

THE MISSING HEN

On May 16, 1862 in the later afternoon, Munro was told by his wife that one of the hens was missing and that she had heard the sound of a gun shot. He went, with his son Alexander, to confront Richard Aylward about the possible "fowl play". Richard said he did not shoot the hen, had not seen the hen, and did not have the hen.

Munro did not believe Aylward's declaration of innocence and suggested the hen might still be in the field. Aylward, Munro and Alexander proceeded to the field. The facts of the rest of the story, however, are a mixture of fiction, accusations and denials. At some point in the field a gun was drawn by Aylward and a scuffle ensued as Munro attempted to gain control of the gun. A shot was fired and Alexander was hit in the backside with 29 lead pellets. During the altercation Mary had come up to the field and struck out at Munro with a scythe, cutting his upper arm. She then hit him again, this time causing a severe head wound. Munro and son managed to make it home but the father died a week later.

Once the news of the incident travelled to outside communities, Mary and Richard Aylward were arrested, charged with murder and taken to the cells in Belleville where they spent the final eight months of their lives. They were held separately, seeing each other during the court appearance: their three small daughters saw them only once, two days before their parents were hanged.

UNFORTUNATE PRECEDENT

The trial was held in the autumn of 1862 at the Fall Assizes in Belleville at the Courthouse on Church Street in Belleville, where the county building now stands. Prior to the Aylwards' appearance in court, however, was a case that would impact greatly on the verdict pronounced on the young Irish couple.

A couple of months earlier, Maurice Moorman, a city resident, had been involved in a fight over liquor with some other young men looking for a good time, along what is now Cannifton Road. During the incident 19-year-old Lorenzo Taylor had been stabbed by Moorman, in view of witnesses, and had soon after died. All evidence clearly pointed to Moorman stabbing Taylor. Within half an hour of being sent out of the courtroom to deliberate by Judge Chief Justice Draper, the 12 men returned with a verdict: not guilty. The jury's decision was very popular with Moorman's supporters, who attempted to "raise a cheer" in the court room, but Chief Justice Draper's shock and disgust with the verdict, while more subdued, was equally as obvious. (He wrote in his private deskbook, "A strange verdict. I expected at least a verdict of manslaughter.") Judge Draper remained silent: the community didn't. It was outraged. The Hastings Chronicle editorialized: "A verdict of manslaughter might have some argument to support it, but one of "not guilty" seems simply incredible. The jury might as well have said that the unfortunate young man Taylor had not been killed, as to say that the prisoner did not do it. Indeed, after the verdict, we might ask the Coroner as well as the Coroner's jury whether they are quite certain that the young man is dead. If every man is to be permitted to take the life of his neighbour with impunity in defence of a bottle of whisky, we might as well reside in California as Canada. We trust that another verdict like this will never be recorded in Belleville." The next case on the docket was the murder trial of Richard and Mary Aylward. It was not a good omen.

Ten witnesses were called during the trial, which lasted less than one day. Most were neighbours who gave contradictory testimony or embellished upon what a previous witness had said -- either pro or con. The officer of the peace, who arrested the Aylwards, had to admit that he lost the gun and the scythe involved with the case. He and his prisoners stopped midway at Madoc.

RECOMMENDATION OF MERCY

Evidence by three witnesses showed that although Munro was seriously injured with a head wound he did not die immediately. Despite the urgings of family and friends he even refused to seek medical help. His own son Alexander testified that his father said he would rather die than be attended to by