BUTLER, Esq.

MICHAEL WALLACE, Esq.

EDWARD BRABAZON BRENTON, Esq.

CHARLES HILL, Esq.

RICHARD JOHN UNIAKE, Esq.

CHARLES MORRIS, Esq.

Members of His Majesty's Council.

ROBERT LLOYD, Esq. Commander of His Majesty's Ship
GUERRIER.

JOHN CONN, Esq. Commander of His Majesty's Ship
Swift-ure.

The Right Honorable Lord JAMES TOWNSHEND Com-
mander of His Majesty's Ship Æolus.

JOHN SIMPSON, Esq. Commander of His Majesty's Ship
La Furieuse.

SAMUEL HOOD GEORGE, Esq. Secretary of the Province.

THOMAS NICHOLSON JEFFERY Esq. Collector of the Cus-
toms for the Port of Halifax.

N. B. The Hon. ANDREW BELCHER, who was in the
Commission and appeared on the Bench, declined taking
his seat—having an indirect interest in the Vessel, as an
Underwriter.

CROFFON UNIAKE, Esq. Bannister at law, officiated
as Register of the Court.

The President, having first taken the oath himself, ad-
ministered it to the rest of the members, as directed by
the Statute.

The Court being opened and the Prisoners
put to the Bar, James Stewart Esq. Solicitor
General of the Province, who conducted the
prosecution (the Attorney General having
taken his Seat on the Bench as a Member of
His Majesty's Council) presented to the Court
the articles of Allegation against the prisoners,
upon which they were accordingly arraigned,

and on their arraignment pleaded *Not Guilty*: when the Court adjourned until the next day, for the trial of the prisoners.

Thursday, Nov. 16.

The Court met agreeably to adjournment, and the prisoners were again put to the Bar, having for their counsel, S. B. Robie, and Lewis M. Wilkins, esquires.

Foster Hutchinson, esq. as one of the counsel for the crown, opened the allegation, and stated to the Court, the law relating to Piracy, as well as the Statute, under the authority of which the Court was appointed. After which the Solicitor General opened the case at large, and stated the particulars of the evidence, upon which the articles of allegation were founded. He then proceeded to the examination of Witnesses on the part of the Crown.
JOHN STAIRS, sworn—

Q. What is your profession, and occupation in life?

A. A Mariner and Ship Master.

Q. What ship or vessel did you last command?

A. The schooner Three Sisters.

Q. Who gave you command of the Three Sisters?

A. Jonathan and John Tremain.

Q. When, and where, did you take the command?

A. The 15th July last, at Halifax.

Q. On what voyage did you sail with her?

A. To Perce, for the purpose of procuring a cargo of fish, Jordan had promised to deliver.—We sailed on or about the 17th July.

Q. Who sailed with you in the schooner ?

A. John Kelly, mate ; Thomas Heath, seaman and pilot ; Benjamin Matthews, seaman ; and Edward Jordan, and Patrick Cinnett, passengers—the latter was sickly.

Q. When did you arrive at Perce ?

A. The latter end of July, or first of Aug.

Q. Did you take in a cargo at Perce ?

A. Part of a cargo—on freight 200 Quintals from Theophilus Fox ; 300 from Wm. Driscoll ; and about 90 or 100 from the prisoner Jordan, on account of my owners, J. and J. Tremain.

Q. When did you sail, from Perce ?

A. On the 10th September, for Halifax.

Q. Name the crew and passengers then on board ?

A. Myself, John Kelly, Thomas Heath, Benjamin Matthews, Edward and Margaret Jordan, the prisoners, and their four children—three girls and one boy.

Q. Relate, fully and distinctly, all the circumstances that occurred on your voyage from Perce to Halifax ?

A. Nothing material happened until the 13th Sept. when, between Capé Canso and White Head, myself and crew, except Kelly, who was at the helm, went forward to trim the sails, the wind coming off the land. Be-

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Between 11 and 12 o'clock, I went below, for the purpose of getting my quadrant to take the sun, and was soon followed by Heath; I was standing near the table, directly below the sky-light, turning over the leaves of a book—Heath near, but rather behind me; when looking up, I saw Jordan presenting a pistol down the sky-light, I thought at me; I startled, and the pistol was discharged—the ball from which grazed my nose and side of my face, and entered the breast of Heath, who fell on his knees, and cried: "*oh my God I am killed*"—Heath soon after crawled on deck. When I recovered from my fright, and first effects of powder which lodged in my face, I went to my trunk for my pistols—but I found the trunk had been forced open, and the pistols taken.—I then searched for my cutlass, but could not find it. I then determined to go on deck—on going up the ladder I met the prisoner, Edward Jordan, in the act of descending—one of his feet was on the ladder—he held an axe in his right hand and a pistol in his left. I seized his arms, and begged him for God's sake to spare my life, shoved him backwards, when he snapt the pistol—I instantly grasped it by the muzzle, wrested it from him, and threw it overboard—and called Kelly the mate to my assistance, but he made me no answer.—Benjamin Matthews came hastily aft, he appeared to be wounded, and fell down. By this time I had taken the axe from Jordan,

and endeavoured to strike him, but he held me so forcibly as to prevent me.—I, however, threw the axe overboard. I again called Kelly but his back was towards me, and he in the attitude of loading a pistol, when Margaret Jordan struck me several times with a boat-hook handle—observing. “*is it Kelly you want—I’ll give you Kelly.*” Before I went on deck I distinctly heard four or five pistol reports. On coming on deck, I saw Heath lying dead on the starboard side of the vessel, bleeding very much. After disentangling myself from Jordan, I went forward—Jordan aft, for another axe, with which, returning, he struck Matthews three or four strokes on the back of the head. Finding no chance of my life if I remained on board, and that I might as well be drowned as shot, I threw the hatch overboard, jumped after it, and got on; where I remained about three hours and a half, when I was picked up by an American fishing schooner, in a weak and almost senseless state—on recovering a little, I told the Captain what had happened—then went on deck, and borrowed a spy-glass, with which I saw one or two sail of vessels at a great distance to leeward—I asked the Captain, to bear away and see what they were, thinking one might be the Three Sisters, but he refused—saying that if he went out of his voyage, and any accident happened to him, the underwriters would not pay the Insurance.—I then asked him to keep the shore

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a-board and land me at Halifax—he said he would, was he not afraid of having his men impressed, as on his outward bound passage he had his pilot taken by the Bream or Mullet schooner. I then told him he might perhaps be enabled to put me on shore, before he passed Cape Sable—but as the wind was not favourable, we went directly to Hingham, (Massachusetts) from thence I travelled to Boston, where I published the circumstances in the newspapers, and had circular letters, describing the vessel, and persons of Kelly, Jordan, his wife and family, sent to the Collectors in the American ports by W. S. Skinner, esq. acting British Consul.

Q. By the Court—Were any persons on board intoxicated, on the forenoon of the 13th September?

A. No—They were all sober,

Q. Where were the Prisoners' children at the commencement and during the disturbance?

A. Aft on the quarter-deck.

Q. Where was Margaret Jordan?

A. On the quarter-deck.

Q. When you went down to the cabin, were all the other persons on board on deck?

A. Yes.

Q. When had you been to your Trunk previous to your going down for the quadrant?

A. About 10 minutes before—I went to it for a book.

Q. After taking the book out, did you again lock the trunk ?

A. Yes—and went on deck.

Q. Were the pistols in the trunk when you opened it ?

A. They were.

Q. Were they loaded ?

A. Yes.

Q. Were the pistols fired yours ?

A. I do not know.

Q. Are you clear and positive that the prisoner Margaret Jordan, from the time you went into the cabin for your quadrant until you returned, was on deck ?

A. Yes.

Q. (In what part of the deck stood Margaret Jordan when you came up from the cabin—had she a boat hook handle in her hand—and what was she doing ?

A. She was on the quarter deck—and had hold of a boat hook handle.

Q. Had either of the prisoners been in the cabin from the time you first went to the trunk, until you went for your quadrant ?

A. I do not know.

Q. Are you positive that when the prisoner, E. J. snapped the pistol, its contents were intended for you ?

A. I am positive.

Q. Did you receive any material injury from the blows given you by Margaret Jordan—or

did they disable you in any respect from defending yourself against her husband ?

A. No.

Q. Had there, previous to the firing of the pistol, been any dispute or quarrel between you and the prisoner, E. Jordan ?

A. There had not.

Q. Can you give any account how your pistols were taken from the cabin ?

A. No.

Q. Did you hear Matthews say any thing whereby you could understand how he became wounded ?

A. No—he only said : “ for God’s sake do not kill the Captain.”

Q. By prisoner—had you any pistols of your own on board the schooner when you left Perce ?

A. I had.

Q. Did you, or did you not, sell your pistols at Gaspe ?

A. I sold a pair of pocket pistols to an army officer there.

JOHN PIGOT, sworn :

Q. What is your occupation ?

A. A fisherman, and laborer, at Fortune Bay, Newfoundland.

Q. How long have you been there ?

A. Five years next spring.

Q. How long is it since you left it ?

A. Eight weeks tomorrow.

Q. In whose company did you leave it ?

A. In the prisoners'.

Q. By what name did the prisoner (Edward Jordan) go when first you saw him?

A. Either John or Edward Tremain—I do not recollect which.

Q. When, and where, did you first see the prisoner, Edward Jordan?

A. On the 24th September last, at Little Bay, in Fortune Bay.

Q. Relate to the Court, how you became acquainted with the prisoners—What dealings you have had with them; and any particulars you know, which, in any way, relate to the circumstances that have occasioned the present prosecution.

A. I went on board the sch'r Three Sisters, on Sunday the 24th Sept. last, for the purpose of procuring a passage to Halifax; as they were short of hands, I shipped with the prisoner (Edward Jordan) to come to Halifax. The next day (Monday) he told me to go into the hold to do some work; I went—and saw that the fish was not stowed, but tossed carelessly about: this circumstance, with that of part of the hatch being gone, alarmed me; I called Wm. Crew and told him I did not like to go in the sch'r to Halifax; he asked why; I answered, I was sure she was on the runaway account; then said he if you do not go, I will not. I was going a shore in the evening with W. Crew, and a man, who said his name was John Stairs, but whose proper name I soon

found out was John Kelly—he called himself the captain of the sch'r—I asked him for the protection he had promised me, which would save me from the impress at Halifax—he replied, that he would give it to me when we got to sea—I then said I would not go to sea without it. Soon after we landed, I went to one Hifford, master of a brig lying there, and asked him if Kelly could give me a protection—he said no—then, as I was not inclined to go in the vessel, I thought it a good excuse to say that if I did not get the protection promised me, I would not go, and demanded it of Kelly, who said he could not give me one—I then told him to provide a man in my place. He immediately went into the counting house of a Mr. Thorn; and soon returned with the prisoner, Edward Jordan, and told him I refused to go in the sch'r—he asked me what my reason was—I said it was not my wish to go—Jordan then went into the counting house and mentioned to Mr. Thorn my refusal, who came out, accompanied by a Justice of the peace; they asked us why we would not go in the vessel—Crew then said something, which I did not distinctly hear, to Mr. Thorn, who immediately after turned towards me, and said: “Pigot, this is some of your doings;” I told him it was because that the prisoner and Kelly had not fulfilled the agreement as respected their furnishing me with a protection.

which would prevent my being pressed on board of a man of war at Halifax.

The prisoner then told Mr. Thorn to give me a bill of lading for 100 quintals of fish, which Mr. Thorn did. Notwithstanding I had got the bill of lading, I was still afraid to go, and hesitated before them ; which Mr. Thorn, and the justice of peace observed, who said, if I did not go immediately on board, that I should be tied to a flag-staff, punished, and have a man of war for my money. I could not help myself, but carried my clothes on board ; and, afterwards, returned to the compting house of Mr. Thorn, for the bill of lading, and some accounts, I had left there : I again saw Mr. Thorn, and told him I thought he had got me into a hobble ; he asked me, in what way ; I said that I did not think the schooner was bound to Halifax, because that the prisoner was purchasing articles from him which he could get much cheaper at Halifax ; after which I told him I had a great mind to take the woods for my money, leaving all my things on board. He then said that if I did not go on board instantly, he would put me in irons ; or if I attempted to run away, he would publish me in the paper in such a manner that I would not be able to shew my nose in any part of Newfoundland. Finding myself thus circumstanced, I went on board, where I was again questioned by Jordan as to my reasons for not wishing to go in the schooner, when I

told him I thought she was on the runaway account—he said she was not. We put to sea a short time after, and went to St. Mary's, where we remained six or seven days, and from which place neither crew or myself would start without a pilot or navigator—We, however, got a pilot to St. John, and again sailed, but before we could make another harbour the wind failed us, and we were becalmed. A boat was passing us, bound to St. John, where Jordan wished to go in order to obtain a navigator: he hailed her, and requested a passage; the boat came along side, and took Jordan and myself on board; we arrived at St. John, got a navigator, and procured a boat to carry us to the schooner; we sailed for some time along the shore, and at last found the sch'r at Trepassey; it was night when we got on board. Soon after, Jordan (whom I supposed to be drunk) and Kelly, had some words and struck each other, when the former went to a trunk, where two pistols used to be kept, but he could not find them: Kelly by this time, had drawn them from under his bed, but Pat. Power soon took them from him. Jordan called several times for a pistol or musket, to shoot his wife with, which I believe he would have done, had I not prevented him. Next morning, about an hour before day, the prisoner, Margaret Jordan, called me up, and asked me to take her with some clothes, on shore, assigning as a reason that her hus-

band wanted to kill her—I told her there was no danger of that, while Crew and myself, remained on board; she then said she would leave her life on my hands; after which, I told her I would go and bring off a neighbour of hers, who might take her ashore if he pleased—She told me if I would take her ashore she would tell me something that would serve me. Power, Crew, and myself soon after hauled up our chests on deck, when Jordan said that he would shoot the first person that attempted to remove them from there—I heard Jordan several times say, that he would shoot his wife, for that she was the only person that could hang him, and I asked her as often, why her husband so threatened her; she said he always did when he was in liquor. Jordan told me that he owed some money in Halifax, and that he wanted to go to some market where he could sell his fish so advantageously, as to enable him to return to Halifax, and pay his debts.

Q. When did you first discover the prisoner's name was Edward Jordan.

A. At St. Mary's—I do not recollect the day of the month.

Q. When did you first discover that the man who called himself John Stairs, was named John Kelly?

A. I do not recollect when or where exactly I believe at St. Mary's.

Q. You said you was in company with Jor.

dan at St. John : Did he go much about, and by what name ?

A. Sometimes by the name of Jordan, others by that of Tremain.

Q. How was the wind on your passage from Trepassey to the Bay of Bulls ?

A. Favorable.

Q. What made you put into the Bay of Bulls ?

A. To get sea-stock.

Q. Did you get enough ?

A. That must have been determined by the distance we had to go.

Q. Where were you bound from the Bay of Bulls ?

A. I cannot say: Jordan changed his voyages so often, it was impossible to imagine where he intended to go.

Q. On the morning you sailed from the Bay of Bulls, did the prisoner, previous to sailing, appear in a hurry to get off ?

A. He seemed always in a hurry to get off.

Q. Were you near the prisoner when you got under-weight at the Bay of Bulls ? And did you see him cut the cable ?

A. I was on deck and saw him cut the cable.

Q. How did you discover that the person who called himself John Stairs was not John Stairs, but John Kelly ?

A. By hearing one of the prisoners call him Kelly.

Q. Did you hear the prisoner, Edward Jordan, ever say, that he was bound to a port in Ireland ?

A. Yes—Limerick.

CROSS-EXAMINED.

Q. Do you know the reason why Jordan uttered the threats you said he did, against his wife ?

A. I do not.

Q. Had the prisoner any arms in his possession at the time he uttered those threats ?

A. He made an attempt to get a charged musket once, but I prevented him, threw out the priming, and wet its touch-hole.

Q. What became of the arms afterwards ?

A. Patrick Power took possession of them, and gave them to the boatmen to take care of until next morning.

Q. Were they in possession of the prisoner, Edward Jordan, afterwards ?

A. I took care he should not have them again, the pistols I locked up in my chest, and the musket I hid among the fish, by Patrick Power's orders.

Q. Did the prisoner, Margaret Jordan, at all times you saw her, appear to be in great fear and altogether under the authority of her husband ?

A. Yes.

Q. When and where, were the arms, taken from the prisoner, Edward Jordan, by you,

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and locked up, or rendered useless, in the manner you stated ?

A. We were then at Trepassey, I do not recollect what day of the month.

Q. Was it before the taking of the arms from Jordan, that the chests were brought on deck ?

A. Yes, the night preceding.

Q. Did the prisoner, Edward Jordan, know the arms were taken from him ?

A. He missed the arms the night they were taken, but did not know where they were until next day.

Q. As Edward Jordan's arms were by your account, taken from him the evening before the chests were brought on deck, how was he to execute the threats, he afterwards made, of shooting any person who attempted to remove them ?

A. It was not likely any person could keep the arms from him, as they knew they belonged to Edward Jordan, and were then in the boat alongside.

Q. When you asked the prisoner, Margaret Jordan, what her husband meant when he said she was the only person in the world who could hang him, was Edward Jordan present, or on board of the schooner ?

A. Not present, but I think he was on board.

Q. Did the prisoner, Margaret Jordan, from the time you first saw her, appear afraid of Kelly, as well as her husband ?

A: No.

Q. How, and in what manner was she used by the prisoner, Edward Jordan, and Kelly?

A. I saw she was used indifferently by Jordan, but not ill by Kelly.

The Court then adjourned until to-morrow at ten o'clock :

Friday, Nov. 17.

The Court met agreeably to adjournment, when—

PATRICK POWER was sworn—

He said—I first became acquainted with the prisoner, Edward Jordan, at St. John, Newfoundland; I had just arrived from the French shore, where the boatman who had carried the prisoner (whom he called John Tremain) to St. John, met me; he said he was glad to see me, for as I had been in the habit of going to Ireland every fall for supplies for the spring fishery he could serve me; as the prisoner, Edward Jordan, wanted a navigator for a schooner bound to Ireland, then lying at the Bay of Bulls; he went and told the prisoner he had found a navigator. Soon after I saw the prisoner, and accompanied him and Pigot to a private room; he then told me he had a schooner lying at the Bay of Bulls, laden with fish, that there were four seamen on board, and that he wanted me just to navigate her to Limerick or Galway in Ireland.

[Here a paper was produced: it was an agreement entered into at St. John, New-

foundland, the 19th of October, between the prisoner and Power, the latter was to navigate the schooner to Ireland, and the former to pay him eleven pounds a month till discharged. Jordan had signed it, by the name of John Tremain.]

After settling the agreement at St. John, the prisoner told me to be ready to start the next day, as he was anxious to go to sea, I said I would be ready ; but it was three days before we could procure a boat to take us round to the Bay of Bulls, where the prisoner said the schooner lay. In the intermediate time I often asked Jordan to take a walk, and look for a boat, and requested to know the reason why he kept himself so closely confined to his lodgings : he replied, that as he owed some money in St. John, he was afraid of being detected if he walked much out. The third day after I had agreed to go with Jordan, we got a boat, and went to the Bay of Bulls, where, however, we did not find the schooner, but there was one there, bound to St. John, and I asked the captain for a passage ; but the prisoner earnestly entreated me not to leave him, but to go to Agua Fort, where he said he was sure the schooner was lying ; and added, if we did not find her there, he would give me an order on a merchant at St. John's, for the full amount of my wages ; we went to Agua Fort ; the schooner was not there ; I was again disappointed ; but he urged me as

I had gone so far with him, to go to Trespassy ; we went, and found the schooner ; on board of which we got about an hour after dark, where I saw John Kelly, William Crew, and a man from the shore ; Jordan's wife was not on board, the prisoner demanded of Kelly, where she was : he answered, she was ashore ; the prisoner then told two men to go ashore for her, when Kelly said there was none knew where she was but himself ; Jordan then seemed much disturbed, and told Kelly he would go with him for her ; they went, and returned in a short time with the prisoner Margaret Jordan. Jordan went to bed almost immediately after, leaving the boatmen, Pigot, Kelly, and myself in the cabin, drinking grog ; Jordan's wife was also sitting in the cabin. The prisoner did not lay long in his birth, but got up, and said to his wife : "*You whore, I heard you talk.*" He then seized a musket which rested on some nails in one of the cabin beams ; his wife screeched, and told me to take it from him, which I did, and gave it to the boatmen to take care of until morning. The prisoners and Kelly soon after began to fight : Edward Jordan demanded his pistols and musket several times to shoot his wife or Kelly, and reprimanded the former for being often on shore with the latter ; Kelly then said that the prisoner should not take his life for nothing, and turned round to his birth, from which he drew two pistols, and held one in each hand ; I then

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seized Kelly, and took the pistols from him ; Kelly said his intention was merely to hide them from Jordan, for that I did not know what a kind of man he was. Margaret Jordan then went on deck, where I soon followed her, carrying the pistols I had taken from Kelly, with the view of giving them to the boatmen to secure 'till the next morning : She requested me several times to throw them overboard, saying : "*You know not the mischief they have done !*" I said I would not throw them over.

Kelly soon after came on deck : he said all that he wanted of the pistols was to prevent Jordan getting them, advising me at the same time not to let him have them until I got to Ireland, and then said that he did not intend to go with us ; I told him Jordan should not get them, and asked him if there were any more arms on board ; he said there were a half musket and a cutlass ; and advised me to get them also, The half musket I found—the cutlass I could not. I soon after pacified Jordan, and his wife told me if I gave him some rum he would go to sleep ; I did so, and it had the desired effect, though not before he said : "*Do not let my wife come to bed to me ; if you do, I shall kill her.*" She lay on the locker untill an hour before day, when she rose, called Pigot, and requested him several times to put her ashore, as she was certain her husband would kill her if she remained on board. Pigot then went on deck, she to her

trunk for clothes. I then left my birth and went on deck ; she soon followed me, and begged I would let her go on shore. or put her ashore myself ; I said I would do neither, and that I had over heard her conversation with Pigot, and that she would be sorry for it if she went ashore ; she replied, you know not the life I lead with that man (alluding to her husband ;) he will kill me before we get to Ireland—you had better let me go ashore ; you are a stranger to my sufferings ; Pigot can describe to you the cruel life I lead with that man. I prevailed on her to remain on board—about an hour after sunrise Jordan came hastily on deck, ran towards his wife ; I went between them, when Jordan seized me by the breast, and demanded his pistols ; his wife, at the instant, slapping me on the back, and begging me not to let Jordan kill her, saying she would lay her death to me, for not letting her go ashore when she wished. Jordan then said, I believe Power you have been with her all night, as well as the rest : upon which I told him to use her as he pleased ; but she screeched, and entreated me not to let Jordan take her life, when I again laid hold of the prisoner, and told him he should not strike her ; I soon after quieted them, when Jordan said, if she would go into the cabin with him, where he wished to speak with her, he would not hurt her ; they went, and continued there on good terms the whole of that day. Jordan

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having promised to give the boatmen, who brought us round from St. John, ten pounds, they requested me to go below, and ask Jordan to pay them, which I did, but he told me he was short of money, and to give them some leather, which I would find forward, in lieu of the ten pounds ; the leather was brought up, but the boatmen refused to take it ; I stated their refusal immediatley to Jordan, who told me to give them his watch with the leather, and directed his wife to hand it to me ; it was a silver hunting watch : I gave it to the boatmen, with some leather. I afterwards searched the schooner, to see what provisions and water were on board, and then saw the situation of the hold, and began to suspect some mischief. I asked Jordan if he had any means of getting provisions ashore ; he said he had not, but thought there was on board a sufficiençy of every thing for a voyage to Ireland, and added, if he was only in the Bay of Bulls he could obtain plenty, as he had friends there. We got underweigh, a short time after, for the Bay of Bulls, but had not proceeded far before he told me to go into some private harbour near the Bay of Bulls, from whence he could send a boat there for provisions, giving fish or oil in payment. We accordingly attempted to get into Ferraese, but the wind prevented us, and we steered for Capelin Bay, at the entrance of which we had nearly got, when we discovered a schooner going in ; the prisoner enquired of me where

I thought she came from : I answered from Nova Scotia, as she appeared to have a deck-load of plank ; he told me not to go in. We then hauled our wind and went to the Bay of Bulls, where we anchored between 10 or 11 at night. The next morning Jordan went on shore, after telling me he intended to get men to cut some wood, and bring us some water ; he took two of the crew with him. In the evening he returned on board, and asked me what I and the rest of the crew had been employed about all day ; I answered, overhauling the rigging, which wanted much repair ; he then said he believed I was too much of a gentleman for a poor man's servant, and that he was sorry he did not make me steer for Ireland, after leaving Trespassey, with what provisions we had on board. The next morning he again went ashore, and sent some long wood, three casks of water, and a few trifling articles of provision. Shortly after Jordan went ashore, his wife requested me to let her go, for the purpose of washing some clothes for the children : I at first refused, but afterwards consented, and Pigot and myself accompanied her ashore. I left her washing at a house, and went in pursuit of her husband, whom I found—he enquired why I had left the vessel : I told him his wife had some washing to do, and that I had come on shore with her—he then seemed much disturbed, and bade me take her back to the vessel immediately, which I did. Jordan came on board in the evening, and ordered me to get underweigh, I

told him the wind did not answer, that it blew into the Bay. He then got into the boat, saying he would go ashore for men and boats enough to tow her out. He had hardly reached the shore, before I weighed anchor, and went further up the Bay. By this time he returned to the schooner, with many men, I do not recollect the number, and ordered me to get the vessel underweigh, which I refused to do—when one of the men he had brought on board, demanded the reason—I told him I did not wish to go—he then applied some opprobrious name to me: Jordan, soon after, took me aside, and said that a cutter had sailed that evening from St. John, which would be round by the morning, to seize the vessel on account of some money he owed at Halifax—upon which I said that if he owed a million of money to a merchant, a King's vessel would not be sent after him; he afterwards said he was sorry he had not met with some other navigator than me, for, if he had, he would have been half way to Ireland; I told him he need not be sorry for it, for I would not go with him, and he had better provide another. He begged the men he had brought on board to remain—they said it was to no purpose, as I would not get the vessel underweigh that night—but if they could serve him they would stay twelve months, and tow the vessel, if possible, half way to Ireland. They soon after went ashore. For some time Jordan walked the quarter-deck, apparently much

disturbed, during which Kelly told me if I went on shore with him, he would inform me of something that might serve me. I promised to go as soon as Jordan had gone to rest. Not long afterwards I asked Jordan why he did not go to bed : he replied, that he would see me in bed first. I then told him, Kelly and I were going on shore, but that we would not stay long. He said I might as well take his life as attempt to go that night ; and that he would keep watch to prevent me. I then went to bed, leaving Jordan on deck. About day-light next morning he came to my birth—told me to rise, and get the vessel underweigh, for that there was a fine fair wind. I rose, went on deck, and told him the wind blew too hard. He then acted like a madman. I went, and sat down, in the cabin, where I had not been long before I heard some person call out that Kelly had taken the boat away ; I ran on deck, saw Kelly alone in the boat, about 20 yards distance, and asked him for a passage on shore ; he answered that he could not stop, but would send the boat for me. He did not take his clothes with him. I then went below, to gather my things, against the boat came off for me—but soon after heard some person on deck say, *the cable was cut* ; I went up, and found it was true ; I demanded who had done it, and was answered Jordan ; he was then on deck, as well as all the crew ; the jib was hoisted, and the vessel going to sea—Jordan was standing near the companion door, with an axe in his hand, and I said to him

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plied that he had, and that she should go to
sea, or blood. I went forward, and told Pigot
to take the axe from Jordan, which he did.
I then sat down to leward, and soon after saw
a vessel at a great distance, then took the helm,
and ordered all sail to be set ; when Jordan
told me to steer for Halifax, with the view of
deceiving the people at the Bay of Bulls. I
consented to do so, until I was clear of the
head, when I jibed the boom, but he thought
rather too soon, as we had hardly shut in the
Bay of Bulls. In about an hour after one of
the men called out there was a sail a-head ;
Jordan seemed much agitated, and enquired of
me what I thought she was ; I told him a
fishing-boat, as she did not appear to have any
yards across ; the man said it was a brig or
schooner, when Jordan became uneasy again,
and directed me to steer for Halifax, let her
be what she might: I refused to alter the course ;
when he ordered the man I had a few minutes
before placed at the helm, to steer for Halifax,
but I told the helmsman if he did, I would
knock him down with a handspike. The pri-
soner asked me a second time what I thought
the vessel was : I answered, he might depend
she was a King's schooner ; at which his uu-
easiness became excessive, and he said : "*The
Lord have mercy on me, what will my poor
children do ;*" he afterwards went down in the
cabin, but soon returned, and desired me to
say we were bound to Halifax. I told him
was of no consequence, for they saw by the

course we were steering, we were not bound there ; he, however, again requested me to say so, and I said I would, if that would satisfy him. The vessel came up—she proved to be His Majesty's schooner Cuttle, commanded by Lt. Bury, who sent a party on board under the orders of Mr. Simpson, by whom she was brought to Halifax.

Q. Who were on board the Three Sisters at the time she was taken possession of by the Cutter ?

A. The prisoners and their four children, (three girls and a boy ;) myself, John Pigot, Matthew Phelan, William Crew, Nathaniel Ryder, and Davy, an Indian.

Q. Did you hear the prisoner, Edward Jordan, make any acknowledgements, or use any expression, from which you believed he had been guilty of the murders and piracy, with which he stands charged ? If so, repeat as nearly as you can recollect, the words he made use of, and when and where they were spoken.

[An objection to this question was entered by Mr. ROBE, upon the ground that the Statute of the 11th and 12th of William, having directed the hearing and determination of causes before the Court to be according to the Civil Law, the question could not be put to the witness, as by the civil law, the confession of a person accused must be made by him in the presence of the court, and could not be proved by the testimony of a witness.

This objection was answered by the Solicit-

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or General who contended, that the court was not to be guided by the civil law, unless as respected its forms, and that the question was admissible by the common law of the land, if not by the civil law.

The court ordered the Registrar to note the objection ; and the question to be put, promising to consider its effect.]

A. It was in the cuttle—he was in irons ; and his birth near mine. He used to discourse with me concerning the crimes he was accused of : He said he was not afraid of all the world, if I would only say we were bound to Halifax, to which, being rather under apprehension of my own life, as I lay so near him, I consented. He then told me that if he had shot Stairs while on the hatch, that all would have been well, but that Kelly prevented him, saying he would be drowned before he reached the shore.

Q. By Prisoner—you said you knew the prisoner, Ed. Jordan, at St. John, N. F.—do you recollect dining in company with him at the house of a merchant there ? what was the name of the merchant, and by what name did he call the prisoner.

A. I did dine in company with him at a merchant's, whose name was Goff ; and whom I heard call the prisoner Ned.

Q. Did you hear Mr. Goff call the prisoner by any other name than Ned ? what character did he give Jordan ? and did he say that Jordan had served his uncle honestly for five years, and that every person in his employ had

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A. I heard Mr. Goff say, that every one who was employed in the same station Ned was by his uncle for several years, had made money but Ned.

The Register of the Three Sisters, was then produced, and read ; it was proved by the collector of the customs, who exhibited the record : she was registered the 16th January, 1809.—owners, Jonathan and John Tremain.

Q. You said that Jonathan and John Tremain were the registered owners of the Three Sisters—do you know who are the true owners of said schooner ?

A. Jonathan and John Tremain I believe, for the bill of sale and ship builder's certificate, were lodged in my office previous to the granting of the register.

Here the examinations closed—when Ed. Jordan was asked by his excellency the president, if he had any thing to say in his defence.

Edward Jordan then stated his transactions with Messrs. Tremain ; from which he endeavoured to prove that the schooner Three Sisters had been surreptitiously obtained by them ; and that, in point of fact, she belonged to him ; after which he said, that on the morning of the 13th September, being on the deck of the schooner, and rather in liquor, his little boy came and told him, that Captain Stairs was taking liberties with his mother ; that he instantly went below, found it to be the case, seized Stairs, and threw him on the floor ; who, upon recovering, ran to his trunk, got a pair of pistols, one of which he fired at him,

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Heath's breast, who had just came down to the assistance of his wife, having heard her cry out murder ; that he then went on deck for a handspike, to defend himself with against Stairs ; who soon followed him up, went forward, threw a hatch overboard, and jumped after it ; that he begged Kelly, who was at the helm, to put the vessel about, and pick up the captain, saying, that unless he did they would all be lost, for that they were without a navigator, but that Kelly seemed stupid, and not to know what to do. That they afterwards put into a port in Newfoundland. He then told the court that no reliance ought to be placed on the evidence of the witnesses that had been examined, for that they had made up their story, had perjured themselves, and would say any thing that came into their mouths—and then presented his accounts with Tremain, and some other papers, to the court, requesting they might be examined.

Margaret Jordan was then asked if she had any thing to say : upon which she handed to her counsel, Mr. WILKINS, a written defence, which he read to the court. It stated that she had married Jordan, in Ireland, about ten years since, that she lived happy with him there for five, when they removed to the United States, where he soon became jealous of her ; that she had experienced severe treatment from him ever since, though it had not in the least diminished her regard for him.— That previous to the arrival of the Three Sisters at Perce, her children had become much in want of some clothes which she expected to

receive by the schooner, but that on her arrival she was disappointed : Jordan had brought nothing for them ;—upon which she got Captain Stairs to let her have a piece of calico—this roused her husband's jealousy, who suspected she had obtained it by improper means, and he treated her very ill. His resentment continued—and on the morning of the 13th of September, as she lay on her wretched bed, Stairs came to her birth—when she, alarmed for the consequences that might result from her husband's seeing Stairs in that situation, begged him to be gone, but he did not, before that her husband appeared, who instantly knocked Stairs down, and then ran on deck, where he was soon followed by Stairs—that she soon after heard the report of pistols, went on deck, saw Heath lying dead, and Stairs fighting with her husband—that as soon as they separated the former jumped overboard. She did not deny but that she might have struck Stairs when engaged with her husband, as she was in such a state of mind as not to know what she was doing ; but she could appeal to the Almighty, and say that she was innocent of the crimes with which she then stood charged.

After which the Court was cleared ;—In about half an hour the doors were again opened, and the prisoner, EDWARD JORDAN, put to the bar, ; when His Excellency the President addressed him as follows :

EDWARD JORDAN—The Gentlemen Commissioners before whom you have been accused of Piracy, Felony and Robbery, have deliberately examined the articles of charge exhibited against you ; and having maturely weighed and considered the several evidences produced

against you on behalf of His Majesty, as well as what has been alledged in your favour, upon the whole have unanimously found you guilty of the several articles of Piracy, Felony and Robbery, wherewith you are charged, and have agreed that sentence should be pronounced against you for the same accordingly---

[Here the Prisoner was asked by the Registrar if he had any thing to say, why sentence of death should not be pronounced against him--he asked if his papers had been examined.]

The Court, by which you have been tried, has examined your case with every just and merciful disposition towards you, and I have already informed you that the Commissioner have unanimously pronounced you guilty. Nothing therefore, now remains but for me, as President of this Court, to perform the painful duty of pronouncing the dreadful sentence which the law directs to be executed upon you ; not only as a just punishment for the horrid crimes of which you have been this day convicted, but as an example to all others, of the vengeance which always pursues the steps of the murderer, whom no art can save from the sword of justice in this life ; and whose only hope in the world to come, must depend on the mercies of the Almighty.--You, who have shewn neither mercy or compassion to your fellow creatures, can have none to expect from the hand of man.--Let me therefore, exhort you, during the short time you have to live, that you do, with a contrite and penitent heart humble yourself before God, and seek forgiveness of your sins, through the merits and intercession of our blessed Saviour, Jesus CHRIST.

You, EDWARD JORDAN, shall be taken from hence to the place from whence you came and from thence to the place of Execution, there to be hanged by the neck until you are dead.--and may God Almighty have mercy upon your soul.

MARGARET JORDAN was then put to the Bar, when his Excellency the President said--that the Court had considered the charges brought against her, and, from some circumstances that had appeared in her favor on the trial, adjudged her not guilty.

EXECUTION OF JORDAN.

HALIFAX, Nov. 21.

Yesterday EDWARD JORDAN was executed pursuant to his sentence ; and we are informed by the Rev. Clergyman who attended him in his last moments, that he appeared deeply sensible of the enormity of his crimes, and died sincerely penitent.

It appears by the written confession of the unfortunate man, that he was born in the County of Carlo, Ireland—That he was, in 1797, under sentence of death, for being concerned in the rebellion, and exercising men in the night—though he denies having been guilty in that instance ; but acknowledges, that he joined the rebels, after having made his escape—and claims the merit of having saved the lives of three persons, whom they were preparing to shoot. In '98 he took the benefit of his Majesty's proclamation, gave himself up to the King's troops ; and soon after was married to his present wife—Some time after, he came to America—went to New York, and from thence to Montreal and Quebec—and then to Gaspee. Being deeply in debt, and finding his credit completely exhausted, he drank very hard, while Capt. Stairs was waiting with the vessel at Perce ; and, on his return to Halifax, with his wife and family on board, in a moment of desperation he determined on the fatal act. He acknowledged that it was his intention to kill Stairs ; but declares, that he did not intend to kill HEATH or MATTHEWS, the two seamen.—He affirms, that neither his wife, nor Kelly, the mate of the schooner, assisted in any way in the murder of those men ; and states that the latter appeared deranged, until the time of his leaving the vessel ; and often said, he would " put a bad end to himself."

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