

to be less a crime for a Protestant to produce abortion than for a Roman Catholic—that the latter is deprived of means for violating the laws of his country to which the former is allowed free access—and that inasmuch as the Protestant thus enjoyed the greatest liberties and was not equally chargeable with his offences, a new kind of inducement was held out to all people viciously disposed to join the Protestant ranks!

Not content with this disparagement of men's own views of what is right or wrong in the matter of religious opinion, the name of the Most High is even introduced, and His existence is openly referred to for the ostensible purpose of leading the witness to reconsider his position and request. The appeal very inconsistently introduces the subsequent proceedings, and, admitting these to be correctly reported, we must pronounce it to be a fearful aggravation of their alleged criminality, for the knowledge vaunted should have withheld the commission of the premeditated offence. We do not here say that Tumblety did intend to produce abortion, for that will be settled before a public tribunal whose verdict is not to be anticipated; but we do contend, that, inasmuch as he gave medicines upon demand, they were exhibited either intentionally for the object expressed or for some contrary purpose; if for the first, the recipient had his wishes complied with,—if for the alternative, he was deceived. And, accordingly, the accused stands either in the light of an abortionist or of an impostor. He either endeavored to serve the avowed ends of the applicant or he sent him away with the impression he had done so, when in reality he had not. Tumblety professes to comply with the request to produce abortion, he afterwards gives medicines with directions, and finishes by saying, "Come back in a fortnight and you will find all has disappeared." Obviously implying either that at the end of this time he would be found *true* to the trust reposed in him, *i. e.* that he was capable of doing what he was expected—or *false*; placing himself on the horns of a most unenviable dilemma. This will be more clear from the testimony of the witness last referred to:—

"Witness replied to a question put by the prisoner, that he was a Protestant. The Doctor said to him: "Were you a Catholic, I would not give what I will give you since you are a Protestant." He also said to the witness: "Do you not know there is a God above?" To this witness replied, that has nothing to do with it; he was acting on his own account. Tumblety then told him to come back in an hour or thereabouts, and he would give him the medicine to kill the child. This medicine would cost £5. Deponent did not return that day, but went the following morning, and said to the Doctor that the girl was ashamed to go to his office, but that she preferred to see him before taking any medicine. Tumblety then told him to bring the girl, and he would arrange everything."