

Testimony of the Boy Slavin.

JOHN SLAVIN. By the judge. Am ten years ld. Can tell the truth, and the whole truth, and out ung but the truth. Have heard of Heaven nd of Hell. Know it is wrong not to tell the ruth. My name is John Slavin. My father's ruth. My name is John Slavin. My father's name is John Slavin. (Looking at prisoner.)— That is Pat, my brother. I live on Loch Lomond toad. Father, mother, Pat, and one or two sisters, ive there. I do not know my sister's name. Never saw her. She is in the old country. Have a younger brother besides Pat, named Jimmy. There is nosister living at home. Never knew Breen till I see'd him five weeks ago. Saw nun at father's house. Heard of McKenzie's house being burned. He was in the house four weeks before that. He was living and sleepng there, Pat was living there during that me. McKenzie's house was burned on Sat ariay. Saw Breen in the morning. Saw fa-her and Patrick that day. Father, Pat, and Breen were not at home when I went to bed on Saturday. I saw them at one o'clock. I was at home from that time till I went to bed. I saw hem leave the place together. They said they were going to Black River. They said nothing else. Next saw them the same night. They came back about a couple of hours after dark. I was in bed. The three of them came in. I was awake. They had a white bag with them A middling small one. There were clothes in it. Socks and a pair of boots were in it. My father said they got the things at McKenzie's. He was speaking to the whole of them. My nother was present. They took their suppers hen. After supper they counted the money, it was gold. Father took it out. He said there c fifty sovereigns. Father gave all 1 saw to mother. When they came in she was not ery well pleased with them. She called them ascals. They said she would not get any noncy. That was before I saw the money. Saw a watch. Father had it. It was yellow. Saw a purse with them. Breen had it. It was a purse, dark. There was nothing at all in it. haw no blood on them. They said they set Mc-kenzie's house on fire. My father said that reen said nothing. Patrick said nothing. My ther said they killed McKenzie. My father id as hit him with the axe. He said he killed e woman then. He said he killed the childn then. Did not hear Breen or Pat say any. ow it was done. He said he killed then th the axe. Mother said nothing. He said his both after and before the money was countd. He was talking to the whole of them. He d all the talk to humself. Mother said nothing. hey then " took off them," and went to bed. Saw them the next morning. Patrick and Breen went out and hid the things in the woods. Did not see them hide him. They said they ere going to the woods; father was present and they took the things. They staid half an hour and came back. I went out to water the cow. I saw no money with them on Sunday morning; did not go in the woods myself. Saw noney with Pat that day. He had ten pieces. I saw them. He had more in the pocket book. It was a square black one ; did not see a clasp cn it. He opened the pocket book, hut did not know I saw hum. I was in the bushes. That was after he and Breen came back; he had gone n second time to the bushes. I followed, saw him open the pocket book, take one piece out. I saw inside the book; he did not count the pieces; he shut the book and put it in his pocket; he was not many minutes gone. He then came back and went down the road. I followed. He saw me following. He went towards the town; David Hill was with him. He offered a piece to David, but he would not take it. David lifted it and was giving it to me, but I would not take it. He reached it over to Pat, but do not know if he took it. Know Rogers' gate, Did not see Breen with any money. Saw Breen go into the bushes on Monday. Did not see Breen with a pocket book. Did not see him go into the bushes on Sunday. Mother put the money in, the chest. Did not see it again. Breen went to town about 3 o'clock on Sunday. He came back on Monday morning. Told some one my name on Monday morning. To'd some one my name was Dunn. Never saw Patrick with gold hefore. Do not know what he did with the gold. On Monday at 8 or 9 o'clock they all three went into the bushes. Had breakfast before they went, Did not go with them. They said nothing to me before they went. I was left in charge of the house. Mother went to town. They left no instructions with me. Father told me to tak care of the house. Only Jimany was up in the house with me. I saw them again in the camp on Monday evening ; it would not take me half an hour to go to the camp; they were doing an hour to go to the camp; they were doing nothing there: they had nothing to eat then. Hugh Breen told me to go home. They had no bed. I went home. I went back again in the evening to see if they were there; did this of my own accord. They were not there. I saw ione of them lagain. W Have not seen Breen since. Father was in the town on Monday nigh after dark;) Pat came in first and took supper; mother was away; he said nothing to me. Father came in next and took supper; he told me to take care of the house; he went out then. Saw Breen that night, standing in the door, while Pat was in. Breen took a piece of bread in his pocket; he said nothing to me. Pat said nothing to me. I saw no more of them after father went to me. I saw no more of them after father went out. Mother did not come hame all that night. I next saw her in the court house, on Saturday night I think I heard them washing their hands before supper. Cross examined by Mr. Kerr. Have been staying in the goal since this affair. Am not as smart as Pat. Have been at school a year. Pat went to school not altographer as long as you. He went to school not altogether as long as me, He went to school not altogether as long as me. He learnt as much as me. I cannot read; Pat can-not read. Have never been at Church. Never knew father or Pat to be at Church. Mother never went. We all staid home. I spent Sunday in the house. No one preached. No Minater or Priest came to the house. We played away our time just. Pat has hired himself on the Railway. He hired himself on the Marsh. Father got most of their time at the brickyard. I cut wood. The life the fellow runs at large on Sunday and

go with him to town I do not know II is should have gone, unless he made me. But he could not make Pat go. Pat did as he liked. Pat kn we more than me. He ought to know. I generally go to bed soon after dark. That night is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent of the stars, and he asked use to help him up, and I is sentent and sopped all night : I saw McKenzie on and sopped all night : I saw McKenzie into the house. Pat said tothing. Yes, he spoke. He said he got some clothes. I could see them in the room where I stept when they built the old (little) house. When we got to hell the bouse Old Slavin santed me to go in i passed. It was all in one room, with a bit of par-tition. I did not sleep behind the partition. I slept in the same room they were in. I saw all they did. There was no light when they came in, but they struck a light. There was no blood on them. (Mrs. McKenzie) was sitting on a small seat, Naw no blood or clothes on Pat but those he went away with. Saw nothing of the pocket. book that night. Did not see Pat get the pocket-book from any one. He gave it back to father and father gave it him agam. Did not inform by the side of the head. The baby fell over anybody of this. I told the police my name was Dunn. (By the Judge. My father told me to say my name was Dunn.) The sovereigns I saw my father have were not in the same purse as those Pat had. Pat took no part in this. Pat or four of them, all standing crying round the moseid there were a good pair of boots in the bag, ther. He hit all the children with the axe. There but I did not see him wear them. I guess they was crying for a spell. Mrs. McKenzie did not carried the bag piece about. My father told Pat | cry ; after she was struck she moaned considerable and Breen to bide the things. No one was out of a while. Prisoner was standing in the porch. with Pat when he was in the bushes. I was there. He had no hand in the murder, nor had I myself, I was watching. I watched to see if he had the old man did all. That is all I have to say money. Father told me to see if he had money. about the murder. After it was over we shut the I was a couple of bushes above him. It was not door. The dog happened to come in and it got over six rods from the house where Pat went in. some of the blood on him. We shut up the doors. Pat did not see me at all. (Laughter.) I seen The murder was over at 91 o'clock. Prisoner him. (Laughter in which the prisoner joined.) went in and looked at the clock. We could The first time I saw the pocket book in Par's hardly tell the clock, and prisoner said he could. hand. Father asked him if he had any money. We went to the yew trees below the house, sat a My fither said there was about fifty pound in the pocket book. I heard Pat calling them gold sovereigns. He heard father calling them so-vereigns the night before. He had seen sover-up again; heard some of up again; heard some of up again to the woods, stopped another time, came up again; heard some of again to the woods, stopped another time, came eigns before. He said so. Father did not tell bread in the house, and went into the pantry and what the value of the sourcigns were. Did not hear father tell Pat to go to the bushes when they left the house. I did not go. What would I go for? Breen left first and father and Pat

Irs Black well of Waterloo Street; She is no woods with us. From the murder he did not relation of mine. Do not know who she is at look the same in my eye as he looked before. all; Do not know where she lives. (Counsel per-sisted and prisoner said he might ask for a camp. When we went, do not know if the boy month and he would not answer.) I did give accompanied or followed us. I am satisfied I Mrs. Blackwell money about a month age. I shall be executed for this crime. I am satisfied have told you all about the morder and that with that Knowing my doom, I declare I have is all I am going to tell. did not "represent" to go properly. Testimony of Old Slavin. Cross-examined by the Solicitor-General .--PATRICK SLAVIN, Sen. (Great curiosity was Never saw prisoner at a place of worship. Have vinced to see this person.) He is a short, round known his mother to teach him his prayers. shouldered man, aged about 60, with low fore- Have heard him saying them. She was inclined head, overhanging eyebrows, and peculiarly to teach him. Patrick might have heard me and

shap d ears. By Mr. Wetmore. Am willing to tell the whole truth. Am father of this boy. He's be tween 15 and 16, as near as I can guess. Can- bery. He might have had his own opinion what not read or write. Was not in the habit of at-tending public worship. It is not more than a conversation. He had an idea of what we were few weeks since I have been in a place of wor-ship. Don't know as I have been half-a-dozen and rob them. We did not let him hear the times in a place of worship in the last half-dozen worst of the things. I think I had an axe years. Don't think prisoner can say his prayers with me and brought it home again. I only Boy is not of a bad disposition. He is of tender fetched an axo there once and brought it home feeling. Wish I was as tender, and I would be all right now. Knew Breen first when we worked bering the way there. I guess he might suspect on the railway. Was at Fredericton. Saw Sally that. Can't say I stated that to him ; I might have Golly. Went at Breen's suggestion. Went to done. Next saw Breen on Friday at Knox's. rob Sally Golly. That was all the business I It was understood we should go on Saturhad. Murdering Sally Golly was talked of. If I had determined it, I-would have put it through. Failing, we returned. Breen put me on to it. I did not fail him. She would have had a bad chance. Went to McKenzie's with Breen; I ourselves know what was going on; remained at enggested it. He was no backout. Said to him I thought we could make it do. I told him McKenzie was reported to have a good deal of I go for? Breen left first and father and Pat weut together. I was brought here, but I came into town myself. I left my brother in a neigh-bour's house. I stopped in Carrol's in town.—I was in my father's house when I said my name was Dunn. I saw two policemen in the house before I left. Should know one of them, They asked to the woods. There were no promises of three they were. I told them they had gone to the woods. There were no promises of the more promises of the edge of the woods and sat a little longer.— me where they were. I told them they had gone to the woods. There were no promises of the did not refuse, it was no use. That was about eleven and a half o'clock. We to the woods. There to the woods. There were no promises of the did not refuse, it was no use. They got the money in a half o'clock. We to the woods. There to the to the woods and sat a little longer.— They double eleven and a half o'clock. We to the woods. There to make the statement of threats held on to make the statement of threats held on to make the statement of the dupt to the woods. There were no promises of the dupt of the dupt of threats held on to make the statement of threats held on to make the statement of the dupt of money. They could have a statement of threats held on to make the statement of threats held on to make the statement of the statement of the statement of the dupt of money. 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Breen stood on one terfered with Polley. A brother-in-law of Pol- side to allow me liberty to strike the blow. ley's owed me five pounds. I heard he was going to leave the country; got a capias for him from Sharkey, and my wife went up to Polley's from Sharkey, and my wife went up to Polley's to hear about it. I and Breen went to McKen- it was said that he was in the habit of carrying zie's and found Leat there. I enquired of Leat a hundred pounds. The boy might have put his to find out whether he was going to leave. I hands in his pockets. Can't say whether he did made this enquiry so that there might be less or no. I gave no directions to my son to go with trouble; Breen knew all this the stopped a us to the other house. Breen showed me where to go, and Breen stood back when I went in. going to leave as any thing elee. Breen said Mrs. McKenzie and Breen spoke a few words Leat's father and mother were coming on Thurs- before I went in. I made some remark, but do day. I guess that kept the murder back at that not recollect what it was. I searched the house. He would have had a bad chance, because Breen and my son could do nothing, they were he was in the way. It would have been that frightened. There was not much blood on against my own will, but I would have done it. the floor. My son looked at the clock and told Saturday night we then went to McKenzie's. Did me the time. Between the two houses we talknot tell my son that we were going to commit murder. He could not know my mind. Don't remember asking them to stand at my back, be-Slavin threw it down on the table on Sunday cause I could put it through myself. I went to got all to answer for. I told them so because the house. Breen made the fire. I went in after they were not fit for it. My son I suspect came morning. We got to Slavin's that night; I could not say what time. Had a conversation with the it was made. The fire was not put out. We in when we were searching the house. I took old man about three vecks ago. A few days wanted to keep it going ; my son might have charge of the money. I thought I was best enbefore it happyned old Slavin said to his son "If been in and out. Breen fetched McKenzie at titled to it. The chest was full of books and pamy bidding. I intended to take his life, and pers which I strew on the floor of the house. I nothing else. I had the axe. I heard them coming down. My son was out and in. When pointed in not finding more money. I put the ed him to hold the candle for him, he said he McKenzic came in the house I was in the upper fire to the bed. My son might have done so too. did not want them to help him in the murder, for room. My son might have been in the house, in the kitchen; I was in the bed room; it was dark. I did not tell my son at that time I was going to some laugents. They were all dead before if there were as many more there he could slay them; the boy said nothing; he was keen to go there; I know nothing more about it. On the way out old Slavin said to the son and me, murder McKenzie; McKenzie and Breen came the house was set fire. Breen assisted me down, and he stood in the ki chen, and I said to put fire to the upper house. I put the "back me the best way you can," and for my nothing but struck him on the breast. He fell. candle in the straw and left it there. We own part I could not back him anything ; I said That blow did not kill him ; I struck him five helped each other to carry the things home. nothing; I don't mind if the boy said anything; or six times, every where it was handy. Paid no attention to my son Johnny, he might be Breen was standing right on the flour; we stopped no great time, not half an hour. Do not my wife where we were going, or what we were I saw the boy with money; I saw him with a sovereign in his hand; that was on Sunday morning; I saw a pocket book with him; do not remember seeing my son when I struck the blow. going about. She never would have been conknow what he did with it; dare say I might remember seeing my son when I struck the blow. I expect he came mas I killed McKenzie, hear-ing the bustle; search d McKenzie's body; I did it; I searched all about him; we threw him into the cellar not a quarter of an hour after we killed him; think the key dropped out of his pocket when we threw him in the cellar; the pocket when we threw him in the cellar; the search bld of the key. Been and I went to know it again ; could not actually say that is it, (the portmonaie); it might be; his father told me the boy had five sovereigns in it; that (port-monaie) was in my pessession; prisoner gave it to me; the policeman took it from me; the old man gave me three sovereigns in my hand about boy got hold of the key. Breen and I went to the dwelling. I went in first. Breen showed me the way in; did not take the axe with me; Breen handed me an axe that was standing at the him. James has as much wisdom and knowledge door. I saw Mrs. McKenze, there was a bright light; she was sitting on the chair with a child suppose Patrick did not know the error of what in her arms ; there were four children altogether ; we were doing that night ; he had that much I did not speak, but struck her alongside the ear with the axe; she struggled a good deal; I struck her 16 or 15 times; she died very hard; the chil-road, yet I threw it on the table, and he took dren screamed; Breen came in and went out; the children kept about the mother. I killed them with my own hand. We examined the house. We get about a hundred pounds in money, all in We get about a hundred pounds in money, all in gold. I ransacked the chest. We found no notes. but had no idea of elearing. I could have The gold was in a purse. There was no money in the beaded purse. It was in a cloth purset, that is in (the yellow bag.) The portemonie was got there. My boy was just knocking about to keep watch. That was all I took him for. After the murder we went out and had something to eat. Forget who took it out. Breen and I talked over the setting fire. The lower one was set fire first. I guess we did it in partnership. I guess we both set the other on fire. Me and him did it in part-partnership. The hew did net model is him and him did it in part-the set in a construction of the lot. Saw my son fumbling about McKenzie's body, should not wonder it he did put his hands nership. The boy did nothing unless I allowed in. Did not see him examining the pockets. I never went. We all stand house. To presched. No Sunday in the house. No one presched. No old Slavin took the axe from my hand and shut first was before McKenzie the mitted concernes the stange contrast of the parlor door. There were two or three rooms and house ethe house. We phayed away our times function the kitchen; he did not secone to the bouse. We phayed away our times function the kitchen; he did not know he were going to do. There were two or three rooms and house ethe house. We phayed away our times for the kitchen; he did not secone, I think i the behaved and house. There were two or three rooms and house ethe house. We phayed away our times for the kitchen; he did not secone, I think i the behaved and house. There were two or the secone the doug of it, and the were going to do. McKenzie vasi in the kitchen; he did not secone to the bouse of the were into an the kitchen; he did not secone to the bouse of the were into the kitchen; he did not secone to the bouse of the were into an the kitchen; he did not secone to the bouse of the were into a the kitchen; he did not secone to the bouse of the were into an the kitchen; he did not secone to the bouse of the were into a the kitchen; he did not secone to the bouse of the were into a the kitchen; he did not secone to the bouse of the were into a the kitchen; he did not secone to the bouse of the were into a the kitchen; he did not secone to the bouse of the were into a the dew the kitchen; he did not secone to the bouse of the were into a the dew the kitchen; he did not secone to the bouse of the were into a the dew the kitchen; he did not secone to the bouse of the were into a short were twee a stand were there-into a short were twee how to the secone to the bouse of the secone to the short were twee how the secone the bouse of the present. The secone the house of the were twee how the secone the bouse of the secone the secone the bouse of the secone the bouse of the secone the secone the secone the bouse of the were twee how the secone the bouse of the him. We left it burning and went home. It is about seven or eight railes. They were partly lying. My wife opened the door. We did not tell her what we were going to do. Money was

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told the truth. I never intended to escape. We

Kenzic, there was not a single circumstance to convict the boy with these murders, and even this circumstance the boy with these murders, and even this circumstance did not tend to prove the charge in the indictment, for the key, if taken, was taken after the murder. True he helped to carry away the things stolen, but thiat, though robbory, was not murder, and it was competent for the jury to direct that the prisoner, if acquitted of the murder, should be tri d for the robbery. He would call their attention to the man this boy has had for a tutor through life, a man who said he had nover com-mitted murder before, but who certainly must have been m tted murder before, but who certainly must have b m tted murder before, but who certainly must have been a very improper guide before these murders were com-mitted. He then proceeded to comment on Infamy, In-sanity, and Coercion, as exhonerating from crime, ap-plying each division to the peculiar condition and circumstances of the prisoner. He commented on the evidence of Mr. Rowan, who had been in the prison, and listened to the conversation of the boy. Mr. Rowan had judged him as if the boy were brought up in the county from which he (Mr. Korr) and Mr. Rowan's country from which he (Mr. Kerr) and Mr. Rowan's father came. He had judged him as though he were educated in Scotland, where education was given with-out charge, where children were taught the Lord's ing of it. This was obviously unfair to the boy. A boy so brought up, distinguishing between right and wrong, might have said, "Nol father! I will not go with you. I will even prevent you from going; for I will go to Justice Hawks. I will go to the ne rest Jus-tice of the Peace to tell him you are about to commit murder, and I will prevent you from the crime. this boy of sufficient capacity to do this? There is not one of you, gentlemen of the jury, who will pretend to say this prisoner had that knowledge of right and wrong which would have led him to do this. learned counsel then commented on the evidence of the th rty-three witnesses produe don the trial. With regard to those who simply related the murder, he need say nothing of them, for no one disputed that, he would pass it by. He remarked on the evidence of Breen and Slavia, and drew particular attention to the evidence of Mr. Thomas, in which he said the boy had," an igno-rant vacancy of mind." Having gone through the whole of the testimony, he asked them what they were going to do? Was there anything before them to show that this boy went to the house of the murdered man with malice aforethought? He contended that there was nothing at all. But if their consciences brought them to the conclusion that, without a doubt the priconer was guilty, let them convict him. Let them no end up a recommendation to mercy, let them not suffer a recurrence of that too frequent course, the remis-sion of the sentence after it had been passed, but let them carry out their duty manfully. He then drew a vivid pieture of the condition of the family of the prioner, and of the blasted prospects of the prisoner himself, even if acquitted, and concluded by calling on them to render a merciful verdict, quoting from the Merchant of Venice, the address of Portia .-

> The quality of mercy is not strained ; The quality of mercy is not strainform heaven Upon the place beneath; it is twice blessed; It blesseth him that gives, and him that takes: "Tis mightest in the nighticst; it becomes The throned monarch better than his.crown; His sceptre shows the force of temporal power

have made here. I think it was Captain Scoullar | might think the house took fire and they were I told they had gone into the bushes. I saw him burned all alive. His son got some matches in afterwards in town but not again there. I swear one of the rooms, and got a candle and lit it. I did not soe my brother get the pocket-book from Breen. I did not see him hand it to Breen. By a Juror. Pat did not say where he got the son said it was better to put a coal in this (in the clothes. He did not say where he got them. \_\_ straw), and McKenzie was lying along side of am sure of that. Re-examined by Mr. Watters. I had been to the candle to the straw, and that was all that was am sure of that.

sleep after I went to hed on Saturday evening, wanted. It caught before we left it. I expect and woke up when they came in. It might have it burnt. Says Slavin, we'll go to the upper been longer than two hours after I went to bed. house and set it a fire. We went, and I took a been longer than two hours after I went to bed. house and set it a-fire. We went, and I took a Our house is a small log house with only one par- lock of straw, Pat (prisoner) had the matches and tition in it. Mother ran when they came in.- condle. We set it a fire. We put the straw at (By a Juror. They had an axe with them. My the edge of the porch, and built some wood father had it.) They had butter with them in a round and set it a-fire. The house catched and cloth by itself. I think Pat carried it. I saw burned. I remained five minutes after this. him. (By a Juror. It was my father's axe. I We went home all of us. Not much was carried stould know it. I saw no blood on it. I did not from the house. Some socks, some mittens, a look at it. The handle is not crocked.) After my father asked for the book Pat went to the bushes for it and gave it him. The boots were took out of McKenzie's bed room There was long fine leather boots. Carrol's are friends. 1 nothing else I know. There was money took ; had stopped there once before. Have learned the fifty odd pounds ; I did not see it in anything ; Lord's Prayer; my mother taught me; I have forgotten it; I used to say my prayers at night.--Pat used to say his prayers. Mother called them rascals before she got the money; she said nothing after she got the money.

The boy gave his evidence in the most decisive and straight forward manner, producing a general impression favorable to its truth. You take my advice you will do well." Pat was not an obedient boy: he could not manage him at all, up nor down; his father told him he wantand straight-forward manner, producing a general impression favorable to its truth.

## Testimony of Hugh Breen.

HUGH BREEN was called by the Solicitor General. Some objection was made to this criminal's being called as a witness, but the Judge over-ruled it on the ground that a late Statue did away with the incompetency of a witness on the ground of intamy, and as infamy arose from crime, he could not exclude the witness. He had well considered the case, supposing Slavin had been called. Breen was then brought in and placed immediately beside the Judge, a constable re-maining beside him. He is tall and stout, probably about thirty-five years of age. He has a sharp nose, a slightly prominent mouth. He is close shaved, and his hair cut close. He was dressed in course blue trousers, blue vest and blue flannel shirt. He stood facing the audience.

He is somewhat gray. Have known prisoner about six week, Siw him ont with Mr. Hanlin on the railway. I stophalf an hour before we were took, and a quarter dollar. ped awhile at his fathers. About three weeks Slavin, the prisoner, and I was at the borning Cross examined by Mr. Wetmore. Mrs. Slavin, the prisoner, and I was at the burning (witness scened agitated.) I saw prisoner do no-thing there. I could not see him for he was outside. I separated from him Sunday evening at his own house. We were not together till Mon-day night again. I last saw him before Monday might u-til the watchman took us prisoners. We stopped together till Monday night. Prisoner was in McKenzie's large house. He wett in with his father. I did not go in till the murder was over. All three of us were in the small house. McKenzie was in the small house. McKenzie was in the small house when pusoner, I and Slawas in the small house when prisoner, I and Sla-vin were there. McKenzie was alive when pri-soner was in the small house. I saw McKenzie dark. Don't know what I came in for. Have dead in the house. I want up to McKenzie and I came down. McKenzie said, is she coming meaning my wife. I said she is. Is she near hand, says he. I said she was. I got the axe in the down of the first place I went to. Went to Knox's. I was a little hearty, (intoxicated.) my hand to make a fire. Old Slavin said don't make any light, the more light you make the worse. I lighted the fire and put it out again. That was before McKenzie had come. Blackwell's in Waterloo Street. Cannot say

Therein doth sit the dread and fear of kings But mercy is above this sceptred sway, it is enthroned in the hearts of kings, It is an attribute to God himself; And earthly power doth then show likest God's, When mercy seasons justice.

## Attorney General's Address.

He said it had been his lot to address different audiences, and to prosecute for all sorts of crimes. Two years ago he came to the City and County of St. John, and it became his duty to prosecute offen-ders for rape, for arson, and for larceny, but now the extent of crime involved in the charge under their consideration presented a scene entirely un-paralleled in the history of criminal justice. Great responsibility rested upon him and his colleague in this mat er, and both were impressed with anxiety before God, and before the country firmly and faithfully to discharge their duty. From information placed be-fore him at the very outset of this affair, information entirely independent of that conveyed in the pubc papers, he had been appalled at the horror of this event; and he must say, that, with his learned friend the S dicitor General, he had determined from the first to ferret out every fact which bore upon this most exraordinary case. The prisoner at the bar had had all those advantages which the institutions of our country gave to a person in his situation; he had the advantage, of being defended by able and indefatigable counsel; of being defended by able and indefaugable counsel; such a defence he was rejoiced to say was always thrown around the poorest in the land, who came into that Court, and if the prisoner had been the great-est Nabob from the farthest East, he could have been no better defended, however great. The pri-soner then being well and mercifully cared for they had to address themselves to the case as it stood before them, and here he would ask them; to throw out of consideration all outside concerns, to give car only to the testimony before them, and intently and with a single eye to justice to deliver their ver-dict upon that testimony tried by the most riged scru-tiny. If in this vast desert of crime the jury could find one casis of doubt he prayed them to give the prisoner the benefit of it; if in all the sea of guilt they could find a single spot whereon uncertainty could be enter-tained, let them give the prisoner the benefit of it. The learned counsel for the defeuce had made some remarks which were not altogether n cessary with respect to their calling the prisrner Breen as a witness against the youth at the bar. It was not w thout great consideration on the part of himself and his learned friend, in view of the awful condition of Hugh Breen, prepared as he was so soon to go before the most righteous Judge, that he had called that criminal before them. But they felt that the scenes of murder were unheard of, were most barbaric, scenes that he believed were unparalleled abroad, and he knew were unequalled in this peaceful land, and he felt that he must divest himself of all feeting and adhere strictly to the ends of justice. He did not know what might to the ends of justice. He did not know what might have passed over the minds of the jury, but he felt that every particle of evidence should be brought before them, so that every fact and circumstance within the power of the crown to adduce should be testified to for their benefit. It had been said also that they had brought Breen but had not brought Slavin. That was true, but Slavin had not been called by the crown out of the crown to adduce a subset of the comments of the second states and the subset of the second states and the subset of the second states and th out of tenderness to the prisoner, whose coursel he was aware would call him if the Crown did not, and by that means the father would not in his last mo-ments appear pitted against his child The case bements appear pitted against his child The case be-fore them was one of extraordinary crime. In reality it was not one crime only, but a multitude of crimes, though he had thought it best to include all in the highest charge of MURDER. Upon the Attorney and Solicitor General devolved a responsibility of the high-est kind, and they had endeavoured to do their duty thoroughly. They had therefore brought before them a great array of witnesses, though in considering the guilt or innocence of the prisoner at the bar, to little of their testimony was it necessary for him to allude. They had brought witnesses to show the last time MeKenzie was seen alive, the time the prisoners left their house, the time it was fired, in short every fact their house, the time it was fired, in short every fact which should illustrate this transaction in every pos<sup>2</sup> sible way. The murders, the robbery and the burn-ing had thrown almost every household into a state of alarm, and men began to wonder that there were such creatures prowling about the land as could perpetrate these diabolical deeds. It had taken the whole country by surprise, and no one could wonder at the intense excitement created. Of the commit-ters of those diabolical crimes they had now the clear-est proof. They knew when and how the deed was done, and who was present at the doing of it, and they might well wonder at the strange coolness of the witness. Slavia, who related these horrid transac-tions as if he were proving a petty account for their house, the time it was fired, in short every fact

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