

screamed as soon as she could, and as loud as she was able; had more strength to cry as she became excited; can't say the Doctor's person had touched her when she screamed; he said, "don't be frightened, I am not going to hurt you; it will prevent bleeding you again;" there was a palliasse and mattress on a corded bedstead; does not know why he did not succeed at first; it was not her strength or resistance that prevented him; after being turned across the bed he succeeded; did not ask her to change her position; prisoner's trousers buttoned in front; was quiet when being wiped; offered no resistance; had not sufficient strength to cover herself; thinks the door was on the latch, but not locked; when Matilda came in did not come to the bed, nor ask any question till Doctor left, nor did witness speak; the bed occupies the corner opposite the door; remembers that he shook hands with Matilda, then came to bedside and took witness' hand which was lying above the clothes; is not sure that she heard the Doctor give Matilda instructions about the powders; thinks her sister told the Doctor to call and bleed Mrs. Jones; thinks she first spoke to her sister-in-law, and asked if she heard her halloo; did not ask why she came not sooner; asked for a cloth because she was flooding; her other sister-in-law came up, asked and was told all particulars; told her enough to let her know what had happened; Matilda slept in a bed in the same room; witness' head wandered the night after the Doctor first called; never was disturbed by singing or other noise in bar-room; could sometimes hear the sound of people talking in the kitchen; could not hear them in the bar room; does not recollect holding conversation with any one not of the family on this subject; has not seen copy of depositions; Mr. Crooks came to the house to intimate that they need not come to court the first day; Mr. Crooks' whole conversation was not about this affair; heard him say he was cautioned not to let the depositions out of his hands; no person advised her to give information of this matter; William Doherty was boarding in the house; does not know much about him; has spoken to him; recollects his being in her room to varnish a bureau; cannot say whether before or after this offence; does not remember asking him what made him so stiff and haughty; does not remember his saying he had something else to do than talk to her; remembers that she heard Doherty say that when coming from Dundas he had seen holes where search was made for a man Doctor Dill was said to have murdered last year; Does not know a man named John Mcnevy in Mount Pleasant; knows one in Bruford; heard he had made reports against witness, he himself denied it; does not remember asking Doherty if he saw "my old Doctor;" her brother never charged her with lying on the floor with any man; once, when the Doctor used his hand indecently, Matilda was in the room nursing her child; his hand was under the bed-clothes and her sister-in-law did not know what he did.

Matilda Fordham—Is sister-in-law to last witness: the family consists of two brothers Fordham, their wives and children; Phoebe Fordham lives with them, and was ill eight days before the Doctor was sent for; he came on Tuesday evening; said the complaint was bilious fever; witness had seen the Doctor twice before; he came to the house professionally; Phoebe was regular; Doctor always came to kitchen door except once when witness was up stairs; he came on Friday evening at dusk; Phoebe complained of pain at stomach; he said he would put on a blister; while preparing it he asked for vinegar and water; washed her and put on the blister: witness asked where it was to be put on; he said he would do it himself as he knew best; witness directed a little girl to hold the candle; he said he could see well enough as it was; on Saturday morning, about dawn, witness took off the blister, and in the forenoon Mrs. Jones dressed it; the Doctor never spoke of drawing off Phoebe's water; Phoebe was very weak; had been delirious; on Tuesday night got out of bed and walked about the room; vomited the medicine; the Doctor next came on Sunday, near mid-day; did not then come to the kitchen; children were with witness and her sister in the kitchen; had been up stairs a short time before; has swept the room and put up the window curtain; heard some one go up stairs; thought it was her husband; was told afterwards by her sister-in-law it was the Doctor; were talking in the kitchen; witness went to the sink to wash her hands; heard a scream; asked her sister-in-law if it was Phoebe; she said it was her child in the bar-room; presently heard another scream; Charlotte said she was afraid the Doctor was killing Phoebe, and asked witness to run up; witness wanted Charlotte to go; she refused as her hair was all out of order;

witness then hurried, and as she opened the kitchen door heard another scream and the words "O Lord;" went up stairs as fast as she could; had to go along a passage up stairs and along another passage; Phoebe was in bed, right, and the Doctor sitting by the bed wiping her hands with paper; Doctor said, "How do you do—get me some water;" witness went far enough into the room to see Phoebe and then went for water as quickly as she could go to the kitchen and back; he asked for a towel and some paper; witness asked how soon the fever would break; he said, "God knows," but thought there would be a change soon; thinks it was nearly five minutes from the time she went into the room till the Doctor left; observed that the window curtain was down; thinks Doctor went to bedside before he left, but cannot positively swear; when Dr. went out either Phoebe asked witness if she heard her scream, or witness asked Phoebe what made her halloo; she said the Doctor had almost killed her, first with his hand and then unbuttoned his pantaloons; she began to cry and seemed much distressed; before witness left, Phoebe asked for a cloth, because she was flooding; gave her one; she shewed witness the cloth; witness went down, not aware of extent of what had happened, because of the screams; told Charlotte who went up; witness went up some time afterwards; Phoebe was crying; Charlotte said the Doctor has done what he pleased with Phoebe; Phoebe declared it was true; saw marks of blood on Phoebe's shoulders and told her of it; it looked like marks of fingers; she said it must have been from the Doctor's hands when he turned her across the bed; thinks the noise of the child in the kitchen prevented them from hearing Phoebe's screams sooner; could not say with what the Doctor was wiping his fingers; looked at it afterwards and found it a piece of paper covered with blood; Phoebe afterwards said he had wiped her with it.

Cross-examined—The house is of three stories; Phoebe's bedroom on the second floor, over the kitchen (plan of house submitted and said to be correct); witness, her sister-in-law, and a little boy, were in the kitchen; child was playing and making a noise with a chair; cannot say how long time from hearing footsteps on the stair to hearing cries; Charlotte's child was in the bar-room; other than the noise of the child and their own talking, the house was quiet; heard three cries; does not think that from second cry till she went up stairs much more than a minute could have elapsed; recollected when she heard the scream that the Doctor had been accused of murder, and a "shock" came over her; when witness came down for water, told Charlotte that she saw nothing wrong, that the Doctor wanted water for his hands; witness was so frightened that she cannot tell how she went up stairs and into the room; did not say anything; saw that Phoebe was right in bed, though she looked agitated; after the witness returned with the water saw the agitation more distinctly; witness can't say whether she told the magistrates that Phoebe had told her the whole as soon as the Doctor went away; does not think she did; witness asked Phoebe why she did not halloo sooner; she replied she did so as soon and as loud as she was able; and that her voice got stronger the more she was hurt; did not think the Doctor had ravished Phoebe till Charlotte told her; Phoebe never complained of noise in the bar-room; witness did not examine her person, but examined her clothes; did not observe other marks than those of blood.

Charlotte Fordham—Was in the room on the Friday evening when blister was put on; was surprised at the Doctor putting it on; thought he would have asked Matilda to do it; Doctor generally opened kitchen door before going up stairs; on Sunday forenoon heard some one go up stairs; went to the bar-room and asked her husband; he said it was the Doctor; thought Gideon had gone up with the Doctor as she did not see him; returned to the kitchen to adjust her hair and dress; told Matilda; some time after heard a scream; thought it was her child in bar-room; told Matilda so in answer to her question; heard another scream; called to Matilda to run up stairs; Matilda asked witness to go; Matilda then went; when she opened the kitchen door to go, heard a third scream and the words "O Lord;" Matilda soon came down for water and said she saw nothing the matter; witness dressed, went for her child, and then went up stairs after Matilda had come down the second time; Phoebe wanted to spit; witness took out the pot; saw in it a paper with blood on it; Phoebe said the Doctor had almost killed her; that he first used his hands and then got into bed with her; failing to accomplish his wish, he got out of bed, turned her across the bed with her