The Examiner.

A WEEKLY JOURNAL OF POLITICS, LITERATURE AND NEWS.

"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."---Euripides

VOL. XVIII. 1 CHARLOTTETOWN, PRINCE EDWARD ISLAND, MONDAY, FEBRUARY 1, 1869. NO. 40

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ALMANAC FOR FEBRUARY, 1869.

MOON'S PHASES.
Last Quarter, 3d day, 0h 43m., evening, W.
New Moon, 11th day, 9h 42m., morning S. E.
First Quarter, 19th day, 0h 54m., even. E.
Full Moon, 26th day 7h 52m., morning, S. E.

D. of M.	Day of Week	Sun rises h	m	Sun sets h	m	Sun slow clock m	s	Moon h	m	High water h	m	Day's length h	m
1	Mon	7	29	4	59	13	53	morn		2	2	9	30
2	Tues		28	5	1	14	1	0	1	3	1		33
3	Wed		26		2	14	7	1	21	4			36
4	Thur		25		3	14	13	2	24	5	6		38
5	Frid		24		4	14	17	3	26	6	0		40
6	Sat		22		6	14	21			7	0		44
7	Sun		21		8	14	25	4	22	8	0		47
8	Mon		19		9	14	27	5	12	8	58		50
9	Tues		18		11	14	29	5	58	9	49		52
10	Wed		16		13	14	29	6	36	10	36		57
11	Thur		14		15	14	30	sets		11	18	10	0
12	Frid		12		17	14	29	6	40	11	55		4
13	Sat		11		18	14	27	7	37	morn			6
1	Sun		10		19	14	25	8	36	0	24		11
15	Mon		9		20	14	22	9	35	1	11		15
16	Tues		7		22	14	18	10	34	1	47		17
71	Wed		6		23	14	14	11	35	2	24		20
18	Thur		4		24	14	9	morn		3	2		23
19	Frid		3		26	14	3	0	35	3	45		26
20	Sat		1		27	13	57	1	37	4	34		30
21	Sun	6	59		29	13	49	2	40	5	30		34
22	Mon		58		31	13	42	3	40	6	33		35
23	Tues		56		32	13	33	4	37	7	40		39
24	Wed		55		33	13	24	5	29	8	47		43
25	Thur		54		35	13	14	6	17	9	49		47
24	Frid		52		33	13	4	rises		10	8		50
27	Sat		50		37	12	53	7	29	11	38		51
28	Sun		48		38	12	42	8	43	even			52

R. REDDIN
Attorney and Barrister-at-Law,
CONVEYANCER, &c.
Office:-- Great George Street. Charlottetown.
(Near the Catholic Cathedral.)
September 3, 1866. tf

B. WILSON HIGGS,
General Commission Merchant
AND
AUCTIONEER,
Charlottetown. . . . . P. E. Island
May 27, 1867. 1y

Grain! Grain! Grain!
THE highest price given for BARLEY and OATS, at
Coles's Brewery and Distillery.
☞ Constantly on hand, at prices cheaper than can be purchased in this market, the best of Rum, Brandy Gin, Whiskey, and a superior article of Malt Whiskey. Also—X, XX, and XXX Ale.
Charlottetown, June 20, 1868.

A. McNEILL,
Reading Room Proprietor,
COMMISSION MERCHANT
AND
AUCTIONEER,
Charlottetown - - - - P. E. Island.

CARD.
THE Subscriber begs to thank the public for the liberal patronage extended to him during the last year Having enlarged and fitted up his establishment at the Old Stand, Lord's Wharf, is now prepared to execute with despatch all orders which he may be favored with in his line as SHIP and GENERAL BLACKSMITH. Fishermen will find Anchors of all sizes for Boats cheaper and better than can be found at any similar establishment in the City.
GEORGE H. FOSTER.
Lord's Wharf, Ch'town, Feb. 17, 1868 1y

JOHN F. BRINE, M. D.,
PHYSICIAN & SURGEON,
May be consulted at the Office of John T. Jenkins, Surgeon.
RESIDENCE:
Mrs. BOYYER's, Great George Street,
Nov 16, 1868 tf

A Fortune for Sale !
IN consequence of the death of the Proprietor, the Subscriber is instructed to offer for positive Sale, that beautifully situated well known property, the
Half Way House, Vernon River, PRINCE EDWARD ISLAND.
The Land consisting of about 40 acres, is in that state of cultivation that it has been for some years past, and will for years to come, yield a clear net profit, more than sufficient to pay the interest on the amount of purchase money asked for the whole establishment. As a money making investment this is an opportunity seldom equalled in these Provinces, which fact can be positively proved to any person about purchasing The Stock of Liquors and Stock of Goods in the Store can be taken or not at the option of the purchaser.
For particulars, address,
GEORGE ADAMS,
Half-way House, Vernon River, May 18, 1868 tf

TO LET!
THE HOUSE and SHOP in KENT STREET, lately occupied by Mr. JOHN HUDSON, with large TABLE COACH HOUSE and WAREHOUSE attached. Apply to
W. E DAWSON,
WILLIAM DODD,
Assignees of JOHN HUDSON.
Ch'town, Sept 7, 1868.

Kerosene.
50 BARRELS
KEROSENE OIL.
FOR SALE BY
I. C. HALL.
Nov. 16, 1868.

NEW PAINT SHOP!
THE Subscriber would inform his friends and the public in general, that he has opened a new PAINT SHOP above the Carriage Factory of McPhail & Hunter, Kent Street, where all orders left, either in the
House, Sign, or Carriage Painting,
will be attended to with punctuality, neatness, and on reasonable terms.
FRANCIS McGRORY.
Painter,
McPhail & Hunter's Carriage Factory, Kent Street, May 4, 1868.

WOOL. WOOL.
CASH PAID for WOOL, on delivery at the Store of H. J CALLBECK.
Charlottetown July 13th, 1868. tf

Cheapest School Books
AT
HARVIE'S BOOKSTORE,
Sept. 7, 1868. Queen Street.

FOR SALE!
Stoves. Stoves
CONSISTING OF
The Yarmouth Cook Stoves, for Wood, (different sizes.)
Yarmouth Niagara do do
Yarmouth Waterloo do do
Yarmouth do do for coal
Yarmouth Cook do do
(The above have all Metal Boilers.)
The Improved Magician Cook, for Coal,
Lady Franklin do
And Box Stoves of different sizes, for Churches, School Houses, &c., &c.
All the above are Nova Scotia Castings Persons wanting Stoves will do well to call and examine.
TERMS.—Terms made known.
HEYMAN J. P. TERLIZZICK.
P. S.—Hourly expected, Pails, Brooms, Winter Apples, Onions and Groceries. Will be Sold Cheap.
H. J. P. T.
Upper Queen Street, Nov. 30, 1868. 2m

Dissolution Notice.
THE Copartnership hitherto existing between STANFORD WELLS & JAMES PHILLIPS, of Charlottetown, Marble Workers, has been dissolved by mutual consent.
The business will in future be conducted under the name of
JAMES PHILLIPS.
The Subscriber has constantly on hand a supply of
Italian and American Marble
FOR
MONUMENTS,
HEADSTONES,
TOMBS,
TABLETS,
TABLE TOPS,
&c., &c.
A superior style of Workmanship to any on the Island Terms moderate.
JAMES PHILLIPS.
Charlottetown Marble Works, Nov. 7, 1868.

"LONDON HOUSE."
Established 1820
THE Subscribers beg to inform their customers, that they have REMOVED from DODD & ROGERS' building, to their
New Brick Store,
AT THE
OLD CORNER, QUEEN SQUARE
where they have just opened one of the largest stocks of
British Foreign, & West India Goods
ever imported into the Colony
G. & S. DAVIES
Charlottetown, Nov. 23, 1868.

MAILS.
Winter Arrangement!
THE Mails for the neighboring Provinces and the United States will, until further notice, be closed at this Office every Monday, Wednesday and Friday evening, at 7 o'clock.
Mails for Great Britain, Newfoundland, and the West Indies, will be closed every alternate Friday and Monday, at 7 o'clock, p m., as follows viz:—

Friday, December 25.	Friday, March 5,
Monday, do 28.	Monday, do 8,
Friday, January 8.	Friday, do 19,
Monday, do 11.	Monday, do 22,
Friday, do 22.	Friday April 2,
Monday, do 25.	Monday, do 5,
Friday, February 5.	Friday, do 16,
Monday, do 8.	Monday, do 19,
Friday, do 19.	Friday, do 30,
Monday, do 22.	Monday, May 3.

Mails for Summerside and St. Eleanor's, via Bedeque, will be closed every Tuesday and Friday, at 9, a m.
Letters to be registered, and Newspapers, must be posted half an hour before the time of closing the Mails.
THOMAS OWEN,
Postmaster General
General Post Office, Ch'town, December 16, 1868.

FARM FOR SALE AT ROSENEATH.
THE SUBSCRIBER offers for SALE his VALUABLE FREEHOLD FARM, in the flourishing settlement of ROSENEATH, on the MAIN POST ROAD, being six miles from GEORGETOWN, and Two miles from a good shipping place. The FARM consists of
One hundred and thirty acres of very rich and fertile land
fit for any kind of crop; 90 acres are cleared and in a good state of cultivation, and the remaining forty acres are covered with hard and soft wood. There are a good new Dwelling House, Barn and outhouses on the premises, and well watered. The above property is well situated for mills, Churches, Schoolhouse ; is partly covered with mussel mud, and within 1½ miles of the shore, where abundance can be obtained.
WILLIAM HENRY DRAKE
Roseneath, Lot 52, Dec. 14, 1868. tf

SUGAR AND MOLASSES
20 hhds SUGAR,
50 Puncheons choice MOLASSES,
For Sale by
CARVELL BROS

KEROSENE
20 Bbls KEROSENE,
For Sale by
CARVELL BROS.

BUTTER CRACKERS
10 Bbls BUTTER CRACKERS,
10 Bbls SHIP BREAD
For Sale by
CARVELL BROS.
Oct 19 1868.

CANADA FLOUR.
RECEIVED, ex Schr. NORRIS and Steamer FLAMBOROUGH from MONTREAL:
813 Bbls. Canada No. 1 (Superfine)
25 do CORNMEAL (Yellow)
25 do do (White)
30 Bags do
75 Boxes Steele's best family White SOAP.
R. W. BRECKEN.
Water Street, (over Telegraph Office) January 5, 1869. 3m

SUPREME COURT.

TRIAL OF GEORGE DOWEY FOR THE MURDER OF JOHN CULLEN.

The Solicitor General opened the case on behalf of the Crown, as follows :—

May it please your Lordship.

Gentlemen of the Jury :

This Indictment found by the Grand Jury this present term, charges the prisoner at the Bar—George Dowie—with the wilful murder of the deceased, John Cullen. And it now becomes my painful duty, gentlemen, to state to you the facts upon which the Crown rests this charge against the prisoner I am happy to be able to say, for the credit of this community, that seldom is public feeling outraged by a crime of this dreadful nature ; and that seldom are our Courts of Justice engaged in the investigation of offences of so atrocious a character as the present On entering, gentlemen, upon a case of such awful importance as this, I am sure I need not say one word to impress you with a sense of your responsibility ; much less, I am sure, is it necessary to exhort you to a conscientious discharge of that responsibility. A solemn duty, gentlemen, has devolved upon you, and on all who take part in this trial ; and of the manner in which we shall acquit ourselves now, we shall have to give an account to the unerring Judge. You have now to investigate with the light which the evidence will throw upon this case, the truth of the charge made in this indictment against the unfortunate prisoner at the Bar. This is a painful task to you, gentlemen, but it is not of your own seeking ; and you are bound by your obligations to your country, yourselves and the prisoner, to discharge it with justice and fidelity We can only hope then, gentlemen, by so doing, to bring this issue to a just and righteous result The Grand Jury have, on their solemn oaths, found the prisoner at the Bar guilty of the murder of John Cullen ; and after having heard the evidence on the part of the Crown and the prisoner, after having listened to the arguments of the counsel for the prosecution, as well as the learned counsel for the prisoner—and I am glad to find gentlemen, that the prisoner has secured counsel of undoubted talent and ability, able and willing to defend him. After all this, gentlemen, and when you shall hear the charge from his Lordship, it will be for you to pronounce the words of guilt or acquittal. This, gentlemen, is your high office, the highest trust ever confided by our laws to the subject. I have no occasion, gentlemen, I am certain, to warn you against being influenced by the excitement which prevails out of doors on this matter Before entering into details of the facts of this case, let me give you one word of caution. I have heard it said since this offence was committed, that it was wrong to inflict the punishment of death on any offender. Gentlemen, with that you have nothing to do. You are not impanelled and sworn, gentlemen, to say whether it is right or whether it is wrong, that the blood of him shall be shed who hath shed the blood of his fellow man You are not sworn, gentlemen, to question the policy of the law. No, gentlemen, but you are sworn and bound by your solemn oaths to decide this case upon the evidence, and if that evidence points to the prisoner as the perpetrator of this murder, and there is nothing to reduce the crime to manslaughter, you are bound to find him guilty of the charge contained against him in this indictment ; and now, gentlemen, as to the facts of this case, of which I shall endeavor to give you a brief outline :—About the 26th of November last, it became known that a foul murder had been committed in Charlottetown. The body of a man cruelly murdered, was, on that day, found near the common jail, on the site of the old Barracks, to the west of Pownal Street. The body was recognized as that of the deceased John Cullen, who, it will be proved, was alive and in good health a short time before. Death was caused, as you will find by the evidence of Doctors Dodd and Fraser, by a sharp instrument, which entered the left breast. The murdered man was found near the house of one Hugh McQuarrie, whose house you will find the prisoner visited, and with whose family he was on intimate terms ; that he was paying his attentions to one of McQuarrie's daughters, named Flora, whom, I am informed, he had sought in marriage. The prisoner, gentlemen, was a seafaring man, and was employed at the time, as steward on board the Barque "Claro Novello," owned by Messrs Peake Bros. & Co., of this city. On the night of the murder, Dowie was at McQuarrie's house, having gone there early in the evening, and remaining there until a short time before the murder—between the hours of ten and eleven o'clock. It will be proved that a short time before the body of the deceased was found, the prisoner, in company with Flora McQuarrie and her sister, and Sarah Collier, left the house of McQuarrie, for the purpose of seeing home the said Sarah Collier, which they did ; and, returning back towards McQuarrie's, the prisoner, Flora McQuarrie and her sister came by the west side of the Jail fence, until they came to what is known as the "Jail pump," on the south-west corner of the Jail fence ; there they stood, and then the young McQuarrie girl left her sister and Dowie together—quite near where the body was found. It will appear in the evidence that while the prisoner and Flora were standing near the Jail pump, the deceased, John Cullen, came up, and looking into the face of Flora, who was talking to Dowey, called her "Mary," and said, "Is that you, Mary." Deceased, it appears, was a little intoxicated Flora replied that she was not "Mary," and said, "you may look closely and you will find that I am not Mary,' It appears that, at this time, the prisoner, who was quite close, got angry and did not like this interference of John Cullen in addressing the girl. Some little dispute arose, when the girl walked on and left the two men in their altercation It was then, I fear, that the prisoner, Dowey, drew a knife and stabbed the deceased to the heart And after having stepped behind a few seconds, the prisoner overtook the girl, and, seeming to be very excited, said, "Flora, I have knifed that man. The girl said, "My God, surely you have not stabbed him." "Yes," said he, "I have put the knife into the handle." This you will hear from the mouth of the witness, Flora McQuarrie I might tell you that the murder having taken place, the body was found by a little girl—the younger girl, the sister who first accompanied them from her mother's house—who immediately knew it to be Cullen, and thought him in liquor She gave the alarm when she found that she could not arouse him. The body was identified, and taken to the house of one Hugh Currie, till a medical man was sent for. The next day an inquest was held, at which the prisoner was present, and gave his deposition. In going from that inquest the prisoner made some admissions and confessions to the officers of the law, who then took him in charge The nature of those admissions, it is not proper that I should disclose to you in the opening of the case You will hear them from the lips of the witnesses themselves. And now, gentlemen, it will be for you to give an impartial decision whether the prisoner at the Bar is guilty, or not guilty, of the crime with which he is charged. It will be proved by the Surgeons—Doctors Fraser and Dodd—what the extent of the wound was, and with what kind of an instrument it must have been made ; that the deceased must have dropped dead almost in an instant. It is now necessary that I should explain to you, gentlemen, what the law means by murder. Unlawful homicide may, for the purposes of this case, be distinguished into murder and manslaughter. Murder is the killing of another with malice, prepense or forethought Malice, you will observe, gentlemen, does not necessarily imply hatred or ill will, but is rather intended by any deliberately cruel act against another, however sudden. If a man meet another on the public highway, and kill him for his money, though he may have never seen him before, and, of course, could not have entertained any ill-will towards him, still, gentlemen, it is murder, however sudden the act ; so that aforethought does not mean deliberation or lapse of time, but is rather intended to imply purpose or design, and is used in contra distinction to accident. Manslaughter is the killing of another without malice—as if a man, in the heat of passion, kill his fellow-man, being provoked by blows from his opponent. It is murder, only the law, out of consideration for the weakness of human nature, reduces the crime to manslaughter, but the provocation must be a blow ; words, however insulting ; language, however opprobrious, is no excuse—nothing less than a blow will reduce the killing of a man below murder. And, gentlemen, as a man must be held accountable for the consequences of his own acts ; so if a man use a dangerous weapon, as a knife or dagger, (supposed to be used in this case), and cause death, it is murder ; and it won't do for him to say, "I did not intend to kill, I only meant to wound, but the blow unluckily killed him." It is, nevertheless, murder in the eye of the law. And now, gentlemen, after you shall give this case your serious attention, if, while you give the prisoner the benefit of every legal doubt and every presumption which the law will accord him, still, if you, after all, find, gentlemen, that the evidence points to the prisoner at the Bar as the murderer of his unoffending fellow-man, the deceased John Cullen, and that as such he ought to be held responsible to the violated majesty of the law, you are bound, by the solemn oath you have taken, to bring in your verdict accordingly.

The witnesses, on the part of the Crown, were then examined. The first was

HUGH CURRIE sworn : (Examined by Hon. E. Palmer) I reside in Charlottetown, opposite the Jail Have been there nearly five years keeping a Boarding House. Remember the 26th of November last. Knew John Cullen the deceased, as he boarded with me at the time of the murder He slept at my house *the night before his death and on the evening* of the 26th, he had his supper at my house, at 6 o'clock That was the last time I saw him alive. Saw his body after it was carried in, at about half-past eleven o'clock, on the same evening. A little girl came to the door, and said that one of our boarders was drunk on the street. This happened before the body was carried in. Cannot be sure of her Christian name, but her surname was McQuarrie ; she was the daughter of a man who lives near me. I was in bed when the word came, and all the rest in the house were in bed except William Thompson, who said he would go out and carry Cullen in. Thompson went, so I did not get up. He brought Cullen in with the help of two or three others. Those who helped him were McQuarrie, McNeill and Duffy, all of that neighborhood. They laid him down I looked over the body, but could see no signs of life in it. I then opened his clothes a little, and found there was blood on the breast, caused by a cut. I tried his pulse, but there was no pulsation. The limbs were firm The wound was small, and on the left breast. It appeared to be the cut of a sharp knife Sent for a Doctor. Neither William Thompson, James McQuarrie, nor Roderick McNeill, who brought the body to my house, are now on the Island as they are sea faring men ; but two of them belong to the Island. Thompson did not belong to the Island. A policeman was there pretty soon after the body was brought in Was acquainted with Cullen only three weeks before the murder. He was a man of temperate habits, as far as I am aware. Could not tell whether he was drunk that night or not Did not know the prisoner at the bar, and did not see him that night Saw him in this Court Room next day, at the Coroner's Inquest.

LOUISA McQUARRIE sworn: (Examined by Attorney General.) Father's name is John McQuarrie ; he is still living. Flora McQuarrie is my sister. Father's house is near the Jail, and close by the ground where the old barracks stood, and in a lane Have known the prisoner at the bar about a twelvemonth. He has been at our house a good deal. Knew John Cullen by sight only. Saw Dowey at father's house on the night of the murder. Saw him half an hour before I heard of the murder, which happened between ten and eleven o clock. When I first heard *anything of it*, I was sitting in the house with brother James and Cousin Roderick McNeill. Mother was in the room. I saw James rise up quickly and go to the front door, half opening it and looking out for two or three minutes. Mother said "Jim, what is that ?" or "who is that ?" He said, "some drunken man." I did not look through the door, but I wanted to go out, and my brother would not let me. Then I went to the window, and looking out saw a man lying down about five yards from our door He was lying on his side with his back towards our house. I then went out through the back door, and round to where the man was lying I looked at his face, which I knew by seeing him about Mr. Currie's. I shook him and spoke to him, but he did not answer me. I told him to get up and go home but he did not answer. Chris. Duffy then came up and stood looking at him. My sister Flora and Dowey also came up where we were. Christopher did not touch him Dowey and Flora passed no remarks "That is one of Mr Currie's boarders," said I ; "shall I go and tell it at Currie's ?" Some one said "yes" I was my sister, I think, who told me to go. Before I went to Currie's, some one said, "please hand a light, till I see what is the matter with him." I then went to Currie's and gave a rap, but there was no answer. I rapped again and said, "Mr. Currie, you had better come and take home one of your men who is drunk in the street " The man was quite still. I did not notice whether his eyes were shut or not. I left the rest with him when I went to Currie's. When I rapped, Currie said, "Yes, they are going " Then I went back to the spot. I saw Dowey, my sister, Flora Christopher Duffy, Roderick McNeill, James McQuarrie, and Mr. Thompson. They moved the body into Currie's house My brother James put the body on Thompson's back My brother James and Thompson, and Christopher Duffy, went to Currie's. Dowey went home to the barque. I did not stop at Currie's till the Doctor came. I heard Mr. Currie say, "he is dead." I then went home. Dowey had been at our house that evening It was about half-past ten o'clock when he left our house with my sister to take Sarah Collier home. I went with them nearly to Sarah Collier's house, just behind the jail, when I came back with my sister and Dowey as far as the jail pump, where I left them standing together. My sister said she had something to tell Dowey, and she told me to go home. I then went home. Before I left them, I said "good-bye," to Dowey. I had been home about half an hour when I heard the noise at the window. Cullen, to go from Currie's to our house, would have to pass the pump. Dowey came to our house at eight o'clock next morning. When he came in he asked how the man that was stabbed was. I said he was dead. "Is he," said Dowey. "Dead, is he." said he. I gave my evidence before the Coroner Dowey was not in the habit of coming to our house in the morning. He always came in the evening about seven o'clock, but the day after the murder he came in the morning.

(Cross examined by Mr Brecken) The prisoner had been in the habit of coming to our house. He belonged to the barque *Clara Novello*. He had been coming about two months before that night. He was at our house every night, and he was on very intimate terms there. He was courting my sister Flora. I think he was engaged to be married to her He came to our house about half past six on the evening of the murder My cousin Roderick McNeill, Sarah Collier, Dowey, my sister Flora, brother James, and my father and mother were present that evening My brother James intended to go away next morning in Murch's vessel. James sent for a pint of gin, and the company all round drank it. Another pint was sent for, and that was drank too. No more was drank besides these two pints. We had a sort of a little party, as my brother James intended to go away the next morning. James sang some songs. All drank some gin except myself Dowey and my sister drank some of it. They all drank half a glass each at a time. Flora and I were on friendly terms with Dowey, as he visited our house nearly every night He was always very civil. Never saw him drunk. He drank some gin that night, but he took no more than the rest of the company. He wore a black hat, and the same coat he has on now. We had no apples in the house that night. Sarah Collier lives back of the Jail, in one of Collin's houses. We went with her till we came to the corner opposite Collin's. We then went towards home. We came together as far as the Jail pump I left Dowey and Flora there and went home. Father was in bed, and mother was undressing the baby When I went in brother James and Roderick McNeill were there, sitting down. It was then half past ten and more I sat down near my brother A short time after I saw him get up and partly open the door. Opposite our door are the holes of old cellars. There was not much snow on the ground Cullen was lying in the middle of the lane. I stated before the Coroner that I found a man lying in the old Barrack cellar, and that he did not lie on his face, but on his side. (Before the Coroner she said : I saw a man lying on his face in the Barrack cellar, who, I knew, was one of Currie's boarders) The cellar is nearly filled up, but we always call it the "old Barrack cellar." The place I call the cellar, is four or five yards from our door. I thought the man was drunk when I went up to him, but afterwards I heard them say he was dead. I went back to Currie's when they took the body in They would not let me sit in the shop where the body was. I did not state this before the Coroner. I gave Dowey and apple before he left our house, and he put it into his pocket. Do not know whether father and mother knew that Dowey and sister were engaged Dowey was always civil, decent and sober. He was never noisy and violent. I washed his apron once, and sister washed a table cloth once. He came one morning with these things. He sometimes came in the morning, but not often. Sister was not much alone with Dowey.

CHRISTOPHER DUFFY, sworn: (Examined by Edward Palmer). I recollect the night on which the murder was committed. Was then living at home, near McQuarrie's, on the other side of the street, nearer the water. Was down to the steamboat, and afterwards went home. After dark I went out again—after coming back from the steamer. I went towards where Carroll, the butcher, lived, and then came towards McQuarrie's house. Came along the old barrack lane. This, I think, was after ten o'clock. The first thing that attracted my attention was Dowey, standing at the corner, near Carroll's house. One side of that house is on the lane. Dowey had his hands in his pockets. I saw the girl, Flora McQuarrie, run up towards Dowey. I also saw the deceased. The first I saw of him, he was on his knees, and appeared as if struggling in death. He was exactly opposite McQuarrie's door, *in the middle of the lane*. Went over to him and held up his arms. He was at first lying on his left breast. He did not speak I tried to arouse him, but did not shake him. I thought he was in liquor. I stood by him a short time. I had been taking a drop of liquor myself. I lost sight of Dowey. I saw some persons come out of McQuarrie's house They went over to the deceased and took him down to Currie's. I think I lost sight of Flora, too. I might be mistaken in saying I saw the man upon his knees, but he was not standing up straight I thought he was on his knees. I knew Dowey when I saw him He was steady, as far as I know. I had spoken to him a couple of times, but did not know him by name—only by sight. At first I saw none but Dowey and Flora in the lane, except the deceased.

(Cross examined by Mr. C. Palmer). I was one of the first who saw Cullen after he was injured. *When I first saw the deceased*, he was about as far from me as from here to the end of the room. Flora was going from where the murdered man lay towards Dowey. Other parties might have been present, but I saw none of them. It was not very dark. (At the Coroner's Inquest, Chris. Duffy stated that fifteen yards from the deceased he saw Dowey and other parties together) This was written down wrong. I never said that other parties were there. Saw little Louisa McQuarrie there. She came out of her father's house when they took the deceased away. Did not see her alone by him. I stood a couple of minutes at the corner, because Dowey and Flora were there too. I then went towards the deceased. There might have been other parties there before me, for I was in liquor. Went down to Currie's when they carried in the dead man. I had drank more than usual that night, but I know when to stop drinking.

ELLEN McQUARRIE, sworn. (Examined by Solicitor General.) I remember the time the murder was committed : Dowey was at our house that night : R. McNeill, Sarah Collier, J McQuarrie, Mrs Cairns, and the Prisoner were at our house that night Dowey came there about seven o'clock, as near as I can remember, and stopped there till between ten and eleven. This was on a Thursday night, and James engaged that day to go away all winter. We had a small party that evening Mrs. Cairns went out first. She bade our Jim good bye and said, she might not have time to see him in the morning. After Mrs. Cairns had left, Flora, the Prisoner, Louisa and Sarah Collier went out. The first three were going home with Sarah Collier Louisa was a very short time out. Son James and Rod k McNeill did not go out, I was crying because Jim was to go away. After a short time I saw James get up to the door, and hold it open with his foot. The wind was blowing the candle, so I said, "What is it Jim?" or "Who is it?" He said it was some drunken man. Louisa wanted to go out and Jim would not let her. I said to her. "What do you want to go out for ?" She said "some drunken man is lying out there" Louisa then went out at the back door. No one came in but some one was talking about a light I could not tell who it was. I heard Louisa say. "He is dead." "He is dead'. Dowey was well acquainted at our house : most every night he was there. Did not think anything else but that he was paying attention to my daughter. Thought nothing else was bringing him there. The prisoner is "Dowey," or "the Stewart," as we call him.

(Cross examined by Mr. Brecken) The first time I saw Dowey, he belonged to Mr. Duncan's vessel, the "Constance.' This was last summer twelvemonth. He then came constantly to our house. When he belonged to the "Clara Novella," he came nearly constantly to our house, think he was about three months on board the 'Clara Novella." Sometimes he came to our house at seven, sometimes at eight, and sometimes at nine o'clockat night. Never saw him drunk, nor never heard a bad word out of his mouth. I never objected to his coming to our house. Heard he was married, and found fault with my daughter for keeping his company. Said that she should not be so intimate with him Heard he had a wife and two children : I told him about it, and he cleared it up. This was not long before the murder—only about a week. I never saw anything ill by him.

FLORA McQUARRIE. (Examined by Mr. Hensley) I live in Charlottetown Know Dowie. Was acquainted with him while living at mother's house. Father is living. Was first acquainted with Dowie this summer twelvemonth. He was then sick, and the Doctor ordered him to come ashore for the good of his health. He then boarded at Mrs. White's. Was acquainted with him a fortnight or a month before he went away. He did not go to my father's house that year We got acquainted on the street. He came back that fall, when I saw him again. He did not, then, come to my father's house. Do not think he came back in the same vessel, but I am not sure. He came back again in one of the Spring Vessels. He went away again. When he came back, he came to father's house. Think he came to the house twice or three times, last spring. He came back again and was here three months before this event had happened. He was Steward aboard the *Clara Novella*. He visited father's house nearly every night about seven or eight o clock during that time Was slightly acquainted with Cullen, the murdered man. Might have seen him first at the pump or at Currie's, where he was boarding a week or a fortnight before his death. He might have passed the time of day to me at the pump. He was at a quilting party with me at Mr. Won's about a week before this murder took place. Dowie was not there. I knew that this Cullen was the man that was killed on Thursday, the 25th of November. At father's house that night were: Sarah Collier, Brother James, R. McNeill, Mrs Cairns, Louisa, and father and mother. That night Dowie came there about a quarter past seven. My brother James had hired with Mr. Match and was to go away next day. We had a sort of party that evening. Mrs. Cairns went away between nine and ten o'clock. After that, myself and Dowie and Louisa went to see Sarah Collier home at Collins's. We went along the west side of the jail yard. Myself and Dowie stood near the jail pump, and sent Louisa home. Cannot say exactly how long we stood at the fail corner. A Newfoundland man, named Goodhue, came up and asked Dowie if he could direct him to a boarding house. Dowie said he could not, and said to me, "do you know of any, Flora?" I told Goodhue to go to Mrs. Large's, where, as it was getting late, he might get in. Goodhue then asked Dowie the name of this Town. Dowie asked him where he was from. He said, "from Cariboo Cove." Dowie then said that this place was Charlottetown Goodhue then said to Dowie, "you are quite comfortable." Dowie answered him, "can you help it ?" Goodhue answered that he did not wish to help it. Goodhue then asked Dowie where he could get these funny girls Dowie said he did not know anything about them, but told him to go down that way (pointing down to the low part of the town.) In about a minute, I saw the Newfoundland man running away as fast as he could. Dowie had let my hand go. I asked Dowie what the man was running for, and Dowie said "I have knifed him." I asked him if he had hurt the man. He said "no, I have only put the knife in about that much," (a short piece.) The Newfoundland man did not come back again. We stood in the same place till Cullen came up Cullen said, "Hallo, Steward." "Hallo, it is," said Dowie Cullen said he had seen Dowie at Collins's the caulker's, playing cards with his shipmate. He did not mention his shipmate's name. Cullen shook hands with me and asked me how I got along at the quilting porty. I told him we got along very well. He asked if we finished the quilt, and I said "no, we did not wait to finish it.' Cullen said he was pretty drunk that night, and was afraid he was locked out of his boarding house. I told him he might get in at the back door He then left us, and was away about five minutes. He then came back. Dowie and I had moved up near to my father's house by this time. Cullen said to me, "good night, Mary." I said "good night, but I am not Mary ; don't you recollect you were talking to us two or three minutes ago?" He said I was Mary, but he did not speak as plainly as when he came up the first time ; he was more drunk. Dowie and I said to him, "go home and go to bed. He then went away, and I said to Dowie, "he is drunk and don't know what he is doing." Cullen then back came the third time. When Dowie saw him *coming*, he told me to stand inside the fence so that Cullen would not see my clothes, and would pass by without saying anything to us. But Cullen saw me and said, "hallo, Mary." I said, "It is not Mary, look into my face and you will see it ain't Mary, it is Flora " I took the comforter off my face and told him to look, but he still said I was Mary. Dowie told him to stand off from the young woman. I then moved away from them and said to Dowie, "don't touch him, Dowie, he is drunk." I said this, for I did not know what Dowie might do to him. I stood off from both and left them to go up to the street corner. I looked back before I got to the corner, and saw Dowie unbuttoning his coat I thought he was going to take off his coat to fight. I went off to the corner to see if I could find a man to call, for I thought they were going to fight. The two men were together when I looked back I just got to the corner of Carroll's house when Dowie came to me and said "O Lord, Flora, I have stabbed that man." I asked him if the man was dead, and he said "yes, I think so ?" I said to him "what did you do it for ?" He said "I was provoked to do it" I asked him again if he thought the man was dead, and he said "yes, I think so, for I put the knife in him almost to the handle." He then put in his hand, took his knife out of its sheath and drew it throught his fingers. I saw blood on the back of his hand. His hand was quite close to me. When I saw the blood, I said, "George, Jesus, thou son of David, you and I will be hung." I got light-headed and did not know what I was doing—I got bewildered. Could not swear as to the blade which I saw ; but I know it was a knife. I knew the prisoner to carry a knife about two months before the murder ; for, one Sunday evening, about that time, he was offended by a man collaring him in the street, and he said he would carry a knife from that time. Often I put my hand under his coat and felt the knife. I told him that there was no occasion to carry a knife. He said, he carried it to take care of himself. This was two months before the murder. After I recovered, the prisoner said, "Don't get frightened, there is no fear of you." When Christopher Duffy met us at the corner and said "Good night, Steward," Dowie said "Good night." Duffy then went down the lane, but soon came running back, saying "Steward ! Steward ! here is a man stabbed." Duffy came back in about two minutes from the time he first spoke to Dowie. He said, "here is a sailor man stabbed." We went down and saw Cullen, the deceased, lying on his left side. The man was dying, and said to those who went to lift him up, "Leave me alone" Dowie told me to bring out a light from mother's house. He said this to me. I brought a light, but before I could get to look at deceased, the light went out, and Dowie pushed me back. I stood back, and Thompson, Rodk. McNeill, brother James and Chris. Duffy gathered around and stood Cullen up. My sister Louisa ran up to Currie's to give the alarm. They carried the body to Currie's house on their shoulders. Dowie then said to me, "Good night, I must go." I said to him, "You must stay with me a while" He said he could not stay ; so he went away. I then went to mother's house, and afterwards mother and I went down to Currie's. When we went in, deceased was lying on the floor. I got frightened when I saw him, for I did not really believe he was dead. I stopped there till Dr. Fraser came. Did not see Dowie again that night ; but I saw him again next morning, between seven and eight o'clock. He asked "how all hands were, to day." and if my brother's breakfast had been taken to the station-house, (for the police had taken him up the night of the murder). I looked into Dowie's face, and fainted when I looked at him. I felt weak and nervous, and fell off my seat. Dowie went away and said he would be up again in about an hour's time. I went to the door with him, Father went up and carried my brother some breakfast. They then sent for me to go to the station house. Dowie met me and asked me where I was *going*. I told him and said he must go too. So he walked up here to the Coroner's Inquest. I was not examined that day, but Dowie was examined I was examined on Saturday. As we were coming up to the Inquest together, he told me to conceal the facts of the murder He said he would give his oath first, and that I was to follow his words. When they all got free, after being examined, I was going home when Dowie called me and said : "we are all free." I said "yes so far, but it will not be long till the right person is found out." He then commenced telling me not to tell it, but I did not pay much attention to his talk. He then said, "Why don't you answer me ?" "Promise me," said he ; I did not promise whether I would conceal it or not. I was so sick and weak that I could not pay attention to him. He asked me if he might come up that night, and said "good bye.' I went home about 7 o'clock and laid down, because I was so sick and weak. Two policemen then came to our house and asked mother for her eldest daughter. Mother said to them "Are you not done coming yet." She told them I was sick. They said "if she is too sick to walk, we will carry her." I told them I would not go without George Dowie went too : I was sitting in the station-house when two policemen came in with Dowie. They took him up stairs, passing me on their way, when Dowie looked at me : I have not spoken to him since that day. On Saturday, I was brought up and examined. The last time I saw him he was going down to the jail. I was singing a song one night. This was a couple of nights before he commenced to knock. He sang another song : We took verse about at a song ; but we did not speak the first night. The second night, I cannot say whether he or I knocked first. Cannot say which of us spoke first : He told me that when I came up before the Grand Jury, I must be careful of what I would say, and he asked me if I was going to hang him ; I said I was not the judge, and that I should be sorry to see a dog hung, let alone a man : He cried and that made me feel worse : The other night I asked him if he knew who was talking to him. He said "yes, and you have been my prosecutor." I said, "You need not blame me for putting you in ; leave it all in my hands." This I said to please him—to make him quit crying, for I did not like to hear him. This is all that was said in the jail : I don't think there was anything more said between us.

(Cross examined by Mr. C. Palmer.) I know what an oath is. I earned it at school. I went to Miss Harvie's school, and she told us that if we took a false oath we "would damn our souls to hell and damnation." Cannot remember her exact words, but they were something like that. I am slightly acquainted with the prisoner. I know the consequence of what he has done. I have kept much company with him at night. I never was with him in the Governor's woods, but was as far as Dawson's house with him two or three times. Was with him on the breastwork, and in the ship with him. Went into the cabin with him, and there was a girl with me there. There was improper connection between us. There was liquor brought into the company at father's house on the evening of the murder. There was first one pint, and then another. I just put the glass to my mouth, but did not drink any liquor. I did not think it was wrong to drink it. On the way back from seeing Sarah Collier home. I do not mind telling sister Louisa to go home. She is a trifling girl. I think I told her to go home, for I had a secret to tell Dowie. It was a trifling matter. Shall I be forced to tell this secret, my Lord? (addressing the Judge) (The Judge answered, "You need not tell anything to criminate yourself.") Well, the secret was only about a photograph. (Great laughter.) I did not want Louisa to hear about that likeness. Remained out for some time that night. Cannot say how long. The Newfoundland man wanted a house to go into that night, and made some remarks about it. He asked Dowie to tell him where he could get a boarding house. Dowie asked if I could tell of one. (On the Coroner's Inquest, she said, "The bigman asked Dowie if he could direct him to one of those fancy houses. Dowie said no.") I am sure I did not say that. The first thing the Newfoundland man asked for was a boarding house. The only acquaintance I ever had with Cullen was at *the quilting party*, and then only a quarter of an hour. Do not think Dowie had a grudge against Cullen. Dowie told me he would not have known the deceased in the street when I asked him about it. I told Dowie how many persons were at the quilting party. Unless Dowie had a spite at the deceased for having been at the quilting party, I do not know of anything else. Dowie had on a top-coat, and a black glazed cap. Dowie tried to get Cullen away, to go home. The third time deceased came, Dowie put his hand upon Cullen's shoulder to keep him off from me I told Dowie to say nothing to him, that he was drunk. When Dowie told deceased to stand off from the young woman, I left them to call assistance. I saw Dowie running to me. When he came back he said. "Lord, Flora, I have stabbed that man." What the provoking was, of which Dowie spoke I don't know. After the murder, he drew the knife through his fingers. I did not take a good look at it, for the sight of the blood was too much for me. I saw the blood on the back of his hand He drew the knife so that the blood ran over on the back of his hand I fainted, so that I did not know whether it was night or day. I might as well have been dead for all I knew, at the time of my fainting. *At that time* Dowie had hold of my arm and kept me from falling He held me up till I recovered. I might have been three or four minutes in the fainting fit, not longer. I don't recollect whether I mentioned this at the Coroner's Inquest or not. Am sure I said I fainted when Dowie pulled out the knife. I repeated the words, "George, Jesus ! thou son of David, we will be hung," just before I fainted.