

my wife.' Here, defendant's own certificate's daughter is the necessity of marriage.

Yes, we will only see, whose testimony letters, will, I the Defendant's maintained by

twelve years, both Defendant, and treatment of her;

title the Plaintiff deduction should any personal ser-

vice; because he to plead or give made his elec-

tion, claiming da- and depriving which action, and aim he may have

proper subject of case it is your du- fair and full re-

lief of the Defendant, whose ment has ample the amount of da-

of the declara-; and I hope you as shall prove a bands not to ill

sworn, was exa- Witness is a wife, and daugh-

ter Mrs. Ham's a visit at her fa- of a sore breast.

her, to take her y, you must get me, and ride be- shaking a whip

she was so ill orse back. Her waggon, and she

ndant said again, or, my lady, you d if you live to

me, I shall dis- third day, and k of the house, et out of bed, I was about a year

the marriage.

The Defendant finally brought a waggon, and his wife went with him, to go home.

About three years ago witness met the Defendant accidentally, and spoke to him of the separation of him and his wife, expressing a hope that they might yet be reconciled, and live happily together. The Defendant said he would never take his wife back, no, not even if she would go upon her knees to him.

On the 24th of September last, Mrs. Ham, accompanied by witness, went to Mr. Ham's house in Path, and she offered to live with him. He seemed surprised to see her, said he was not a better man than when she left him, and added, if you come to live with me, you must look wild. If all be true, I have several children in the country, and I have a very pretty sweet-heart in Montreal, much prettier than you are. His wife said, George, that is nothing to the purpose; I want to know whether you will live with me or not? He said, I am independent here, King, Lord of all. You must humble yourself, before I tell you whether I will live with you or not. I have the whip in my own hand, and I shall use it as I think proper. I will not tell you whether I will live with you or not, until you go and make friends with my mother. She said, if your mother has any thing against me, I am willing to make her satisfaction. Two days afterwards, witness went with Mrs. Ham to the Defendant's father's, and she there said to the Defendant's mother, if I have ever done any thing to offend you, I beg your forgiveness. The old lady said she was satisfied. The Defendant came in, and his wife told him she had made friends with his mother, and his father also was satisfied, and she asked him whether they could not make up all differences and live together. He said, how do I know that they are satisfied, and wish us to live together? She then said to his father, father Ham, have you any objections to our living together? No, says old Mr. Ham, you know I always wished it. She then asked his mother, mother Ham, are you willing we should live together? The mother replied, that she had nothing to say against it. Defendant then said to his wife, if you live with me, you must do all the work of the house, and do it in style, without a frown or a cross look; for the instant I see a cross look, I shall show you the door, and you will walk. I shall dismiss all my servants, except a man to

wait on me, for I am worthy of one. She said, can't we make it up here, and I'll go home with you, and we will live together. No, says he, I have business of greater importance to attend to to-day. She said, I think this is a business of great importance. He said, he supposed she thought so, but he did not. He said he had no more to say on the subject. His wife then said, George, I shall go to your house this evening. She accordingly did go; witness did not accompany her, but when she came back, understood that Defendant would give her no answer, but told her to go home, and he would take a month to consider of the matter. The Defendant sent the Plaintiff a letter on the occasion, the same that has been read.

At the expiration of the month, on the day appointed by the Defendant, the 24th of October last, the Defendant's wife, accompanied by witness, went again to his house. He said to her, you say you have come to live with me. She said yes. He asked her if she wished to live with him? She said yes. He said, if you do, you shall be confined in a room, and I shall neither eat, drink, nor lodge with you; you shall not go out to visit, nor receive any visitors, but such as I shall direct; you shall not intermeddle with any thing about the house; for the instant you do, I will shew you the door, and you shall walk. And if I should lodge with you, will you have any objections that another man shall sleep in the same room? She said, this is not receiving me as a wife, nor treating me as such. He said, if you do not think proper to stay upon these conditions, you must go. He said further, you must not be disappointed, if five or six other women should occasionally come into the house with me. Witness said, he added other expressions, which she did not like to repeat. Mrs. Ham told him she could not stay on such conditions, and went away.

Witness believes Defendant is in good circumstances. His wife was boarded, lodged and clothed respectfully by her father, at his expence, since she came home to his house, about 12 years. The child was kept at her father's until he was 12 or 13 months old.

*Cross-examined by the Solicitor General.* Peter Perry and his mother were present when the Defendant came to her father's after his wife. Mrs. Ham was not so ill, when she first came home to