

and told her to get out of bed ; she begged of me , for God's sake, to prevent her from being murdered in bed ; I saw his hand under the bed clothes, and the deceased would scream out that he was hurting her ; I always followed the prisoner into the room, and he would raise his hand over the deceased's head, and say that he would have killed her long ago, if it were not for the leaving of her children alone ; the deceased used to show me the state of her body ; I saw black and blue spots on it from the ill-treatment she received, they were on her side, stomach, arms and neck. I never saw the deceased take liquor ; up to the last time of abusing his wife, she had *her senses about her*. It was about four o'clock on the afternoon of her death that I saw the prisoner pull his wife out of the bed and throw her back into it, it was after this she lost her senses, the last words she uttered before her death were, "bad luck to him, he has murdered me."

*Cross-examined*.—The deceased was insensible on the evening of her death from the last time the prisoner abused her. She was speechless from about five o'clock till the hour she died ; *all she could do was to make signs*. She died, I think, between eight and nine o'clock.

*Catherine Donovan examined*.—When the prisoner was drunk he would strike the deceased I think I saw the prisoner strike deceased with a whip and with his hand, about a week before her death. He once struck at her with the whip and I received the blow on the shoulder.—(Identifies whip, which, witness said, had once a piece of lead on the butt end.) I suppose it was with the beating that the lead came off. About a week before her death the deceased was lying on the floor of her room, and prisoner beat her. (To a Juror—She was not sober at the time.) On the day in question I saw the deceased drink beer, as well as some whisky or gin. The prisoner himself was intoxicated.

*Cross-examined*.—Deceased was in the habit of drinking often for four weeks before her death. I have seen her take half a tumbler at a time, either of whisky or gin. I have seen her fall out of the bed more than once. From the 17th of March till the time I left the house, she drank all the time, with the exception of two weeks. I have brought liquor to her in bed—wine, whisky and beer. The deceased fell different times when her husband was not present. Upon one occasion after the deceased fell I saw blood come from her nose.

*Dr. Hingston, examined*.—On the 23rd of May, I was called upon, in the evening, about 8 o'clock, to visit the prisoner's house. I found the deceased suffering from injuries she had received. She was lying on her side—her back towards me. I asked her to turn over, she seemed from pain unable to do so. The prisoner was not there at the time. My visit was short ; it was occupied in hearing her statements. She did not turn. She appeared to be partially under the influence of liquor, and suffering much from other causes. I prescribed a dose of opium. I saw the woman about the same hour next evening. She was in a dying state. She died about nine o'clock. I was present when she died. *She was quite sensible from the time I entered the house till she died, though unable to articulate distinctly*. Before she died I saw several marks of violence about the head, they were contusions or bruises, and abrasions of the skin. They must have been produced by external violence.

On the following day at about 3, p.m., I made a post-mortem examination of the body in conjunction with Dr. R. P. Howard. The body lay in bed in the same room and in the same position in which I had left it on the previous evening. It appeared very much emaciated, pale, and ill-conditioned. The marks of violence were numerous—very numerous ; but the following recent ones were noted : A bruise in the centre of forehead ; another higher up ; one over right eye ; one over each ear (that over the right being several inches in area) ; an abrasion on the right side of the larynx ; an ecchymosis of upper end of breast bone ; an abrasion of considerable extent over right shoulder ; three bruises of right side of chest near the mamma ; four of left arm ; three of right thigh ; an abrasion of left knee ; another of left leg. In addition to these there were numerous ecchymoses of longer date on different parts of the body, they were *too numerous to*