

Cross-examined at some length, but witness still adhered to his opinion. In ordinary language, the body was black and blue all over.

*To the Court.*—Her pregnant condition would render her more susceptible to injuries. Injuries received between 12 and 9 on the day she died would have accelerated death.

*Dr. Jones* believed that death was caused by extensive violence, and corroborated the evidence of Drs. Howard and Hingston.

*Dr. Beaubien.*—Had listened carefully to the evidence of Drs. Hingston and Howard. Their examination of the dead body had evidently been made with care, and the conclusion at which they had arrived was the only one to which he could arrive, namely, that death had been caused by external violence.

*Sergeant McLaughlin*, of the Water Police, deposed that on the 24th of May he went to the house of the prisoner, after he had been arrested. Deceased was not dead when he arrived, but died while he was there. (Identified the whip and axe-handle.)

*Louis Pion*, police-constable arrested the prisoner. Deceased was lying on the bed covered with a sheet, but unable to speak. The doctors came in and said there was not much life in her.

*William Nolan*, son of the deceased, a lad about 12 years old. His mother was not sick on the Sunday before she died; she was up and walking about; his mother often drank.

This closed the case for the prosecution.

Monday Jan 16, 1860.

PRESENT:—THE HON. JUSTICE ATYLMIN.

*Evidence for the Defence.*

*Reverend Mr. O'Brien.*—Cannot speak of her habits from personal observation; I last saw her on the day of her death; it was between three and four o'clock in the afternoon; she was then lying on her bed, and the impression left on my mind was that she was apparently drunk; remained only a few minutes, *did not speak to the deceased.* From the evidence I have heard in this Court, I have doubts of my impression being correct, that when I saw the deceased on the last occasion she was drunk.

*Dr. Archibald Hall* was then sworn:—Has been a physician and surgeon since 1834, and also lecturer on midwifery in the McGill College for the last 4 years; has heard the evidence of Drs. Hingston and Howard, and believes from their evidence there is very great doubt as to the cause of the woman's death, his reasons for saying so were, first, the condition in which Dr. Hingston found the deceased on his first visit, namely, that she was sensible, for she complained of certain pains and he prescribed for her, and that he gave her opium, which is a medicine that he would not have given her, had there been any serious cerebral illness; thinks that the subsequent death on the day following was due to some causes which supervened between the first and second visits of Dr. Hingston, for on his second visit he found her insensible; the frothing he would conclude was caused by disease of the brain; Dr. Hingston had described the injuries on the body of the deceased, particularly the abrasions on the back of the ear and the crown of the head; on the summit of the brain, in one of the membranes, were two ecchymoses; he could not determine whether there was *ecchymoses*, or merely an *effusion* of blood on the brain; after commenting upon the evidence given by the previous medical witnesses, Dr. Hall said that he was inclined to think that the deceased died of an apoplectic attack to which she was predisposed by the state of the liver and stomach; thought that the spine should have been examined in this case; from what he had heard of the evidence he did think that the death of the woman could not fairly be attributed to violence.

What effect could shock of nervous system produce? I don't think the symptoms detailed warrant that idea at all. Was it necessary in this case to examine the spine?