

perhaps it was the same night, they told us to sleep down stairs. About midnight, or two o'clock in the morning, the prisoner's wife awoke me and told me to go for Patterson at John Try's. Mrs. Patterson was sick herself. Try lived about a quarter of a mile off. Brought prisoner, and he then told me "unharness the mare and go to bed." I sat down by the fire. There was a pipe hole in the room where my sister was, and I saw her and heard her crying. I then went to bed. Next morning my mother came and inquired where Olive was. My mother went up stairs and met Mrs. Patterson coming down. Prisoner was in the room where Olive was. Mother went up and saw my sister, she then came down and cried. She then went up again and stayed with my sister through the day and at night went home. She returned the next morning. I think my sister stayed in bed for about a week. I then took her home in Dr. Patterson's sleigh. One night James Collins asked me where was Dr. Patterson; I asked Mrs. Patterson and told Collins that she said he was at the corners, (meaning the village,) Collins went there. I think this was about a week before my sister was taken ill. I put my head out of the window and heard Dr. Patterson and James Collins talking together. Patterson said " . . . I heard Collins say, 'your money is ready.'" This was about eight o'clock in the evening. The remainder of the witness' evidence went simply to confirm that of his mother, the preceding witness.

By Mr. Johnson—The day after the priest left, Olive Bavarlat, she called her mother to her bedside, and as I was standing by, she said, "only think mother, what a mean fellow that James Collins is, he preferred giving \$20 to kill his child than the giving of it to me to bring it up. It would not have been so had had the child been buried in the ordinary way instead of having been burned." After having said this she turned on to her side and wept bitterly. Her mother said, "Don't cry my dear, when you recover we will have that settled." Her mother only told her that to comfort her. Deceased died in a week after this, and I was present when she died.

The witness was then briefly cross-examined by Mr. Drummond and by the Court.

Pierre Bavarlat was then called, but being absent, Mr. Johnson said it was very unusual to be sitting on the day of elation nominations, the witness was absent.

James Collins was called and identified by the witness.

By the Court—Did you ever hear the prisoner say anything relating to this matter?

Witness—No.

Onesime Bavarlat sworn—I am the wife of Felix Pelletier. I was living with my step-mother when my sister was brought home. She was sick when she came from Mr. Patterson's, in a sleigh driven by Jean Baptiste Bavarlat. My sister had had a child. Her linen was brought, they were clothes that had been used in the confinement of a woman.—After some further unimportant evidence the witness continued; Olive Bavarlat said she was going to die. She wanted to confess. The priest arrived and confessed her, and then went home. After her confession, he administered Extreme Unction to her.

Cross-examined by Mr. Drummond—After the priest had visited deceased, deceased made certain communications. At that time she had no hope of recovery, and asked me to pray for her. My step-mother was then present.

The Court then ordered all the witnesses to be called, so that a note might be taken of the absent, and said it should order that they receive no compensation for this day's attendance. Likewise, if any Sheriff, when his Honor was presiding, again erected his hustings so near to the Court House, so as to call off the witnesses from this Court, whereof the Sheriff was himself a member, the Court should deal with him after the English fashion, namely, fine him something between \$100 and \$1,000. Between the noise and turmoil of an elation, and the sittings of a Court wherein life and death was pending, there was nothing in common.

The witnesses having been severally called, at length a witness was obtained, and the trial proceeded.

—Taylor sworn—About the first of January last, saw deceased at prisoner's house and she seemed in good health. March 10th, saw prisoner, and had a conversation with him about the scraps; he said, I will suppose a case of a girl being brought to my house, and she was in the family way; we come to examine her, and she was four months gone; on further examination the child was dead; would it not be my duty to take that child from that girl and save her character? This conversation took place in the State of Vermont, just over the line. Mrs. Patterson, who was then in custody, wanted me to take a letter to the Doctor, who was at that time at Albure, and this visit led to the conversation.

Cross-examined by Mr. Morrison—Did not know of myself the character of the prisoner.

By Mr. Johnson—The general opinion was that prisoner was not a very decent sort of a man—the public opinion is that he is rather a bad man. The public report is that he commits a great many abortions.