

them, she died on Shrove Tuesday of this year, and was then nearly 17 years of age; before her death she was at Mr. Collins' as a servant. This Collins is the father of James Collins, and resided at a distance of two or three miles from her residence in Clarenceville. Olive was in the habit of coming home every 10 or 15 days.

Mr. Drummond here suggested—As it is a question of murder it may be advisable to pass over these details and proceed to the point.

Mr. Johnson—"I must prove the identity, as the coroner could not do it."

Mrs. Gobert—I brought my daughter home in October, and she resided with me until a week before Christmas, when she went to live with Patterson the prisoner.

Mr. Johnson—"Do you know Patterson, is he here?"

Mrs. Gobert, (crying)—"Yes, there he is."

Mr. Morrison—"Why she pointed to Mr. —."

Mr. Johnston—"No, she turned away her head at the time she identified him, and it was thus the pretended mistake took place."

Mrs. Gobert, (sobbing)—"No, no."

Mr. Johnson, pointing to Patterson—"Is that Patterson?"

Mrs. Gobert—"Yes, (sobbing loudly) I have known him for the last five years."

She was here allowed to retire to compose herself and on returning, said—"Patterson engaged my daughter as a servant, he came himself to ask her services, I was not then present, my daughter told me so on my return."

Mr. Drummond—"That's no evidence."

Mr. Johnson—"What did your daughter say?"

Mr. Drummond—"I object to that, I object to all illegal evidence."

Mrs. Gobert—"My daughter left my house one morning after breakfast, to go to Mr. Harvey Buell's store in the village. She proceeded there to buy a dress and took it to Patterson's house to cut it out on a pattern in his wife's possession. Patterson's house was the third from the store. Saw her at Dr. Patterson's three or four days afterwards, called there as she was passing, and my daughter told me that she had been requested by Patterson to stay a few days as his wife was sick and unable to do her household work; she might then have stopped 14 or 15 days with Patterson. A fortnight after the first visit to Patterson's house I returned there and found my daughter sick. Witness was then going to wash and in passing by asked her little son, where was his sister, he replied that she was up-stairs, entered the house and was proceeding up stairs, when she met Patterson's wife who told her that her daughter was sick, went up-stairs and found her daughter sick on a truckle-bed. I knew what ailed her when she told me."

Mr. Drummond—"I object to the recital of any pretended conversations between the witness and her daughter, as it is not pretended that this is her dying declaration."

Judge Aylwin—"Mr. Johnson, ask the witness what were her daughter's symptoms."

Mrs. Gobert, again sobbing loudly—"She had lost all her colour and most of her blood."

Judge Aylwin—"Did you know what was your daughter's malady when you saw her."

Mrs. Gobert—"No, but I was told as far back as October that she was *enceinte* and saw that it was true. When the prisoner came up to the room a few minutes after, he asked her if she was still in pain, she replied that she was and he gave witness some spirits of turpentine to rub her with, and recommended it as very efficacious for the purpose of alleviating pain. She (witness) then understood that her daughter had been taken sick at four in the morning. She was then no longer with child."

Patterson asked witness how long her daughter was pregnant, she said about seven months, Patterson replied "Oh no," and showed with his hands what might have been the size of the child. He was then asked if it would be safe to remove her to her home, and replied that it would be, provided she was well covered up. Accordingly witness wrapped her up carefully and took her away in a sleigh. She immediately took to her bed, but rose the next day for a short time, and again took to her bed to rise no more. And for two or three weeks before her death, continually vomited and spat up blood. Remembers that the deceased spat blood eight days or so after returning home. While so lying ill, Patterson attended her and called nearly every day. Among other medicines he gave her some salts. Dr. Brigham also called to see her a few days before her death. Dr. Brigham merely glanced at her and turned away. She then received the Sacraments of the Church.

Mr. Johnson—Did your daughter tell you she was going to die?

Witness—After receiving extreme unction she called me to her bedside, and said she was going to die.

Mr. Drummond objected to the further admission of this evidence: it must be established more fully than had yet been, that the deceased was aware that she was about to