

given to habits of intemperance, sometimes excessive. He had expended a part of his property under circumstances which induced the officers of the town to make application for a guardianship over him. Instead of a guardianship, however, trustees were appointed to take charge of his remaining property. He could not therefore spend his property during his life time. Thus he was situated in the summer and fall of 1844, and during the winter until his death, doing but little work and living generally in idleness and indulging in intemperate habits. It appears that on the night in question, De Wolf took him in a sleigh (whether at his own request or not does not appear), about four miles from home. They left the stable where De Wolf was employed about 7 o'clock in the evening and were absent about three hours. On his return, De Wolf left Stiles in the sleigh, at the stable, and went to the room of Samuel Stone who was employed in the adjoining hotel, and with whom he had left his key with a request that he (Stone) should attend to the stable while he was gone. Having aroused Stone who was in bed, De Wolf asked for the key and lanthorn, at the same time desiring Stone to go down to the stable with him, as he had got a man there drunk and wanted some help to get him in. Stone could not go on the instant. De Wolf then went down and called on Baldwin, another inmate of the house, for assistance. Baldwin aided in getting Stiles out of the sleigh, and De Wolf carried him up stairs into the harness room and laid him on the bunk, covering him with a buffalo skin and folding another under his head. In the course of an hour or two, it is quite manifest that he died either from disease or strangulation. It is for you, gentlemen, to say which.

Now, if the question depended solely on the anatomical examination, and that examination leads you to doubt to which cause this death is to be attributed, but that it was attributable to one or the other, then you are carefully to inquire which. If you are satisfied that it could not be a suicide, then you are to inquire whether it could have been from external violence, and whether such violence was used by this defend-