

is the result of the examination of the cloth. When sent to the Doctor it was not much soiled. When on the sofa, this cloth was laid on in the same position as I had placed it in the morning. I said that I believed the prisoner had effected his purpose, though this cloth was tied on. I told this to my husband.

Mr. Devlin.—Did you not swear that the cloth, when you got up off the sofa, was in the same place as when you lay down?

Witness.—Of course it was; where else would it be?

Cross-examination continued.—I believe he violated my person.

Mr. Devlin.—How long did he take to effect his purpose?

Witness.—I don't know.

Mr. Devlin.—Did you not swear that the pressure was instantaneous.

Witness.—Only at that time.

Court.—You may go down.

James Nichols, husband of the last witness, examined by Mr. Monk,  
Q. C.—

Witness.—My wife told me Dr. Webster was a villain. She explained to me the reason of this assertion, but not till about two o'clock in the morning; she then told me he had violated her person; she told me he was aided in his design by chloroform. I saw when she came in that she was labouring under great excitement. On Friday morning, having been made acquainted with the details, I laid the case before Mr. Rose.

Cross-examined by Mr. Devlin.—When she came home I gave her some brandy and water to revive her; she eat a little rice-pudding afterwards.

Mr. Devlin.—I now leave it to the court if it is necessary to go upon a defence. I think the Court will say there is no evidence to lay before the Jury on part of prosecution.

Mr. Monk.—What has been brought out in the cross-examination is, I think, sufficient.

Court.—Penetration has not been proved; and the Jury cannot go upon the belief of a woman while under the influence of chloroform. You will therefore, Mr. Devlin, take up the case as if it were one of attempt at assault; the question of rape must involve penetration or emission, but neither has been proved. So you need not address the Jury as if your client were indicted for capital felony; that has not been at all proved.

Mr. Tate, architect, examined by Mr. Devlin—in company with Mr. Brown I examined the rooms of Mr. Webster. It would require some amount of force to shut the door leading from the laboratory to the consulting-room; the lock was on that side of the door which was within the laboratory.

Mr. Monk objected to the evidence of descriptions.