

try the new system, and said he thought it would cure him.

Cross-examined—Deceased had suffered a good deal of pain before the 29th, but she thought he was better on that day.

Mr. Cockburn put a letter into the witness's hand, dated the 29th, and she admitted that it was written by her to Dr. Ellis at her husband's request. In this letter she had represented the deceased to be "prostrated by pain, helpless as a child, and unable to walk."

Cross-examined—The deceased could not walk, and he was assisted into the doctor's house. On Sunday he told her that all his pains had left him, and that he had been able, with the assistance of Dr. Ellis, to walk on the grounds of the establishment; and he also said, that if the doctor had been his brother, he could not have shown him more kindness. After her husband's body was brought home, a post-mortem examination was made by Dr. Waterworth, the medical gentleman who had been in the habit of attending upon the deceased, but no one was present on the part of Dr. Ellis.

Mr. Cockburn—Now my friend has asked you a question, which, I think, might as well have been spared, with regard to Dr. Ellis having formerly been in the lace trade. Are you not aware, madam, that he has been abroad and studying for the medical profession in foreign universities, and has undergone a regular course of attendance at the hospitals to qualify him for the duties of that profession?

Witness—I am aware that he has been abroad for several years, but do not know, of my own knowledge, that he was studying at any foreign university.

Mr. Charles Waterworth deposed that he is a surgeon, and resides in the New Kent-road. The late Mr. Dresser had been his patient, and he had known him for seven years. The deceased had an attack of jaundice about six months ago, for which witness treated him, and he recovered from it. In March he had a similar attack, but slighter, and he recovered in a few days. He should say that the deceased was a man who might be considered healthy, but he certainly was not a robust man, and his powers were feeble and his constitution languid. He made a post-mortem examination of the body of the deceased. He first examined the chest, and found blood exuding from the lungs, which were very much gorged with blood. The heart was also gorged with blood, and these appearances, in his opinion, sufficiently indicated the cause of death. The appearances of these organs accounted for the coldness of the body described by Mrs. Dresser, and the difficulty of breathing, which would be the symptoms of approaching dissolution from such causes. The diagnosis written by Dr. Ellis was given to him, and he compared it with the appearances presented upon the post-mortem examination. They only corresponded in one or two particulars; and there was no trace of the disease of hepatitis, which was stated by the defendant to be the cause of death, or any suppuration of the liver or viscera. He considered the use of baths and the application of cold water to have been highly improper to a person in the condition of the deceased, as they had a tendency to produce the congestion of the heart and lungs to which he had referred, and more particularly in a person in whom the circulation was languid like the deceased than in a person of vigorous constitution. He should also say that, in his opinion, the application of a wet cloth to the stomach of the deceased on the Monday, when he was in the condition that had been described, was highly improper, and in his judgment, taking into consideration the state of the lungs and heart of the deceased, such a proceeding was calculated to accelerate his death.

Cross-examined—Although he expected that the effect of the post-mortem examination would be contradictory to

the diagnosis of the case given by Dr. Ellis, he gave him no notice when it was to take place, and no one was present but himself and his partner, Mr. Hicks. He did not consider whether it would not have been fair to give Dr. Ellis an opportunity of being present at the post-mortem examination. He should consider that bathing applied to any part of the body of a patient in such a state would have been injurious and improper. He would not actually pledge himself as to the cause of death. It would be impossible to do so in such a case. The deceased was what might be termed a healthy man, but he did not mean to say by that that he was free from all malady. If the brain had been congested, it might have accounted for the congested state of the heart and lungs, but he did not open the head to see the state of the brain.

Re-examined—He should say that a bath at a temperature of 85 was too cool for the patient to be placed in, and the effect of such a bath would be to drive the blood from the extremities to the internal organs.

Mr. James Hicks, the partner of the last witness, who assisted in the post-mortem examination, said that the body presented all the appearances of a man who had been drowned. The face was bloated, and bloody serum issued from the mouth and nose. The lungs were enormously gorged with blood, and the heart enlarged and flabby. In his opinion, the application of cold water was highly improper in such a case.

Cross-examined—Before witness entered into partnership with Mr. Waterworth, he acted as assistant to a gentleman who had the medical charge of a large union in Hampshire. At the present time hardly a week passed but he was present at a post-mortem examination.

Mr. Cockburn inquired whether this happened from so many of his patients dying? (Laughter.)

The witness replied, fortunately not; but although he was in practice he took every opportunity he could of attending the hospitals, to witness post-mortem examinations, with a view to obtain all the knowledge he could.

Cross-examination continued—He did not examine the head of the deceased, because he considered he had found quite sufficient causes of death in the congested state of the heart and lungs. The cold state of the extremities and the difficulty of breathing might be produced by many diseases; but in this case he should say they were occasioned by the congestion of the lungs. Some diseases of the brain might cause congestion of the lungs.

Two persons in the service of Dr. Ellis, and who were engaged in superintending the baths, were then examined. Their evidence merely went to show that the deceased was put in a bath at a temperature of 85 degrees on the Friday, Saturday, Sunday, and Monday, in the morning. It appeared that he remained in the bath 90 seconds, and he was then rubbed dry, and was placed in bed. They also proved that wet bandages were applied to him, but they denied that there was any application of the bath after Monday afternoon, when the deceased appeared in the state described by his wife.

In cross-examination, they said that on the Saturday and Sunday the deceased appeared very much better, and that he stated the baths had done him a great deal of good, and he was able to walk, and he likewise said that he felt very much better since he had been under Dr. Ellis. The doctor, it appeared, also sat up with the deceased all Sunday and Monday night, and appeared anxious to do all he could to relieve him, and the deceased all along expressed satisfaction at his treatment.

This was the case for the prosecution, and the court and jury adjourned for a short time to take some refreshment.

Mr. Cockburn then addressed the jury for the prisoner, and he commenced by observing, that the present charge differed from every other in this respect; that whereas in