

self, and by the sheriff and jailer as witnesses, and afterwards laid before the attorney. The defendant was told that his confession could be of no advantage to him as it exhibited no proof against others whom it implicated. The prisoner further stated that that part of his confession relating to Mrs. Stiles, was not true, he admitted the illicit intercourse and said that Stiles was a diseased and intemperate man and that his wife wished him dead; that he had procured poison for her to administer to him, which she was afraid to do; and that afterwards he had agreed at her solicitations to give Stiles the poison himself, that he procured arsenic for that purpose, having been told by Mrs. Stiles to mix it with hot sling before administering it to the deceased. Under all these circumstances therefore the paper containing the confession is competent evidence.

Now, gentlemen, the question for you to determine is how far all the circumstances in this case taken in connection with the confession itself go to establish the proof of a murder committed by the hands of the prisoner, although he states in the confession that the act was not done by himself but by another; yet the jury are to take it as it is, rejecting what seems to be untrue or uncorroborated and receiving as evidence what appears to be substantiated by the testimony which has been introduced.

Now, coming back to the question, whether this crime was caused by external influences, slight or considerable? If you are satisfied that those influences were used by the defendant, then he is guilty of the charge; if not, he is not guilty. If this death was caused by violence on the part of De Wolf, then it is a homicide.

Now, gentlemen of the jury, was there a motive? This depends on evidence, partly coming from his confession, partly from other evidence. Although the confession does not admit that he did it, it does admit that he procured it to be done. The guilt would be the same as if the crime had been committed by his own hand, he being present, aiding and abetting. In making a confession he might have supposed