

(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 schooner 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 ashore in the evening with Wm. 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 schooner—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 schooner—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 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 two 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 counting 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 show 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 6 or 7 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 harbor 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 alongside, 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 schooner at Trepassy; 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 husband 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 neighbor 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 who 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 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 Jordan 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 Trepassy 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 underweigh 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, and locked up, or rendered useless, in the manner you stated?—A. We were then at Trepassy; I do not recollect the 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, Newfoundland, 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 Saint John, he was afraid of being detected if he walked much about.

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 Agia 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 for the full amount of my wages; we went to Agia 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 Trepassy; we went, and found the schooner; on board of which we got 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 berth, 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 screamed, and told me to take it from him, which I did, and gave it to the boatmen to take care of until morning. The prisoner and Kelly soon after began to fight; E. 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 berth, from which he drew two pistols, and held one in each hand; I then 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 the 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 half a 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 until 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 berth and went on deck; the 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 overheard 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, and ran towards his wife; I went between them, when Jordan seized

me by the breast, and demanded his pistols; his wife at the instant, flapping 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 screamed, and intreated 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 give me his hand and word, that he would not hurt her; they went, and continued there on good terms the whole of that day. Jordan 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 immediately 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 sufficiency 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 harbor 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 Fermuele, 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 planks; he told me not to go in. We then haul'd our wind and went to the Bay of Bulls, where we anchored between ten and eleven o'clock 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 flee for Ireland, after leaving Trepassy, with what provisions we had on board. The next morning he again went ashore, and sent some long wood, 3 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 failed 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 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 daylight next morning he came to my berth; told me to rise, and get the vessel underweigh, for that there was a fine fair wind. I rose, and 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, at 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 was all the crew; the job 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 that I saw he had got her underweigh, he replied that he had, and that she should go to sea, or to blood. I went forward, and told Pigot to take the axe from Jordan, which he did. I then sat down to leeward, 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 fail ahead; Jordan seemed much agitated, and enquired of me what I thought the 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 prisoner 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 uneasiness became excessive, and he said: "The Lord have mercy on me, what will my poor children do?" he afterwards went down into the cabin, but soon returned, and desired me to say we