

well as I do some other men. I saw the child move; I saw its feet moving when in the house, and when carried out of doors.

Re-examined by Mr. Johnson—My sister said she would not go with my father when we were out in the field together. We were walking together, and she told me that my father wished her to go out walking with him, and that she then said "I will not go with him."

Two of the prisoner's sons were brought in, one 10, and the other 13 years of age. They said that they had never been taught one prayer, or that there was a God. They were therefore not examined.

Mrs. Lake was then examined. Mary Jane Burns came to my house, which is about two miles from her own father's place, on the night of December 24th. 1859, I believe. I thought she was in the family way, and asked her about it. She denied that she was pregnant. She went home with her brother Cindal on the 26th. Saw her about five weeks after, and she appeared to be no longer in the family way.

Cross examined—I could not be mistaken in my opinion respecting Mary Jane Burns' condition.

Harrison Davis, examined—Called at the house of the prisoner in the spring of 1860, and saw Mary Jane suckling her mother's child.

A female witness deposed that some time ago she observed Mary Jane Burns in the family way; two months afterwards she noticed a change in her appearance.

Dr. Beaubien, examined—Examined Mary Jane Burns this morning, to convince himself that she had had a child. The result of his examination was, that she had borne a child. He then gave his medical reasons for his belief. In his opinion she had given birth to a child several months ago.

Mr. Dougherty then cross-examined Dr. Beaubien, and after a few unimportant questions, the case for the Crown was finished.

Mr. Dougherty then followed for the defence with much ability.

Mr. Johnson, Q. C., replied, severely reprobating the squalid wretchedness and worse morality of the Burns family, which were a disgrace to the country. He then recapitulated the evidence in an eloquent address.

The learned judge then proceeded to sum up, first reading the evidence, and analyzing it in the most masterly manner at some length, charging the jury strongly against the prisoner, but urging that if there were any doubts, the prisoner should have the full benefit of them, as a verdict of guilty would doubtless consign the prisoner to ignominious end.

The jury retired at half past five, and at six o'clock returned with a verdict of "guilty."

The prisoner upon hearing the verdict, exhibited the first symptoms of emotion during the trial. He stammered out a few words, bent over the bar of the dock, and burst into tears.

Mr. Delisle, the Clerk of the Crown, put the usual question whether he had anything to say why sentence should not be passed on him as the law directed. Burns replied in a low inaudible voice, broken with tears, but was at length understood to say, "I am as innocent as the Lord that made me."

Proclamation having been made, Judge Aylwin passed sentence of death in the usual form.

THE PATTERSON ABORTION CASE.

TUESDAY, 25th June, 1861.

Before the Hon. Justice T. C. Aylwin.

Jesse Patterson was then put upon his trial for having on the 12th December, 1860, murdered one Olive Savariat by administering drugs designed to procure abortion. An English speaking jury having been sworn, Mr. Johnson, Queen's Counsel, prosecuting for the Crown, addressed the jury, briefly laying the case before them.

Mr. Tasse, coroner of the district of Iberville, was then sworn; as such coroner was called upon on the 6th March, 1861, to hold an inquest upon the body of Olive Savariat; the inquest adjourned to the 13th and 14th of the same month, to allow time for a proper post mortem examination. The inquest was held at the instance of Mr. Johnston, a magistrate of Clarenceville. Mr. Johnston sent him a letter stating that Olive Savariat had come to her death through ill treatment.

Hon. Mr. Drummond, Q. C. (with whom was Mr. Murdoch Morrison.)

"That's no evidence, the letter should be produced."

Mr. Tasse—The body was exhumed from the cemetery in which it was interred, and examined by Drs. Beaubien and Beaudoin, in presence of Dr. Tasse, and fully identified by her mother and other competent witnesses.

Marianne Gobert, widow of Joseph Saviart—My husband died seven years ago, he left me with six children, (she here gave their names) Olive, a young girl was among