wife could not live long; she was then in apparent health; he said she could not stand her confinement; he was depressed, and could scarcely attend to a epileptic patient; under his wife was taken ill on the following Friday when Deacon came in and spoke no more. I received the box containing the stomach from Dr. Smith, and delivered it to Sergeant; an assistant at Anglesea; Deacon secured milk for wife.

Hugh Cordy, Coroner, sworn—I reside in Portland; saw the body; kept part of the coffee and sealed the stomach in the jar; it was given to the constable, and returned to me with the seal unbroken. No cross-examination.

Prof. Dupuis, sworn—I am Professor of Chemistry in Queen's College; received the stomach on Aug. 4th, inst. from Dr. Smith, analysed the contents of the stomach; I detected green peas, potatoes and pork; I performed an analysis for Stass' process; gave by to-morrow for the examination of strychnine. In these operations, with some modifications, I succeeded in eliminating some, upon the whole I judge to be about one-half of a grain of strychnine, with I tested in the different ways explained at length and with unanswerable; all these results were indicative of strychnine, and since no other known substance gives the same answers to all these tests in precision, I have not the least hesitation in pronouncing the substance to be strychnine. It is cannot be found as readily in a body it must have entered as strychnine; it will stay in water out of the whole, a small quantity will dissolve and give a bitter taste, more bitter than salts; it is as able of absorption, and might possibly be in the system without being discovered; it is assumed that a greater quantity is taken than is afterwards [illegible] it may be absorbed after death; the time in which the strychnine takes effect varies from 5 or 10 minutes to 10 hours; the average time is 2 hours; half a grain is sufficient to kill an adult; the symptoms are tremor, tetanic convulsions of great severity, attended by strong muscular action before and after death. More particularly is head and neck; stretched and dissolved better in this than pure water; there is no hurtful substance in common housekeeping; did not try the physiological test; has no faith in it. In the cross-examination Mr. McIntyre questioned Prof. Dupuis very closely, and the witness coming out of the ordeal triumphantly, the crowd in Court gave evidence of their pleasure by a hearty applause, which was at once suppressed by the officers of the Court. His Lordship decided that he would visit any future demonstration with the imprisonment of the offenders.

Dr. H. Yates, Kingston, sworn—Have practised 27 years in Kingston; strychnine produces tetanic convulsions which come on very suddenly; five minutes is the shortest time for an effect, and the regular time ranges from one to two hours; the fingers are cramped and feet curved upwards; the description of his symptoms by the first witness to-day gives evidence of poisoning; the reported convulsions of the spine would give bulk to the stomach as described; the strychnine when was absorbed, killed the deceased; not that which was discovered and examined and considered when such a grain is found, it is quite safe to conclude that there has been more taken; from the reported time of the taking of the dose, to the period of death there was sufficient time for it to have dissolved, and left the one-fifth for analysis; possibly a proportional four-fifths of a grain was absorbed.

Dr. Sanders, sworn—am a graduate of Queen's college; having heard Prof. Dupuis evidence, agree with the tests he has applied; I analysed some stuff brought to me by the County Attorney; I found no strychnine in it; corroborate Dr. Yates evidence as to effects of strychnine.

Ann Shaw, sworn—live in Miller, 12 miles from Deacon's; my husband keeps a shop; Deacon came to our place 1st June; when I was feeding my chickens; he remarked that I had a fine lot of chickens; that he was losing his as the foxes came in daylight and took them from him; he had no dog, and he advised him to poison them; he did know where to get the poison he said; on the 6th July prisoner came to his shop to get some things out of the shop; my husband was not home, and I did not give them; he went to Hicks, and Catharine Vankoughnet, came in; the prisoner came here and said "I thought it was so and I saw you coming up the road." They talked and laughed together, and seemed to enjoy each other's society; they were so familiar together that I reproved them; next day prisoner and the girl Vankoughnet were in the store together, and she took Deacon's advice in everything she purchased.

Cross-examined—Prisoner always spoke well of his wife, and seemed anxious for her well-being.

Wm. Shaw sworn—Am husband of last witness; have had stry-[illegible] in my store; I bought it from Dr. Skinner, Kingston; prisoner brought half a drachm from me in a bottle, ostensibly to poison foxes; he required it the fur was of any value; I said not; on my beg together the prisoner and Catharine were very familiar; I let him have a dress shirt $7 for her; I rode out with them afterwards, and they sang love songs and palm hands together; Deacon took off his coat to keep her warm.

Henry Skinner, sworn—I am a chemist; I sold last witness a drachm half drachm bottles, marked "poison" and "strychnine;" a paper was so noted in presence of witnesses that Shaw had purchased them and been duly cautioned.

Julia Gottfried, sworn—Am Deacon's nearest neighbor; he came to me and told me he had poison to poison foxes on Sunday, the day before his death; he took his wife to Sunday school, a mile and a half; prisoner came and asked me what strychnine was like. I said like salts; he agreed with me, and said he had to get some from a doctor for one dollar to poison foxes; he had it some where near the house; Mrs. Deacon at this time was healthy; next day prisoner asked me to go to Shaw's to get him some epsom salts and other things; he took the order, and got some one else to go.

The evidence was only half through at the stage of 5 p.m., and the court adjourned until to-morrow morning, when the case will be resumed and concluded before the afternoon.

Nov. 9

This morning the jury in the poisoning case, after being locked up all night, and having received two cool meals, for the last of which they had a hearty breakfast 12 hours fasting, returned to Court, and the counsel for the Crown at once proceeded with the examination of the witnesses for the prosecution, of whom there were ten remaining unheard. The prisoner Deacon, on being again placed in the dock, betrayed the same nervousness, bordering on stupidity, he displayed.

Sophia Hartman, Clarendon, sworn—On Sunday, the day before her death, the deceased was ill, and I was called in to see her at the inner; she was lying on the bed; prisoner told her to get up, but he had some tea for her; she asked me to raise her and I did so; she tried to drink but could not do so, as her teeth became clenched, and her body took cramps and convulsions; prisoner said she had taken some at dinner; she said she had never felt so before, and Deacon thought so too; nothing was said about poison; prisoner had previously asked me if Mr. Hartman had any stuff to kill foxes; he seemed to [illegible] on good terms with his wife. The day she had whispered to her mother, as she was told that she was to die in her confinement.

Wm. Ward, sworn—I live near prisoner's; my wife and myself were sent for to go to Deacon's on Sunday evening; deceased was then ill—she said she had been to church school that morning, and yet did not [illegible] the [illegible] at that time some dish tea she had got from an Indian woman; and which he regularly made use of; the dish tea; it had hurt her; Deacon said that it was [illegible] and that she had taken little [illegible] of her drinking them, and that he had thrown the rest out; I tasted them, and thought that they were common black tea; [illegible] Mrs. Deacon died; he seemed [illegible] she had a pain under her left breast, her neck, and back, and generally all over her body; next afternoon (Monday) at five o'clock he came to our house to some [illegible]; my mother Mrs. Deacon's mother) told him we had come, and sent him to Mrs. Washington; she did not [illegible] Epsom salts by Mrs. Deacon.

Cross-Examined—The prisoner stuck at respect that if any poison was in his wife, it was given by him, as no one else had given medicine to her; several witnesses were present; the talk was generally about poisoning.

Ann Ward, sworn—Lives 5 or 6 miles from Deacon's; went to Deacon's on Sunday afternoon; she had just recovered from a faint and was pale; she took her position before dinner, and thought it was not that which did her harm—Deacon thought differently and would not let her take any more; prisoner said she felt all right in the morning, and in the afternoon the poisoning was in her head such as she never had before; she felt as if she was going to fall into eternity at once—as if she was poisoned; she continued to get better and better; prisoner and wife were contentious and fretful.

Ann Chapel, sworn—Deacon came on Tuesday morning and ordered a coffin in a hurry; he saw prisoner and Catharine Vankoughnet together; Deacon seemed sorry at his wife's death.

Isaac Hicks, sworn—I live about ten or eleven miles from Deacon; prisoner brought Catharine's clothes to my house on July 6th; she lived with me for two weeks; Deacon visited the house frequently in the evening; he came to the house on Friday before the murder, and said his wife was sick; he wanted to hire a girl, as he did not think his wife would live long; he was going to Shaw's for medicine; I attended the funeral and prevented the burial; Deacon said he never had poison in the house; next day I told him it was going to be proved that he had bought poison; he said if there was poison found in her it was him that gave it, and he was willing to die for her; they lived happily as far as I know. Witness described the position of the body similarly to Dr. Smith.

Ann Haider, sworn—Lives 2 miles from Deacon's; on the Monday evening came for me; his wife was dead when I got there; I laid it right and undressed her next day; her arm and side were black and the mouth closed; prisoner remained in the house he rising us; he said she had been out on Sunday and got a severe cold.

Jas. Ward, recalled—Prisoner told me on Sunday evening that his wife got in before [illegible].

Maria Watkins—Lives three miles from Deacon's; he came to my house about 6 p.m., on the Monday, and got about two table spoonfuls of Epsom salts; I bought them in Perth; he said he wanted them for his wife.

Mary Alice Vankoughnet, sworn—I visited Deacon's for the first time last spring, to see my sister; she was standing at the door with me; Deacon passed out, and went down into the field; heard him talking; he came back soon saying that he had seen a ghost of his wife, and that she was to die inside of two months; could not say that his wife heard it.

Mrs. P. [illegible], sworn—I live four miles from Deacon's; keep a tavern; a few days before the death of the deceased, Deacon took a looking-glass in my place; I asked why? [illegible] he said he was such a fairy man; he said Catharine's mother had called him a [illegible] and wished to be rid of him; he would be afraid to chase him; he [illegible] of poisoning.

The case was [illegible] at length, and the counsel for the Crown addressed the jury at some [illegible] length, and the counsel for the prisoner at a late stage to defend him, and he had not the time for opportunity to sift the case, and produce witnesses in defence. In [illegible] they not agree [illegible] Deacon [illegible] would be no injury to the Crown, and would be an act of simple justice to the prisoner by enabling him to prepare a proper defence at his trial in six months hence. The importance of the verdict of life and death to the prisoner was fully impressed on the jury. It were better that ninety and nine guilty men should be acquitted than that one innocent man should be convicted. The case was left confidently in their hands.

Mr. Richards waived his right to address the jury for the crown.

His Lordship summed up the case by reading over the full evidence to the jury, and commenting on it as he proceeded. He trusted however, that the misapprehension caused by prisoner's counsel, that the case had been hurried to trial. He has expressed himself as ready for his trial, and the case had been very patiently and carefully entertained. He had only to make an application for time to have had it accorded. The plea was illegitimate, and was no reason for disagreement. In his charging comments he said too much stress had been placed on the possibility of interference with the contents of the stomach. There was no occasion for it. On the careless sale of the strychnine shewn in the evidence his Lordship remarked the coincidence, that once before on this circuit he had the unpleasant duty of trying a man for poisoning his wife with strychnine ostensibly procured to poison foxes; this free trade in deadly poisons was unlawful, and highly improper; an act of Parliament punishes it very severely, and druggists should know that law.

The Jury had to consider as an important consideration with the case, any motive the prisoner might have to get rid of his wife, and it was very proper to produce any evidence that would tend to show that he had a desire of that kind. For instance any undue intimacy between a married man and a young girl was open to suspicion. The relations of the prisoner to his wife had also an important bearing. Then as to design, there was no suggestion that the prisoner was not a sober man or that he was of weak mind. His representations of having seen ghosts and tokens of his wife dying, and of his marrying again, when apparently there was no reasonable ground for them, his wife being well at the time, were very singular. There was no doubt as to prisoner buying the vial of strychnine. Then it was for them to consider whether the findings which the deceased suffered on Sunday were evidences of poisoning by strychnine, according to the symptoms described as having occurred before her death on Monday. The deceased repudiated the idea that the herb tea had harmed her; she had never felt the sensation she then experienced. The case had no aspect of suicide, and the presumption of accident was not so strong when it is considered that the prisoner had had the poison outside the house, and that it could not easily have got in contact with the salts during the very few moments in which they were in the house before being taken. On Monday she was better, and her illness that evening was, therefore, a new feature. She took the salts on the prisoner's representations that her mother denied her to take them; it was no desire of her own. This recommendation has been denied in the evidence. Had deceased on Sunday received strychnine in quantities sufficient to produce the symptoms described? The theory of the Crown, and it was consistent, was that she had and that on Monday the deadly dose had been administered. If they thought strychnine was not the cause of death, then of course theories and the case were brought to an end. But then there were no other means of death suggested. It was very singular that the prisoner was continually talking of poison, and of killing foxes. When was it not shewn that he had one of his fowls killed by them? What meant the talking about dreams and ghosts; was it weak-mindedness, or was it a scheme of preparing the public mind for the wife's death? The evidence of the prisoner's shewing no desire to escape was of no weight whatever, and no indication of guilt or innocence. Murders by poison are of course done in secret, and the reflection usually by the perpetrator is that it he sought to fly, it would be corroboration of the charge. The difficulty of escape also acts as a deterrent and it would be foolish for a man in his senses to run away in the face of suspicion. His Lordship decided that the trial should be fair if possible friendly, to the prisoner, and should be carried out with extreme caution. The Jury should act according to reason; examine the chain of evidence to discover if the links were perfect, and convict only if their minds were drawn irresistibly to the conclusion of guilt. At the same time his Lordship declared that no over regard of human life should be extended equally to deceased and to prisoner. The charge, which lasted an hour and three quarters, was declared to be the most able and lucid given for years in the Court. It was very opportune in a case of such dreadful consequences to a fellow-being.

The Jury retired at a quarter to two o'clock and after an absence of one hour and three quarters retained with a verdict of "GUILTY." As the fatal word was pronounced there was a murmur and shudder throughout the Court room, but the prisoner appeared the calmest of all. His face maintained its place rigidity, but a slight twitching of the fingers on the side of the dock betrayed a inward emotion. He was at once removed from the dock under a strong Guard and as he passed out, on his way to gaol his knees trembled visibly.

It being too late to call on the Penitentiary murder case, the civil action of *Jones vs. the Warden of the Kingston Penitentiary* was proceeded with, and after a two hours hearing of witnesses and legal arguments ended in same law points, and at half past four the case of Macfarlane vs. Davis et al was taken up. Reports to-morrow.

The Penitentiary murder case will be taken up at the opening of the court in the morning.

CHEAP LUXURIES FOR THE PEOPLE.—Opportunity, at the time when the cost of living is enormous, a new article appears in the market, affording an unprecedented amount of delicious and wholesome ailment, almost for a song. We refer to the patent SEA MOSS FARINE, which is now, by virtue of its extraordinary cheapness, taking the place of all the gelatinous articles of food manufactured from maize and grain. The raw material of this nutritious and fattening agent is the free gift of nature: a marine moss growing in prodigious quantities on the Irish Coast, and known as Carragreen. Cleansed, desiccated, concentrated and reduced to powder by a patent process, this wonderful plant yields a larger quantity of pure, palatable aliment in proportion to its weight, than any substance produced from the great agricultural staples. Artistic cooks pronounce it the finest article for Custards, Puddings, Creams, Soups, Sauces, &c., that has yet been discovered, and the Sea Moss Farine Co., of New York York, who own the patent, find it all they can do to keep pace with the demands for the new staff of life.

FRENCH INVENTIONS.—The Duke of Manchester, who has been with the German armies, publicly contradicts the stories of German cruelty and brutality. The noble Duke pays an earnest homage to the admirable moderation and behavior of King William's troops; and his testimony deserves the more credit, as, like many of the British nobility, his sympathies are rather with the French.

I can testify to the high therapeutical value of Fellows' Compound Syrup of Hypophosphites, and commend it to the discerning attention by the profession generally.

AARON ALWARD, M. D.,
Mayor of the City of St. John.

Price $1.50 a bottle; 6 for $7.50. Sold by apothecaries and by F. Cundill & Co., wholesale agents, Montreal. 294

Weekly British Whig

Office: Ten Cents Dues.

THURSDAY MORNING, NOV. 10 1870.

The war goes on in France—revolution on the part of the French, and yet their tax levies are such as to discourage any patriot, however determined to resist the invaders of their homes. Gambetta has not been taken prisoner, but still continues amid the hills of the Vosges to harrass the Prussians with a light armed Franc Tireurs. He does not appear to be doing much good to the French yet much harm to the Prussians. The Germans are as anxious for peace, although up to now the victors, as the French can possibly be on account of their severe reverses, and this fact is easily explained if one considers the enormous losses and sacrifices with which the Germans have secured their successes. Neverthless any understanding could not be reached. The Prussian wanted free ingress and egress to Paris and the various other fortresses now besieged, also the right of provisioning Paris. Bismarck would not consent to it, and had besides decided objections to allow Alsace and Lorraine to send deputies to the proposed French elections. So there is an end of peace prospects once more, and this dreadful war will cost, may be, another hundred thousand lives, make another half a million of widows and orphans, and eat up another billion of the substance of two great, noble, generous nations.

It does seem to us singular that with the large army within the walls of Paris, that a passage out cannot be effected by the French. The fortifications and entrenchments of the Prussians cannot be so strong as to resist an assault hopeless, especially by the very men who stormed those of Sebastopol. It may be the want of a leader. However things may look, France continues as determined as ever in her measures for a continuance of the war; and the confidence in financial circles is certainly something to be envied, for the French loan is quoted at a premium in London, while the Prussian loan had to be withdrawn.

COUNTY COUNCIL

The half-yearly session of the County Council opened on Tuesday afternoon in the Council Chamber, Court House, at 2 o'clock, the Warden, Schayler Copeley, Esq., in the chair.

All the members were present with the exception of Mr. Calvin.

The minutes of the last day's proceedings were read by the Clerk, and signed by the Warden.

COMMUNICATIONS.

From Ira Morgan, Warden of the County of Carleton, soliciting aid in behalf of the sufferers by the late disastrous fires in the Ottawa district.

From J. W. Langmuir, Government Inspector of Asylums, Prisons, etc., of Ontario, stating that the Institution for the education of the deaf and dumb at Belleville had been opened, since the 18th of October, and furnishing instructions in reference to the entrance of pupils to the same.

Moved by Mr. Spoor, seconded by Mr. Donaldson, that the several communications just read be returned to the proper committees for consideration. Carried.

The report of Dr. A. S. Orton, surgeon of the gaol, was read, which stated the number of prisoners who were confined there; also that two deaths from natural causes had occurred there during the past summer.

Moved by Mr. Donaldson, seconded by Mr. Irvine, that the gaol surgeon's report be received and adopted. Carried.

Mr. Toland gave notice that on Wednesday he would introduce a by-law to amend by-law No. 15, for licensing hawkers and peddlers.

Moved by Mr. Day, seconded by Mr. Clyde, that the Clerk be authorized during the present session of the Council to report upon the financial state of the Waterloo and Loughborough Road, in relation to its indebtedness to the County. Carried.

On motion, the Council then adjourned until Wednesday morning at 10 o'clock.

Tuesday, November 9—The Council met this morning at 10 o'clock. All the members were present except Mr. Calvin.

The minutes of the first day's proceedings were read and adopted.

Moved by Mr. Mills, seconded by Mr. Spoor, that on the petition of the Wardens of the County of Carleton, asking aid for the sufferers by the late fire in the Ottawa Valley, the Warden, on behalf of this Council memorialize the Legislature of Ontario to grant such relief to them as in their wisdom they may require. Carried.

A number of accounts for supplies to the gaol, &c., were presented, and on motion, were referred to the proper committees.

The Council then adjourned until 2 o'clock for lunch and the benefit of committees.

INSPECTION.—Lt.-General Doyle, while in the city on Tuesday, inspected the companies in the Tête de Pont Barracks, and Fort Henry and other military quarters. The visit was highly satisfactory.

A COMPLIMENTARY DINNER.—It is the intention of the Catholics of Kingston to entertain at dinner, at the British American Hotel, on Monday the 14th inst., Lieut. Murray and A. Murray, of the Pontifical Zouaves, who have very recently returned to Canada from Rome. These gentlemen are nephews of Bishop Horan, Kingston.

Mr. Terrence J. O'Neill, Chairman of Prison Directors, has arrived in town, and is now at the Penitentiary on a personal visit.

SIR JOHN A. MACDONALD.—The Ottawa Citizen says that Sir John was to leave for Kingston to-morrow, (meaning yesterday), but as a matter of course, Sir John did not come to Kingston, nor will he come until all hopes of his arrival are abandoned.

New York, Nov. 9.

The Tribune considers that Hoffman is elected governor by about his usual majority, or two years ago, say 40,000 and odds.—We have gained nearly the whole of it in this city and Brooklyn, and lost it again by apathy in the rural districts. This election has not developed the strength of the Republican party. Our full vote is not out by scores of thousands.

The way to minister to a mind diseased, is to take Peruvian Syrup, a protected solution of the protoxide of iron, which gives strength and vigor to the whole system, restores the digestive organs to perfect health, thereby restoring the mind to its natural vigor. 294

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FOREIGN DIRECTORY, No. 6.

To the Editor of the British Whig.

SIR,—If Female Fusion of the Kingdom Directory is a composition of which it might be said, in plain open speech, any one can remark more than possible, yet the indeed as its present Minister is considered, that do a man of [illegible] and possess a person of genuine amiability, of large experience, or one whose kind, [illegible] and [illegible] claim, when such is possible, the unfortunate victim of [illegible] and [illegible] would be a highly [illegible] by the commencement and [illegible] which necessarily attach to the office of the Marine in such a [illegible].

Like all other departments of the French, however, this ship must bleach has been made subject to [illegible] and [illegible] which have been [illegible] not only of a law to the [illegible] [illegible] view other considerations of [illegible] [illegible] the labor in which it [illegible] [illegible] with the honest [illegible] of the [illegible] population of Kingston. In order that [illegible] property [illegible] and [illegible] [illegible] to the [illegible] of the [illegible] [illegible] of [illegible] [illegible] [illegible]