SENTINEL EXTR CARLETON

Trial of W. H. Kearney Honor, Chief Justice Ritchie

A bill for murder had been sent to the Grand the indictment was read as follows:-

The Jury having been sworn :-

Attorney General Fisher addressed the Jury. found against the prisoner, charged him with produce would show that on the occasion when death. He could not discover from to ae depositions token before the Magistrates previous this occasion. He would at the

Alexander Orr-isu out of Kirt on 23rd body sav there v prisoner and ? of them to

At Woodstock, Sept. 26, 1867, before His some days before that he would fight prisoner was on provocation to take life, and the some days before that he would fight prisoner, but if he is provok-Counsel for the Crown,—Hon. Charles Fisher, and attorney General, assisted by James Edgar, assisted by James Edgar, and the drift on way home; we most of us walked the first of the singing school I was take the first of the singing school I was take the defence, when deceased, that he was in the sham fight; and the drift on way home; we most of us walked the first of the singing school I was take the prisoner had sent him a Valentine, and the drift on way home; we most of us walked the first of the singing school I was take the prisoner had sent him a Valentine, and the drift on way home; we most of us walked the first of the singing school I was take the prisoner had sent him a Valentine, and the drift on way home; we most of us walked the first of the singing school I was take the prisoner had sent him a Valentine, and the drift on way home; we most of us walked the first of the singing school I was take the prisoner had sent him a Case like this walked the first of the singing school I was take the prisoner had sent him a Valentine, and the drift on way home; we most of us walked the first of the singing school I was take the prisoner had sent him a Valentine, and the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked the drift on way home; we most of us walked t Attorney General, assisted by James Edgar, charge prisoner with sending Valentine; knew why he stopped on drift; knew afterward, near a few inches of Kearney's and staring at him; secret when he told us that the Wolverton's, that weapon, the law having due regard to the Jury by the Attorney General, but they found some parties, not by Orr; Wolverton's and taking off his coat, to fight, I expect; di'd not with me." Kearney's were bad friends; Orr lived at time see prisoner show any disposition to fight; when the distinct learning school soner a reasonable right to conclude that his life ily had for years been in the habit of committing when a man is assailed and has reasonable The prisoner having been placed in the dock, he indictment was read as follows:

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The prisoner having been placed in the dock, he indictment was read as follows:

The prisoner having been placed in the dock, with Wolverton; don't remember having said or took off his coat he walked smartly through that prisoner should be hungaged. The law presumes until it petty acts of annoyance toward Mr. Kearney, great bodily harm, he may resist even to the ascholar of mine; had formed a good opinion from the deceased. The law presumes until it petty acts of annoyance toward Mr. Kearney, great bodily harm, he may resist even to the ascholar of mine; had formed a good opinion from the deceased.

To this indietment the prisoner pleaded not during recess; in scuffling coming out of school where deceased was standing by side of the I think there had been a determination on the was a singing school where deceased was standing by side of the I think there had always had the reputation of being a Are they. I ask you, gentlemen, trustworthy? that night; I came out about middle; di'd not drift; on Friday night previous (night before)

The think there had occur a determination on the was a singing school like it is hard that it is hard that it is hard that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said that it is hard that they should be said see Orr gc, out or prisoner; I was one of the saw Orr walking on the road, and told him I committe a to keep order in school; don't know always saw people on sentry have a musket; as I would have interfered bear and definity of the saw Orr walking on the road, and difficulty with the deceased was a same of the saw Orr walking on the road, and told him I have their character so blackened; but they he could retreat no further; if, as stated by Mr. went to attack Rearney, Rearney had what had always had the reputation of being a lit may be said that it is hard that they should he could by retreating have avoided it. But if have their character so blackened; but they he could retreat no further; if, as stated by Mr. went to attack him or somebody else in the been trouble and difficulty with the deceased must remember that it is not I who blacken. Fisher, he had retreated to the wall, or if in He said the indictment by the Grand Inquest as I wo ald have interfered had trouble a risen asked him what he was doing there, said he crowa'; had Kearney been left alone I think he and some of his friends before, who had nurs a sked him what he was doing there, said he crowa'; had Kearney been left alone I think he and some of his friends before, who had nurs a sked him what he was doing there, said he crowa'; had Kearney been left alone I think he crowa'; had Kearney been here and bedaubed themselves with the crease his danger. The new always saw people on sentry have a musket; went to attack him or somebody else in the deceased must remember that it is not attack him or somebody else in the deceased went to attack him or somebody else in the deceased must remember that it is not attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attack him or somebody else in the deceased went to attac in sch' sol; outside heard Kearney say, it any was waiting to see a person he was afraid he would have gone home quietly; I suspect it was an ill-feeling toward prisoner. It appears that come here and bedaubed themselves with the crease his danger, then he has met the require-

the deed, by which an unfortunate young man was killed, was committed a number of the school he had been attacked before school; I Orr fell prisoner started and run; Orr to all him on that trouble arose; believe these men when they knew the hands of the prisoner at the har. We have was killed, was committed, a number of young persons had assembled together for singing school that after school that after school that after school there was first a sort of the school there was about 4 feet high; as previous to the had been attacked before school; I or fell prisoner started and run; Orr to all him on that trouble arose; believe that at the bar. We have school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there was a majority of persons ask again, believe these men when they knew singing school there a school; that after school there was first a sort of a south of the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the said he was stabled till he died; I under the s a scuffle for a few moments, during which the deceased received wounds, from an instrument, ent blow, did respectively to him, but walked by heard a house; saw shirt cut through and through on blow, did respectively to him, but walked by heard a house; saw shirt cut through and through on sleeve of left arm as with a sharp instrument; which had not been discovered, but which the testimony of the Doctor was a long to him, but walked by to him,

between the parties previous any differ to no idea death would result; did not during on left side; one on arm did not cut the skin;

took one drink; came home and went to sing school, when got there it had commenced; ing school, when got there it had commenced; this was not the night he showed them to me this was not the night he showed them to me this was not the night he showed them to me and the force the master's name, been to school half a quarter, don't know name of finister; I was not member of Order Committee; Kearney had a better opportunity of seeing what occurred that me; as soon as I got out of school house a member of Order Committee; Kearney had a better opportunity of seeing what occurred the weapons about him; the finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the prisoner had not a finish the mark of Cain. I sharp instrument. Fortunately the shad seed to make the singular the showed them to me instanct the count of or an area of this was not the night he had been a summary in the first the singular the showed them the mark of Cain. I sharp instrument. Fortunately the shad seed the make of sum the first he had been in the feduce as a first the summary in the first he had been and struck him. Deposition of D. P. Wolhaupter, M. Deposition of D. P. Wolhaupter, M. Deposition of D. P. Wolhaupter, M. Deposition of the sake of our through

ing; there was about 25 persons in the school; the did not notice any clinching or scuffling as we came out; was going home, heard somebody say there was a row; did not see my brother say there was a row; did not see Kearney coming out, did not see Kearney coming out of the stay of the slaver of the sterout of the service of a natural law and in self-defence, did not see times, and then Kearney, under the did not fourth ribs, on the singular of the singular of the singular of the core of God he was insulted and assaulted between the third and fourth ribs, on the singular of the singula first I saw was prisoner and deceased clinched, did not do or say anything. Deceased had on do or say anything. Deceased had on saw Orr step back out of the crowd and walk a body jacket in singing school, he did not have about 10 feet, fall on his knees, and say, "he's come together again; both were striking; Keara body packet in singing school, he was in got a knife—he's stabbed me;" when he dropit on when I saw him in the clinch; he was in shirt sleeves; was in winter time; I supposed took off coat with intention of having a boxing-match with prisoner; did not hear any one say on coming out of school, "now's your time." on coming out of school, "now's your time. The wond boys," I did not use such language come on boys," I did not use such language of merch and supposed the was there in the disturbance, and Orr said "he has stabbed me;" when he drop-match with prisoner when he drop-bed and run." Noad was width of a double sled the upper third of the left thigh. I turned the down—he was staggered we are told—he would in self-the upper third of the left thigh. I turned the down—he was staggered we are told—he would on the grounds that what he did he did in self-the upper third of the left thigh. I turned the down—he was staggered we are told—he would on the grounds that what he did he did in self-the upper third of the left thigh. I turned the down—he was staggered we are told—he would find the upper third of the left thigh. I turned the down—he was staggered we are told—he would find the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would in the upper third of the left thigh. I turned the down—he was staggered we are told—he would come on boys, I use not use such language on drift, along side of rence; went up to Orr be hung; did not think bloodsned would require, forbearance at such a moment as that? this case entirely in your hands under the directions of his bench the learner to the death? The wound require, forbearance at such a moment as that? this case entirely in your hands under the directions of his bench the learner to the death? The would require, forbearance at such a moment as that? the diaphram, perforating the liver. The would require, forbearance at such a moment as that? mysen; persons gathered round to see agus as latter he fell; fell right on edge of road and from the contest; did not hear it whispered to the did I; prisoner had same coat on he had in drift; saw semebody running away; carried about that Kearney was to be attacked after to the latter had same coat on he had in drift; saw semebody running away; carried about that Kearney was to be attacked after to the latter had same coat on he had in drift; saw semebody running away; carried about that Kearney was to be attacked after to the latter had same coat on he had in drift; saw semebody running away; carried about that Kearney was to be attacked after to the latter had been decomposed to the latter had same coat on he had in drift; saw semebody running away; carried about that Kearney was to be attacked after to the latter had been decomposed to the l and I; prisoner nad same coat on ne nad in drift; saw semebody running away; carried should not notice book under prisinging school; did not notice book under prior the learney was to be attacked after of the right saw semebody running away; carried about that Kearney was to be attacked after of the learney was to be att

up to and strike prisoner; was not much excited; did not interfere, because thought only a boxing-match, was not proposed for the fight; would have interfered if thought any-time serious; my brother was not 21: Lam 27. thing serious; my brother was not 21; I am 27 recollect his having had a ram killed a few ed most like a fighting character, and would edges sharp had been used; the blade must have had done wrong? there; Orr did not tell me he was there; he armed; saw no one run up behind them; no previous trouble between the parties to my knowledge; when I saw them they were on a drift, did not see them go that Kearney's gate was destroyed and Angus there is the was also in a healthy condition; no appearance of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of any wounds upon the surface other than those of the prisoner. In Archibald's Pleading and of any wounds upon the surface other than those of the prisoner. In Archibald's Pleading and of any wounds upon the surface other than those of the prisoner. In Archibald's Pleading and of any wounds upon the surface other than those of the prisoner. In Archibald's Pleading and of any wounds upon the surface other than the prisoner. In Archibald's Pleading and of any wounds upon the surface other than the prisoner. In Archibald's Pleading and other than the prisoner and the prisoner archibald and the pri there; crust would bear, may have been going tus Orr was suspected; he did not tell me he tus at Kirk door; Augustus said he had stumped is no doubt these wounds caused the death of home; have not any reason to believe prisoner had done it; Kearney has some nice fruit trees; Kearney out to fight but he would not; at recess deceased, H. A. Orr. was driven on to drift by deceased; don't know don't remember them having been girdled, but I told Kearney what Orr said; he said he did

ing Kearney's gate; Orr borrowed the axe; when school was over we all rushed out; saw when the indictment was read, for feloniously would; in manslaughter he would not escape if transaction by some of the witnesses. But the sciences will approve. Re-examined—Church is from road a short he did not tell me what he wanted it for; he Kearney go out of Kirk with a note-book under killing one Henry Augustus Orr; that offence is he could." distance; the drift was on bounds of, but off brought the axe back either that night or early his arm; as we got out I heard Alex. Orr say called manslaughter, and the punishment providbeaten road; the chief to gate entering into the highway; every he said he would not say whether he had done person coming from Kirk must of necessity pass by this.

Namely Watson—(sworn)—Reside at North—

There is no doubt a fire has been deduced a fire has been doubt a fire has been doubt a fire has been detence, it is not necessary to prove that the association and saw Augustus Orr with his hat and provincial penitentiary for a term, as the Court and saw Augustus Orr with his hat and done taken, and one of our fellow beings has been sent to his last account in a state of missing to hard the prisoner twice; I saw Kearney kind of stagger you here, that after the occurrence took place, and one of our fellow beings has been sent to his last account in a state of missing to have been committed and allowed that he didn't; a man hired by Joseph Wolth and Orr fell and stumbled on his knees and said, verton felled a tree over Kearney's line; coming out of school heard prisoner say, "I not shave Kearney's horses tail; have had no him and Sandy Carr called out "kick him;" been made he felt his life was in danger, and fering great bodily harm."

ficulty with Mr. Kearney's family; I did once Orr taking a link off a chain; did not tell when near enough to distinguish saw a man run ride through his grain, I knew no better then; prisoner that night he was in danger; I told up to fence, throw coat off, and rush down snow charged with an offence might take the witness he comes here to carry out the wish of his heart seizes a deadly weapon and strikes home, there did injury to a ram once by orders, learned afWallace Hemphill; don't know that he told

thought there would be difficulty; Orr told me prisoner swear; heard talking, did not distin- ing attacked, and would have been but for the that in some cases the practice might operate fathat prisoner had sent him a Valentine, and the drift on way home; we most of us walked defence." Keamon's testimony would throw light has been proved that he was in the staye when decreased they had a squabble on the ice some time be- as I could hear, he was attacked there; first I considered this done in an insulting manner; now, gentlemen, is not whether the deceased in- secret when he told us that the Wolverton's, that weapon, the law having due regard to the fore; heard that prison er had been waylaid by saw, before I saw prisoner on drift, was Orr Kearney said, "I want you to take no liberties tended to do bodily harm to the prisoner or con-

man attacks me I'll make a corpse of, him; would not see or did not expect to see; after entirely v the fault of Orr and those who urged or must have gone to the school that night in- blackest paint. I am only the medium through ments of the law. the testimony of the Doctor was a long week of the strument; on coming out I saw were lew of Orr's friends present; Kearney size of left arm as with a sharp instrument; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw were lew of Orr's friends present; Kearney singing school that night; on coming out I saw which is singing school that night; on coming out I saw with a sharp instrument; singing school that night; on coming out I saw with a sharp instrument; singing school that night; on coming out I saw with a sharp instrument; singing school that night; on coming out I saw with a sharp instrument; singing school that night; on coming out I saw with a sharp instrument; singing school that night; on coming out I saw with a sharp instrument; on coming out I saw with a sharp instrument; on coming out I saw with a sharp instrument; on coming out I saw with a sharp instrument; on coming out I saw with a sharp instrument; on coming out I saw with a sharp instrument; on coming out I saw with a sharp instrument; on coming out I saw with a sharp instrument; on coming out I saw w

between the parties previous to any differ to no idea death would result, did not death grant the parties previous to their me difficulty go and put hand on one of parties; Dr. Wolhaupter examined him afterward; I described their me difficulty go and put hand on one of parties; beart and lungs showeting on stepped in between two men with me; looked was there; took out his heart and lungs, showsubmit the like a row; was not afraid, but stepped to get ed us where the damage was; one of the lungs Inke a row; was not alraid, but steep leading to the one of main arteries leading to the Kearney told him a ot to take such liberties.

That an attack on prisoner was premeditated made on Kearney, and that from that attack of the duties they have to perform, but contained to the Kearney told him a ot to take such liberties.

That an attack on prisoner was premeditated made on Kearney, and that from that attack of the duties they have to perform, but contained to the liberties. out of way of row, looked on coolly, and that from that attack of the duties they have to perform, but conlearney told mm h of to take such hoerdes.

Out of way of row, looked on coolly, and that from that attack of the duties they have to perform, but conlearney told mm h of to take such hoerdes.

Cross-examined— away Ansley Watson there was severed; saw this in presence of know who gave first blow, sounded loud like heart was severed; saw this in presence of the drift. It is not scientious doubts arising out of the circumstances, apart from the statement was premeditated was severed; saw this in presence of the drift. It is not scientious doubts arising out of the circumstances.

feet from them. There were a good many personners present, seattered round, coming out of sensor present, seattered round, coming out of the conflict and Orr fell; I, was within 4 can searchly make the conflict and Orr fell; I, was within 4 can searchly make the conflict and Orr seat search of first, but less and punishment. Been acquainted with prison and the sensor present in the conflict and Orr fell; I, was within 4 can searchly with the conflict and Orr search the conf

did not know of any unneutry before singing don't know that brass knuckles were in singing both at once; Orr was standing on drift, Kear-was remark? The prisoner was long to award to some of the parties who were en- had as good a right to be there as any one. He my brother was not at Choson's better singing and the first school that night; I had no weapon with me; or to my knowledge; don't school that night; I had no weapon with me; ney went toward him; did not see Kearney first Allan, Coroner; I went down to Bruce Gibson's attacked. What would you, gaged in this transaction; but I believe public was in the Queen's peace, surrounded by the school with me, or to my knowledge; don't know of any difficulty between my brother and prisoner; my brother worked for Joseph Wolling in wait for Kearney was not in sham fight that prisoner; my brother worked for Joseph Wolling in the control of verton; only persons I saw whispering in school were prisoner and Harvey Bull; did not know where prisoner and Harvey Bull; did not know where prisoner and Harvey Bull; did not know where prisoner and Harvey Bull; did not know whispering in school as far as possible from the attack; then what follows that my evidence before the Magistrates differed that my evidence before the Magistrates differed to thrush prisoner. that my evidence before the Magistrates differed on its back, and made a supericial examination as far as possible from the attack; then what for feited; the bondsmen are able to pay; but it that of any young man. We find him exposed fows? The young man, Orr, deceased, excited feited; the bondsmen are able to pay; but it that of any young man. We find him exposed tust my protter intended to the moderate measurement of the prisoner should pass the odd in the contained purpose, and strikes the prisoner and deceased there, and after ing; there was about 25 persons in the school; was at singing school, night re
that of any young man. We find him exposed to insult, to contumely; outside and inside the one odd in the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose, and strikes the prisoner and deceased there, and after the determined purpose.

or run at prisoner; I did not advance toward prisoner till deceased called out; I did not go up to and strike prisoner; was not much excited; did not interfere because of the between the parties because of trouble between the parties because of the lung, very near that part of the lung, sonal safety of as much moment? When Orr after Alexander Orr said come on. All but one where those arteries enter. The severing of the witnesses seem to concur in the statement of the ungstus Orr is dead! dead as the result of the Augustus Orr is dead! dead as the result of the where those arteries enter. Augustus Orr is dead! dead as the result of the open his breast to the slaver and allow him to strike him down unrestited to cause nearly in the statement of the United States of the way, and states of the way, and states of the way, and states of the states of the states of the states of the way, and states of the states of the states of the way, and states of the states of the way, and states of the states of the way, and states of the states of the states of the way, and states of the way, and states of the way, and states of the states of the way, and states of the way, and states of the states of the way, and states of the way, and states of the way, and states of the states of the way, and states of the way, an

was driven on to drift by deceased; don't know don't remember them having been girdled, but why deceased had coat off. I did not say to did hear of some trees in pasture being girdled; but how with him; that if he commenced it he would with him; that if he commenced it he would have to settle it the best way he could; he said if he laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would hands on him he would make him a laid hands on him he would hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would make him a laid hands on him he would hands on him he would hands on him he would h after prisoner, did not kick him; stood till brobelieve it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft believe it was our axe that was used in destroyleft

bloody; did not examine wounds; prisoner was don't know that Orr prepared himself with any went in and stood with his back to the stove; never condemned. on slanting side of drift, deceased was next to fence; nothing was said during clinch; did not see knife or instrument of any kind, night was dark.

Our defence, Gentlemen, is simply this; just of nature; one that he took a link of a chain no valentine; Gibson repeated that there'd be see knife or instrument of any kind, night was dark.

Cross-examined—Knew prisoner a length of time, was a peaceable boy; never had any difference. It is not a control of the went to singing school; have mean and said, what did you send of nature; one that reason for me that valentine for; Kearney said, I sent you me that the young man, the prisoner, said before me that valentine for; Kearney said, I sent you me that valentine for; Kearney said, I sent you me that the young man, the prisoner, said before the time being losses control of the mind, an act true one, for he did what no ewishing to tell true one, for he did what no ewishing to tell what the young man, the prisoner, said before the time the affirmative being a stream for me that valentine for; Kearney said, I sent you me that the young man, the prisoner, said before the time the affirmative being a stream of nature; Gibson repeated that there'd be in the time the affirmative being as the time that the young man, the prisoner, said before the time the affirmative being as the time the affirmative being a

Carleton to-wit.—The Jurors for our Lady the punished. When went to singing section to the punished of Kearney; never had any design he could have attacked feloniously taken. Have we proof that such, in section to the punished. When went to singing section to the punished to punished. When went to singing section to the punished to reprime the deceased. The law presents that the punished to the punish Selonously kill and slay one Henry Augustus ling school don't, think heard was to be trouble; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I got out I noticed a crowd; before me; when I

> Orr 1 went by, by now's your time; Kearney said he had as himself, it was not with the intention of acting we have the testimony of Joseph A. Wolverton been a Jack-knife sharpened on both sides. It nau coat on and in tussen, and show I turned round; had one on back of neck or shoulder, another one good a right, there as any man, and the first who on the aggressive, but simply to protect his own and of the two Miss Hay's -daughters of a most might have an effect in your minds if you knew Orr take his co at off and go toward Kearney as have occurred to you. Orr had threatened to before you shows that they have been properly when there are any doubts the law provides that I saw Orr fall: on a previous occasion I saw Orr nicated by one of the witnesses to Kearney in different version of the affair from that given by sonable doubts—doubts not arising from the feelcome up and draw a stick across Kearney's face; the school.

orother; was coming blow of ust; some men on my ich, saw prisoner step on side of unit and on the drift; I could not say he was in ar enough to strike him; we are not afraid to leave the matter in saw Kearney first on drift; I saw Orr go toward there that night in force for some purpose? One of Feb., where singing some strike while in cancel, and not see Orr strike orr, deceased, who was sanding on drut; I saw Orr go toward there that night in force for some purpose? One soutside of gate, heard some strike; Orr was leaned up against prisoner; saw prisoner make a rush agross to Orr; saw him and lift his hand as if going to strike him. of the witnesses Mr. Frost tells us that viewed have heard all the evidence. soutside of gate, heard some strike; Orr was reased up against prisoner, as a row, turned round, saw heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say, "he's got a knife, and has heard Orr say as a row, turned round, saw heard Orr say, "ne's got a kine, and has heard Orr say, "ne's got a kine, and heard Orr say, "ne's got a kine, and how it was given. I do not ask you not to punsely selves as discreet witnesses should. But it is for and public justice—there was a general and unstant ish if the crime was committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the committed by him, but I do you to judge as to the credit to attach to the credit t deceased clinched; only the two stabbed me; this was write the committed by him, but I do with regard to the other witnesses and only the two stabbed me; this was write the committed by him, but I do witnesses and out, "come on boys, no ws your time," and and public justice—there was a general and unimmediately after heard to the other witnesses with regard to the other witnesses. With regard to the other witnesses with regard to the other witnesses with regard to the other witnesses.

Alexander Orr say anything that night; did not been in singing school; before singing schoo

been from five to seven inches in length; no I shall now read to you some authorities by

did injury to a ram once by orders, learned afterwards it was Kearney's; was at the singing schoel; Orr was there; prisoner was there, behaved himself well and was singing; Orr sat near me; don't think he sung me; don't know that he told does not attribute the act to the provocation, the law does not attribute the act to the provocation, the law does not attribute the act to the told does not attribute the act to a wicked, bard and corsum and circumstances. In some countries criminals and circumstances and the conduct he has pure don't the told does not attribute the act to a wicked, bard and corsum an near me; don't think he sung much at any time; did not notice any whispering; had no time and notice and notice

templated taking his life, but it is,—had the pri- H. Wolverton had to admit that he and his fam- slaughter. Then there is justifiable homicide

Jos. A. Wolverton-(sworn)-Was at the take advantage of this opportunity when there well as you know that L. P. Fisher is now ad- knife, dagger or other instrument sharp on both if going to strik, him, and in a few minutes after give prisoner a thrashing and this was commu- brought up—these witnesses give an entirely the prisoner is entitled to the benefit of any rea-

—Have known pri- know who gave hist blow, sounded blow of fist; some men on my left; saw pri- coroner; saw prisoner step on side of drift and on the drift; he was present the prisoner; of the deceased, go to prove. We find that the necessary to analyse the testimony at greater ces. sether; in about a minute deceased, "he's stabbed me," and prisoner ran; he's stabbed me," and prisoner ran; all I know about it; in the clinch they all I know about it; in the clinch they are on their feet; it was in this County; I five on this side of the river; had no conversa
The one of the prisoner step pack the did not commit to attach to the arm of the persons just named.—

The one of the persons just named.—

There had been crime not to punish him. Do not let sympathy for the dead and his friends sition with his arms extended; prisoner then stepped back, Orr fell forward, and prisoner; nau not immediately after heard Ke arney say, "I've as width of road and Orr stood in a stooping position with his arms extended; prisoner then sition with his arms extended; prisoner then sition with his arms extended; prisoner willfully killed agravated character was committed. But his no on the river; had no conversa
The one their feet; it was in this County; I five on this side of the river; had no conversa
The one of the persons just named.—

The did not commit the did not commit the witnesses. With eats prisoner then stepped back, Orr fell forward, and prisoner then stepped back, Orr fell forward and orr stood in a stooping poor the learn of the persons just named.—

The one of the persons j five on this side of the river; had no conversation with Kearney previous to this; know notion with Kearney previous to this; know notion with Kearney previous to this; saw deceased instantly fall.

The first of the river; had no conversation with the prisoner is to be condemned and the conversation of school; heard Alexander () rr sp eak in a very they acted as they did. School was dismissed, and the scholars came out, young Kearney among the has stabled me," he has stabled me, "he has stabled me, "he has stabled me," he has stabled me, "he has stabled me," h thing more about it; saw deceased instantly fall.

He died before taken into house; not more than 2 or 3 minutes after said he was stabled than 2 or 3 minutes after said he was stabled to 4 minutes after said he w than 2 or 3 minutes after said he was stabled till he was dead; he sang out; the other ran, and he fell; saw no blows on either side; about 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; I was about 8 or 10 o'clock; dark night; dark night; dark night; dark night; d 10 o'clock; dark night; I was about 8 or 10 considered Kearney's words were a warming to feelings; there was a state of feelings which I can scarcely understand.

10 o'clock; dark night; I was about 8 or 10 considered Kearney's words which I can scarcely understand.

10 o'clock; dark night; I was about 8 or 10 considered Kearney's words which I can scarcely understand.

10 o'clock; dark night; I was about 8 or 10 considered Kearney's words which I can scarcely understand.

11 o'clock; dark night; I was about 8 or 10 considered Kearney's words which I can scarcely understand.

12 o'clock; dark night; I was about 8 or 10 considered Kearney's words which I can scarcely understand.

13 o'clock; dark night; I was about 8 or 10 considered Kearney's words a scarcely understand.

15 o'clock; dark night; I was about 8 or 10 considered Kearney's words a scarcely understand.

16 o'clock; dark night; I was about 8 or 10 considered Kearney's words a scarcely understand.

17 o'clock; dark night; I was about 8 or 10 considered Kearney's words a scarcely understand.

17 o'clock; dark night; I was about 8 or 10 considered Kearney's words a scarcely understand.

18 o'clock; dark night; I was about 8 or 10 considered Kearney's words a scarcely understand.

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18 o'clock; dark night; I was about 8 or 10 considered Kearney's words a scarcely understand.

18 o'clock; dark night; da

This finished the evidence, none being called danger of his life, or enormous bodily harm; and feited; and I have no hesitation in concurring and the main facts are confined to such small then, in his detence, if there be no other way of with the Grand Jury in their discretion in find- compass. You will view the evidence and try saving his own life, he may kill his assailant in- ing for manslaughter. The young man, the it by the law I have laid down to you; and for stantly. The distinction between this kind of prisoner, stands to-day in a most unfortunate po- the sake of public justice do your duty mantully homicide and manslaughter is, that here the sition, especially in view of the favorable testi- without fear, favor or affection, and return such

singing school; did not notice book under prising school; from what I heard don't doubt Kearney school; for I he point and myself sidiferent. The civilized community. The point school in first price is dealing to the middle lobe of the right school; for I had no business to school; for I had no business to school; for I he had a right to be? Was deviced by school; for I he was driven of of drift in first place by or in the passed thro

did not know prisoner was armed, and had no reason to think it; think he must have been there; Orr did not tell me he was there; he removed to you some authorities by statement of the deceased to Henry Bull that have no doubt that instice will be done there; Orr did not tell me he was there; he removed to you some authorities by statement of the deceased to Henry Bull that have no doubt that instice will be done there; Orr did not tell me he was there; he removed to you some authorities by statement of the deceased to Henry Bull that have no doubt that instice will be done there; Orr did not tell me he was there; he have no doubt that instice will be done to the five might in question; as I was going to school by a have no doubt that instice will be done. His Honor said :-- Gentlemen of the Jury, call it cowardly, dastardly, unless under strong

your responsibility and mine also, in this case, mitigating circumstances.

Ansley Watson—(sworn)—Reside at North-verton felled a tree over Kearney's line; "he's got a knife and has stabbed me;" Alex. to go free on bail, Kearney, acting under my adare a reasonable and well-grounded belief that he are sonable and has stabbed me;" Alex. to go free on bail, Kearney, acting under my adare well-grounded belief that he are sonable and well-grounded belief tha ampton; was at the singing school that night; we told him not to; Orr told me he did orr came up; prisoner ran and Alex. Orr after vice left the country, as from threats that had at the idea of one man taking the life of another are reasonable and wen-grounded benefit that he was in actual danger of losing his life, or of sufhave as good right here as you, or any man; the first man puts hands on me I'll make a corpse my brother thrashed Kearney once; our hired have as good right here as you, or any man; the first man puts hands on me I'll make a corpse my brother thrashed Kearney once; our hired have as good right here as you, or any man; the first saw Orr fightened than hurt; when I first saw Orr have lead or one made he felt his life was in danger, and fering great bodhy harm.

Now what I say in this case is that Kearney and must have sympathy with the friends; but horror of the deed or sympathy with friends ficulties might occur. As soon as the prisoner my brother thrashed Kearney once; our hired my brother thrashed kearney once; our urst man puts name on me 1 it make a corpse of him." Prisoner was standing on drift outside of road, to my right as I came out; nothing unusual occurred in school; I did not hear ing unusual occurred in school; I did not hear any reply to prisoner's remark; drift was about 4 or 5 feet high; caunot say who remark was did not do so. Saw Orr and prisoner previous

More trightened than hurt; when I first saw Orr ficulties might occur. As soon as the prisoner was placed in such a position and under such had received the might occur. As soon as the prisoner is found as the prisoner was placed in such a position and under such had received the might occur. As soon as the prisoner is found to the attending to the first saw Orr may brother thrashed Acarney once; our hired had received the with the had cause to fear great be did not do so the law as indeed on sympathy with friends might occur. As soon as the prisoner is found to the attend to the had received the with the had received the with the had cause to fear great and Kearney was up on the diff of the law, unless under the law as in the law of the law, unless under the actually his life was in once to give prisoner is found worthy of punishment. Common the should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should appear here to take his trial, when he should not accure the had cause to fear great had cause to fear great the stream of the law, unless under the evidence the had receiv 4 or 5 feet high; cannot say who remark was did not do so. Saw Orr and prisoner previous Kirk; Orr told me he had received a valentine feeling no alarm; feeling that he has committed must have noticed the strange want of agreement feeling no alarm; feeling no alar addressed to; did not see deceased; I looked to school opening on night of death of Orr; which he blamed to Kearney; Orr told me he had received a valentine in the testimony given by the first witnesses on audressed to; and not see deceased; I looked up at prisoner and passed on; heard noise like blow of a fist; turned round and saw prisoner and deceased in contact on the drift; saw young and deceased in contact on the drift; saw young did not hear a word, everybody stopped still; did not hear a word, everybody stopped still; thought it was poor fighting; saw prisoner strik
thought it was poor fighting; saw prisoner strik
thought it was poor fighting and satisfactory. David Gibson told and eruel murder had been combined and satisfactory. David Gibson told and heard Alex. Orr I suspected there would be an attempt to mob Kearney; Alex. Orr appearant to mob Kearn ing Orr under with his fist three or four times; in wait for prisoner on previous occasion, heard boys now's a good chance; don't recollect hearout of the Crown bears him out in that respect, when one man falls down and is killed by comout of the church where I had been worshipping that Orr was on the drift, and that Kearney out of the church where I had been worshipping that Orr was on the drift, and that Kearney out of the church where I had been worshipping that Orr was on the drift, and that Kearney out of the church where I had been worshipping that Orr was on the drift, and that Kearney in contact with some instrument or with deceased said, "he's got a knife, has stabbed me, I'm gone," prisoner jumped back, Orr there he'd lick him or get a thrashing; don't tumbled after him, as I thought; saw Alex. know of Orr threatening to way-lay prisoner; white a struck first; did not notice Orr and his friends witness was, evidently, to fix a deliberate act of wind struck first; did not notice Orr and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first; did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first is did not notice or and his friends white a struck first i tumbled after finit, as I choque; saw Alex. Know of Orr infeatening to way-ay prisoner; don't know whether kicked him or not; some persons for prisoner the Friday night before to thrash whether kicked him or not; some persons for prisoner the Friday night before to thrash on the evening alluded to; when I arrived at one was excited, as well they might be. Soon Gibson did not say a word of this, for I know a vital spot and strikes home, the intercace is on the evening alluded to; when I arrived at one was excited, as well they might be. caught Orr, freeing prisoner; I turned round him; I and Augustus Orr were accused of Kirk door Kearney was there alone; soon after the prisoner was examined before two Majust what he did say, and you have heard read him; I and Augustus Orr were accused of Kirk door Kearney was there alone; soon after the prisoner was examined before two Majust what he did say, and you have heard read him; I and Augustus Orr were accused of that natural inference may be rebutted by proof to deceased, found him on his knees; told me lying in wait for W. H. Kearney, but it was leading of the circumstances and reduce the offence to he was gone; he was bleeding very freely; I not so; knew they had fought before; knew loudly; Orr said, Mr. Kearney come out here, the benefit of counsel. That examination was loudly; Orr said, Mr. Kearney come out here, the benefit of counsel. That examination was loudly; Orr said, Mr. Kearney come out here, and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to and made a motion to the lesser degree of offence to an analysis of the constant to the lesser degree of offence to an analysis of the constant to the lesser degree of offence to an analysis of the constant to the lesser degree of offence to the lesser degr ne was gone; ne was obscuring very needy, ran into the Kirk—8 rods—to search for Bruce Gibson and Singing Master, when returned decased had fallen over on to snow, apparently dead; not more than 3 or 4 minutes from first dead; not more than 3 or 4 minutes from first dead; not more than 3 or 4 minutes from first dead; not more than 3 or 4 minutes from first dead.

That examination was point, and he reduce the offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to manslaughter or to the lesser degree of offence to the number of times that Kearney come out here, the number of times that Kearney and since that time people have not ceased to the occurrence, and I am sorry to should some the time there would be a fuss if they met, because the number of times that Kearney crossed the number of times that Kearney and since that time people have not ceased to once, and finally doubted that. I do not that of justifiable homicide. Suggestion to say that some persons in their imagination had the sould that there would be a fuss if they met, because the number of times that Kearney crossed the number of times that Kearney crossed the number of times that Kearney and since that time people have not seal that there would be a fuss if they met, because the occurrence, and I am sorry that the country problems of the country problems of the country pr dead; not more than 3 or 4 minutes from first he was prepared with a weapon; before Orr without touching him; Gibson said he would al-I saw till all was done. Deceased was carried left home he told me he intended to thrash low no fighting there, and if they wanted to fight was done. Deceased was carried left home he told me he intended to thrash low no fighting there, and if they wanted to fight was done. The law regards our frailties and therefore I saw this all was done. Deceased was off, shirt all prisoner; did not tell me so in singing school; to go outside; the door being opened Kearney tried; of which he had never been convicted; and to his feelings we have a clue. He, Gibson, ty—the law regards our frailties and therefore and to his feelings we have a clue. He, Gibson, ty—the law regards our frailties and therefore and to his feelings we have a clue. He, Gibson, ty—the law regards our frailties and therefore and to his feelings we have a clue. He, Gibson, ty—the law regards our frailties and therefore and to his feelings we have a clue. He, Gibson, to go outside; the door being opened Kearney tried; of which he had never been convicted; and to his feelings we have a clue. He, Gibson, to go outside; the door being opened Kearney tried; of which he had never been convicted; and to his feelings we have a clue. He, Gibson, ty—the law regards our frailties and therefore and to his feelings we have a clue. He, Gibson, to go outside; the door being opened Kearney tried; of which he had never been convicted; and to his feelings we have a clue. He, Gibson, to go outside; the door being opened Kearney tried; of which he had never been convicted; and to his feelings we have a clue. He, Gibson, to go outside; the door being opened Kearney tried; of which he had never been convicted; and to his feelings we have a clue. He, Gibson, to go outside; the door being opened Kearney tried; of which he had never been convicted; and to his feelings we have a clue. He, Gibson, the had never been convicted; the door being opened Kearney tried; of which he had never been convicted; the door being opened Kearney tried; of which he had never been convicted; the door being opened Kearney tried; of which he had never been convicted; the door being opened Kearney tried; of which he had never been convicted; the door being opened Kearney tried; of which he had never been convicted; the door being opened Kearney tried; of which he had never been convicted; the door being opened Ke on slanting side of drift, deceased was next to weapon before he went to singing school; have

only so, but they have shown themselves willing justify his taking life unless he is satisfied his own

the others. They show that the attack was first ings af the jurors; not from the unpleasantness

to countries where assassination is practiced; we

would; in mansiaughter he would not escape in that is his position, and though his Father, as he should."

The Jury retired and after an absence of a should, stands by him, we must not allow sympatics few hours returned bringing in a verdict of And Greenlear of Evidence quotes thus:— should, stands by him, we had the real character "Not Guilty." The prisoner was then dis-