

CHARGE OF MURDER.

Bernard McLean, an aboriginal, was indicted for the wilful murder of Buckley, an aboriginal, at Camperdown, on the 3rd July.

Dr Mackay had been instructed by the Crown Solicitor to defend the prisoner.

Johnny McLean, an aboriginal, stated that he was uncle to the prisoner, and upon the day in question there were 22 of the Hopkins tribe to which he belonged, and a number of the Mount Shadwell tribe to which the deceased Buckley belonged, assembled at Camperdown, spirits were introduced and they all became intoxicated; a misunderstanding took place between prisoner and deceased, and the following morning they fought in consequence, and upon the third throwing of a waddy prisoner struck deceased on the temple, fracturing his skull and causing his brain to protrude, and from that round deceased died in three days. The only witnesses were two aboriginals, one of whom upon being asked if he did not wish to see the prisoner hanged, replied, "why should we not have blood for blood?" the other said, he came to see the prisoner hanged, and if he were not hanged he would be killed when he got home. The case for the Crown having closed, the prisoner made a lengthened address to the jury, detailing his ideas upon the case, closing with the observation—"I am sorry for it, he was my friend." Dr Mackay pointed out to the jury that the probability was, death would not have arisen upon this meeting of the tribes had it not been for the liquor which had been sold to them; a very humane law had been passed to prevent this traffic, but it did not appear that those residing upon the spot had put the law in force. It appeared doubtful whether he should ask the jury to acquit the prisoner, for his own uncle

appeared determined he should be put to death when set at liberty. If, however, they should find him guilty, he trusted they would recommend him to mercy.

His Honor having summed up, the jury found the prisoner not guilty.

Mr C. Brodie, the governor of the gaol, was requested to keep prisoner in custody until the end of the session, so that it might be seen whether or not something could be done for him.

