

stance, however agreeable in its nature, if the mind had time to cool, would be murder. To apply the law to the case before you; and which, regardless of your own feelings, you are to determine, was one of cool, deliberate, and premeditated intent to kill. Gentlemen of the jury, you will calmly and without any stroke of personal prejudice against the prisoner, or commiseration for her misfortunes, render your verdict according to the evidence before you.

The jury then retired, and after remaining an hour, returned into Court with their verdict of guilty of murder, but recommended her to mercy. The judge inquired on what was their recommendation founded. The foreman of the jury said it was twofold. Firstly, as she was not seen by human eye; secondly, on account of her sex. The prisoner was then remanded to prison, and the Court adjourned until ten o'clock the following morning. The prisoner being placed in the dock, counsel for the prosecution stated the necessity which impelled him to call for the judgment of the Court; after some discussion, which the Court overruled, the judge asked the prisoner what she had to say why the sentence of the law should not be pronounced against her. She replied, as follows:

Were I differently situated, I would have much to say, but surrounded as I am by a cruel world, and having received the rigorous process of the law, I will decline, at least for the present, any vindication of the circumstances that placed me here; but should the Court extend to me the mercy consistent with my misfortune, I will furnish a full detail.

His honor then continued to exhort her to repentance, and reminded her of the cruelty and perversity of her heart, which was deaf to the supplication of the little children, whose helplessness alone might have pleaded mercy for their parents, and then concluded.

Elliza Dawson, you are convicted for the murder of Charles Steward and his wife, Mary Steward, who died on the 30th of last June by the effect of poison, maliciously deposited by you. The Court will extend to you such clemency as is consistent, in order that you may make peace with the great Judge before whom you must shortly appear. It now becomes my painful duty to pronounce the extreme penalty of the law, which our ancestors in their wisdom have placed as a shield for our protection. That you, Elliza Dawson, be forthwith removed to the place from whence you came, and there kept in close confinement; and at whatever time and place his Excellency the Governor General of this province may deem proper, that you