

to retreat and give way to the rioters, but might lawfully stand and repel force by force.

It is needless for me to say what you ought to do with regard to the other six prisoners, in case they had gone to the custom-house, not to protect the sentry but to disturb the peace or after they got there and before the firing had agreed so to do; or in case they had actually unlawfully abetted the killing: because none of these things have been testified, nor can any of them be deduced from any thing which has been given to you in evidence.

Having already said much more upon this occasion, than I should have thought necessary in a like case, at any other time, I shall add no more.

Mr. JUSTICE OLIVER and the other justices also summed up the evidence to the jury, and gave their opinions on the law and the evidence, but they differed in no material point from Mr. JUSTICE TROWBRIDGE, who, according to the custom of the court, spoke first.

THE VERDICT AND JUDGMENT.

The *Jury* withdrew and in two hours and a half returned into court, with a verdict of not guilty as to all the prisoners, except Killroy and Montgomery, who were found not guilty of murder but guilty of manslaughter. They prayed the benefit of clergy, which was allowed them, and thereupon they were each of them burnt in the hand, in open court, and were discharged.