

Dr. Beaudoin was then called, but he not appearing, Dr. Beaubien was sworn, and gave evidence as to the post mortem examination held on deceased. We need not give the details, but witness stated that there had been a fœtus, but there was no appearance of its expulsion in the natural way, it appeared as if some instrument, not sharp, had been resorted to. Witness considered that deceased had died in consequence of the inflammation of the womb, and its appendages, and such inflammation had been caused by unnatural means.

Mr. Drummond then cross-examined witness at considerable length to the end to shew that death might have resulted from causes indicated by the state of the brain and lungs.

Dr. Josiah Stanford Brigham sworn:—On the 27th January, 1861, the prisoner called at my house, and left word with my assistant that he had a patient who was very sick, and he wished me to go and see her. I went the next day. Prisoner persuaded me to go down and see her, so I drove down with him, and saw Olive Savariat; examined the patient, and said to prisoner—"You have a case of peritonitis." She seemed about 17 years of age, she was pale and emaciated, her pulse 120 or 125, and a great amount of tenderness over the region of the bowels.—Prisoner said he had a case of Peritonitis, and it was owing to the girl's having taken cold, observed that she was vomiting. I ordered oatmeal and opium, and warm fomentations to the abdomen. In going up the village I told him that I suspected that he had caused the girl to have an abortion. He replied that he had not, and I heard no more about it. I suspected so from the mere rumour of the village. I thought from the symptoms that deceased would die in a few days.

This witness was cross-examined by Mr. Drummond, and answered a number of questions put to him by the Court, but nothing very important beyond what has been stated was elicited.

Drs. Tassé, Beaudoin and Jones were then examined, and their testimony was to the effect that the immediate cause of deceased's death was inflammation of the womb and parts adjacent, also of the lining membrane of the bowels.

George Efsorge, (an exceedingly aged and feeble-looking man) sworn:—Knows the prisoner at the bar; lived under the same roof with him; also knew deceased. Between the 1st and the 12th of January there was quite a rumpus in the house, walking about, &c.; could hear all, for there was only a door between me and them. Heard a person groaning and agonizing; the groan seemed to come from the stairs, which came up to my door, which not being tight, I could hear everything. There was a small crack in the door through which I could look, but I did not see nor hear what they were. Before that night I perceived that deceased was in the family way; she frequently came into my part of the house. After that noise in the night I never saw her again. Witness was in his 86th year. The noise appeared to be that of a young person; I could not tell whose it could be unless it was hers.

Cross-examined by Mr. Morrison—I think I recollect perfectly all that takes place.

Mary Elizabeth Souls sworn:—Am the daughter of last witness. Knew the prisoner at the bar; saw Olive Savariat at his house, and heard her say she was sick. I judged from her look that she was in the family way. On a Sunday morning prisoner spoke to me about deceased. I should think it was a fortnight after she went to her mother's. He said she was very sick; she had a swelling on her side extending down to her bowels. I then told him what I thought was the matter, and he did not say that it was not so. I said that the sickness she had would go into her arms—I meant she would have a child.

Pierre Savariat, aged 13, was then placed in the witness-box. He was examined by the Court, and it being found that he was quite ignorant of the nature of an oath, his evidence was dispensed with.

Flavien Evegot, beadle of the Parish of Henrysville, testified to having buried the body of the deceased; also as to its exhumation.

This concluded the case for the Crown, and the Court then rose.

THURSDAY, 27th June, 1861.

Mr. Drummond proceeded with the defence of his client, and addressed the jury on his behalf. He said it was a painful thing to defend a man against whom the public mind had already been prejudiced; but they were bound notwithstanding any prejudices which they or others might have conceived, if the evidence was compatible, to acquit him. Take away the evidence as it was called of the dying girl, and there was nothing to shew that he had anything to do with delivering the deceased of a child. There could be no doubt that she had been so delivered, but there was no proof that Patterson had interfered therein. Nothing, he said, more than slight groans had been heard by the girl's brother, and the old man Saul who was lying near. Had the violent means alleged to have been used at her delivery been employed, louder cries in-