Full report, extracted from the "Times", of the extraordinary and interesting trial of Miss Madeleine Smith, of Glasgow, on the charge of poisoning by arsenic of her late lover, Emile L'Angelier, including the correspondence.

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FULL REPORT,

EXTRACTED FROM THE "TIMES,"

OF

The Extraordinary and Interesting

TRIAL

OF

MISS MADELEINE SMITH,

OF GLASGOW,

ON THE

CHARGE OF POISONING BY ARSENIC HER LATE LOVER,

EMILE L'ANGELIER,

INCLUDING THE CORRESPONDENCE.

With Eight Illustrations on Stone.

LONDON:
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1857.

From "The Ayrshire Express."

THE personal appearance of Miss Smith, the central figure in this remarkable case, is the point on which most attention seems to be fixed in the court by the spectators with whom it is thronged, and which is most talked of among the less privileged outside world. Eager crowds gather in the early morning at the gaol, and in Parliament Square, to catch a glimpse of the prisoner as she is taken to the court. In the evenings thousands gather in the streets to see the cab in which she is borne back from the court-room to the prison. Every day sees hundreds at the door of the court who would willingly expend guineas in obtaining a look at the young lady. Hundreds are daily passed in for a few minutes by official friends to get a glimpse at the prisoner, and may be seen departing with the air of satisfied curiosity upon their anxious countenances. Others, who are privileged to sit in the court through the whole day, may be seen surveying the slight figure at the dock with eyes that never weary of gazing upon it, from the opening of the Diet till its close; while the newspapers, in the second, and third, and fourth editions with which the town is deluged, stop the press to tell how she looked at a particular hour, how she was seen to blush at a certain point in the evidence, and how for breakfast she had coffee, rolls, and a mutton chop, which she ate with great apparent heartiness. In the midst of all this excitement, passing through the eager crowd from and to prison, seated at the bar with hundreds of eyes fixed steadily upon her, Madeleine Smith is the only unmoved, cool personage to be seen. From the first moment to the last she has preserved that undaunted, defiant attitude of perfect repose which has struck every spectator with astonishment. She passes from the cab to the court-room, or rather to the cell beneath the dock, with the air of a *belle* entering a ball-room. She ascends the narrow staircase leading into the dock with a coool, jaunty air, an unveiled countenance, the same perpetual smile, or smirk rather, for it lacks all the elements of a genuine smile—the same healthy glow of colour, and the same confident ease. The female turnkey at her side looked much more of the prisoner, for, while she is still and scarcely ever lifts her eyes, Miss Smith never ceases surveying all that goes on around her, watching every word of every witness, returning every stare with compound interest, glancing every second minute at the down-turned eyes in the side galleries, and even turning right round upon the reporters immediately behind her, to see how they get along with the note-taking which is carrying her name and deeds into every British home. When judges and jurymen retire for lunch she refuses even so much as a small packet of sandwiches. Others may be thirsty amid the hot excitement, but when the female attendant offers her a glass of water she will not have it. There she sits, refusing meat and drink, or a moment's retirement in her cell, with her smelling bottle in her dainty little hand, which she never uses—a splendid specimen of physical power, and of such endurance as only a will of terrible strength could attain. When she is called up to plead, she says, in a clear, sweet treble—no trace of huskiness or emotion perceptible in the voice, no trembling on her tongue, "Not guilty." The Dean of Faculty, her leading counsel, bids her good morning, or says a word to her when the proceedings close for the day, and she smiles so cheerily that you listen to hear her laugh. Whoever speaks, counsel or witness, must be sensible of the fixed, penetrating glance of her large dark eye. Her head is perpetually turning from the gentlemen of the long robe to the responsive witness-box, as the questions are put and answered. She has a well-cultivated taste—that is evident. She is elegant without show. A rich brown silk gown, with a large brooch, low set in the breast; a white straw bonnet simply trimmed with white ribbon; a white cambric handkerchief, and a bottle of smelling salts in her kid-gloved hand; such is the inventory, so far as I can furnish it. Her hair, of which she has a rich profusion, is quietly arranged in the fashion prevalent before the Eugenie style, although the smallness of the bonnet, which is of the most fashionable make, necessitates the leading of two ebony braids across the crown of her head. Miss Smith is about five feet two inches in height. She has an elegant figure, and can neither be called stout nor slim. She looks older than her years, which are 21. I should have guessed her age to be 24. Her eyes are deep-set, large, and some think beautiful; but they certainly do not look prepossessing. Her brow is of the ordinary size, and the face inclines to the oval. Her nose is prominent, but is too long to be taken as a type for the Roman, and too irregular to remind one of Greece. Her complexion, in spite of prison life, is clear and fresh. Her cheeks are well coloured, and the insinuation that a rosy hue is imparted by artificial means, made by some portions of the press, does not seem well founded. The scene in the court room is such as the High Court of Justiciary has never presented before in the present century. The whole of the Faculty of Advocates would seem to be there, filling more than their own gallery; a goodly array of writers to the signet appear in their gowns; upwards of a score of reporters for the press ply their busy pencils; the western side gallery abounds in moustachiod scions of the aristocracy; ministers of the Gospel are there gathering materials for discourses; and civic dignitaries are in abundance. A few women, who may expect to be called ladies, are mingled in the throng. Among the clergy we notice Principal Lee, William Pulsford the celebrated Independent preacher, Dr. Andrew Thomson, Professor Harper, and Mr. Hibbs, an Episcopalian priest, who "goes in" for preaching about Palmer and Dove, and will, no doubt, have a morning sermon one of these Sabbaths devoted to Madeleine Smith. Lords Cowan and Ardmillan, after they are relieved from their duties elsewhere, come and sit in undress on the bench; so does the Ven. Lord Murray, and Lords Wood, Deas, and others. The fee given to the Dean of Faculty, the senior counsel for the defence, is said to be 100 guineas, but this retainer will be supplemented, likely, by a daily "refresher" during the trial. It is believed that he feels peculiarly interested in the case, and has so mastered it that he will leave no stone unturned to secure the deliverance of his unfortunate client.

MADELEINE SMITH

EMILE L'ANGELIER

THE TRIAL

OF

MISS MADELEINE SMITH.

THIS trial, which has been for some time looked forward to with intense interest —the prisoner being a young lady lately moving in respectable, if not high society in Glasgow, and the fatal event being the supposed issue of a romantic attachment—commenced before the High Court of Justiciary at Edinburgh on Tuesday. The court was filled from 8 o'clock in the morning, though not to overflow, the admirable arrangements made having prevented all crowding. Several seats and galleries were occupied by the members of the Scottish bar and by the writers to the signet; the accommodation for the press was considerably enlarged, but still fully occupied, and many hundreds waited outside to compete for the seats which might be vacated in the public galleries.

The presiding Judges were the Lord Justice Clerk, Lord Ivory, and Lord Handyside.

For the Crown there appeared the Lord Advocate, the Solicitor-General, and Mr. Mackenzie, Advocate Depute, with Mr. Brodie, Crown agent; and for the prisoner the Dean of Faculty (Mr. John Inglis), Mr. George Young, and Mr. A. Moncrieff, advocates, with Messrs. Ranken, Walker, and Johnstone, writers to the signet, Edinburgh, and Mr. Forbes and Mr. Wilkie, writers, Glasgow, as agents.

Madeleine Smith, or Madeleine Hamilton Smith, the prisoner, a very young lady of short stature and slight form, with features sharp and prominent, and restless and sparkling eye, stepped up the stair into the dock with all the buoyancy with which she might have entered the box of a theatre. During the whole day she maintained a firm and unmoved appearance, her keen and animated expression and healthful complexion evincing how little, outwardly at least, she had suffered by the period of her imprisonment and the horror of her situation. Though on once looking round a dark veil was thrown over her face, the interest she took in the proceedings was yet evident. Her head never sank for a moment, and she even seemed to scan the witnesses with a scrutinizing glance. Her perfect self-possession, indeed, could only be accounted for either by a proud consciousness of innocence, or by her possessing an almost unparalleled amount of self-control. She even sometimes smiled with all the air and grace of a young lady in the drawing-room, as her agents came forward at intervals to communicate with her. She was dressed simply, yet elegantly. She wore a brown silk dress with black silk cloak, with a small straw bonnet trimmed with white ribbon, of the fashionable shape, exposing the whole front of the head. She also had lavender-coloured gloves, a white cambric handkerchief, a silver-topped smelling bottle in her hand, which she never used, and a wrapper thrown over her knee. Altogether she had a most attractive appearance, and her very aspect and demeanour seemed to advocate her cause.

The indictment charged her with intent to murder, as also with murder, and set forth that on the 19th or 20th of February last the pannel, in the house in Blythswood Square, Glasgow, occupied by James Smith, her father, did wickedly and feloniously administer to Emile L'Angelier, or Pierre Emile L'Angelier, now deceased, and then in the employment of W. B Huggins & Co., merchants, Glasgow, as a clerk or in some other capacity, and then residing with David Jenkins, or Ann Duthie or Jenkins, his wife, in Franklin Street, Glasgow, a quantity or quantities of arsenic or other poison to the prosecutor unknown, in cocoa or coffee, or some other article of food or drink, with intent to murder the said deceased; and that he, having taken the said arsenic or other poison so administered by her, did in consequence thereof, and immediately or soon after taking the same, suffer severe illness; that, on the 22nd or 23rd of February, in the house in Blythswood Square aforesaid, she repeated the crime with like intent and consequences; and, finally, that, on the 22nd or 23rd of March, in the same house in Blythswood Square, the pannel did wickedly and feloniously administer to the said deceased a quantity or quantities of arsenic, or other poison, in some article or articles of food to the prosecutor unknown, and the said deceased, having accordingly taken the said poison or part thereof, so administered, did in consequence thereof, and immediately or soon thereafter, suffer severe illness, and on the 23rd of March died, and was thus murdered by the said prisoner.

The prisoner pleaded "Not Guilty," in an audible, though subdued manner.

A jury were then impannelled.

Mr. A. Smith, one of the sheriff substitutes of Lanarkshire, proved that the declarations were freely and voluntarily emitted by the prisoner, after due admonition and in her sound and sober senses. In cross-examination he said:—She was examined on a charge of murder, and the charge was intimated to her before her declaration was emitted. She was partly interrogated by myself and partly by the Procurator Fiscal. The statements she made were all in answer to questions. The answers were given clearly and distinctly, and with no appearance of hesitation or reserve, but rather an appearance of frankness and candour.

Mrs. Ann Duthie, or Jenkins, was the next witness of importance examined. She deposed—I am the wife of David Jenkins, and live at 11, Franklin-street, Glasgow. The late M. L'Angelier lodged in my house. He came about the end of July last, and remained in my house as a lodger till his death. He was sometimes in the habit of staying out at night, but not very often. His general health was good till about January. I recollect his having an illness about the middle of February. He had an illness about the 22nd of February, but he had also one eight or ten days before. The day before his first illness he wished a pass-key, as he would be late coming to bed. I went to bed and did not hear him come in. I knocked at his door about 8 in the morning, and got no answer. I knocked again, when he said, "Come in, if you please."

The witness was at this stage removed, when

The Lord Advocate said he thought it important for the prosecution that the medical witnesses should be allowed to hear the evidence of Mrs. Jenkins, who would describe the symptoms shown by the deceased, and which it would be important for the medical men to hear. This was a matter entirely in the discretion of the Court.

The Dean of Faculty said this proposal took him by surprise. His own impression was that it was desirable that the medical witnesses should be present, but, if so, the medical witnesses on both sides should be in Court. Now, those for the defence were not yet in attendance. If notice had been given of this proposal nothing would have pleased him better than to agree to it.

The Lord Justice Clerk said the request was somewhat against the ordinary rule of Court, which, so far as he remembered, had only once been relaxed in a Glasgow case, in which no medical report had been prepared.

The LORD ADVOCATE said that in the circumstances he would not press the application.

Witness recalled.—When I went in deceased said, "I have been very unwell; look what I have vomited." It was a greenish substance in appearance that he had thrown up. I said I thought it was bile. There was a great deal of it. It was about the thickness of gruel. I said, "Why did you not call upon me?" He said, "On the road coming home I was seized with a burning pain in my bowels and stomach, and when I was taking off my clothes I lay down on the carpet. I thought I should have died and no human eye seen me. I was not able to ring the bell. If you please, make me a little tea, and I think I won't go out." He was now lying in bed. I emptied out what he vomited. I advised him to go to a doctor, and he said he would. He took a sleep before getting up. He slept about an hour. I went back to him, when he said he had had a sleep, and he said he would get up and go out. Mr. Thuot, one of the other lodgers, saw him. He got up and went out between 10 and 11. He said he would go to his place of business, but would call at a doctor's first. He returned about 3. He said he had been at the doctor's, and had got a bottle. He took the medicine. He complained in the morning of being very thirsty, and when he returned at 3 he still complained of thirst, but not so much as before. He took the medicine. The illness made a great change in his appearance. He looked yellow and dull,—not like what he used to be. Before that his complexion was fresh. He became dark under the eyes, with the red of his cheeks broken. He complained of cold after he came in. He lay down on the sofa, and I put a railway rug over him. He got a little better, but never was the same after. I cannot tell what the date of this first illness was. I recollect a second illness about the 22nd of February. The second illness was on a Monday morning. He called on me about 4 o'clock. I found him vomiting the same kind of stuff he had before—the same both in colour and in kind, but there was not quite so much of it. He complained again of pain in the bowels and stomach, of thirst, and particularly of cold. I did not ask him where he had been the night before. I did not know he had been out. I put more blankets on him, got bottles of hot water to his feet, and made tea, also toast-and-water, and lemon and water, because he was so thirsty. He got a little better, and I left him and called in about 6. He was then somewhat better. He kept his bed till the forenoon. He had bought a piece of meat for soup from Stewart, the butcher, in George's-road, with whom he kept a passbook. It is the date of this purchase in the passbook that enables me to remember the date of his second illness. The beef was purchased on the Saturday, and I recollect he became ill on the Monday morning after. Dr. Thompson came to attend him on the Monday, I think. Thuot went for him. The doctor left a prescription for powders, for which I sent. L'Angelier was about eight days in the house at that time, as far as I remember. I remember him taking one or two of the powders. He said they were not doing him the good that he expected. He said, "The doctor always says I am getting a little better, but I don't feel well. I don't feel I am getting better." He said that frequently to me. Some little time after this he left us, and went to Edinburgh. I think he was about eight days away, but I don't exactly remember. I recollect his coming back. I think it was on a Tuesday. Mr. Thuot told me he was coming back, and I got in some bread, butter, and other things for him. (Shown M. L'Angelier's passbook with Chalmers, baker, St. George's-road.) The bread I got is entered on the 17th of March. He returned that night about half-past 10. During the time he lived with me he was in the habit of getting a great many letters, but I did not observe that they were in a lady's hand. He received a great many from one hand, but I took it to be a gentleman's hand. The envelopes were sometimes yellow. (Shown envelope 87). That is the writing he used to receive. (Shown envelope 97). That is like the colour of the yellow envelopes, and I think it is the same hand; but I am not so sure of the handwriting as of

the white. He never told me whom the letters were from. I remember seeing the photograph of a lady lying about his room. That is the photograph now shown me. I said once, "Is that your intended?" He said, "Perhaps, some day." I never thought of the letters being those of a lady. I knew from him he expected to be married about the end of September, 1856; he wished a diningroom and bedroom provided. He told me he was to be married about the end of March, and he would like if I would take him in. I did not agree to do so. There was once during his illness I said, "It is a bad job if you are badly and you are going to be married," when he said, "You'll not see that for some time." When he came home on the 17th of March he asked if I had any letter for him. I said I had got none. He seemed disappointed. He came on the 17th, stayed over the 18th, and was away on the 19th. Before leaving he said I was to give any letters to Thuot, who would address them. He told me he was going to the Bridge of Allan. He left about 10 o'clock. A letter came for him on the 19th, quite like those that had come before. I gave it to Mr. Thuot. I don't remember that any letter came on the Friday or Saturday. It was more like a lady's hand this time. He had told me he would not be back till the Wednesday next week unless he got a letter, in which case he said, "Perhaps I'll be home again to-day." The envelope shown me (137) is like the one that came on the Saturday, but I cannot speak so well as to the other. I next saw M. L'Angelier on the Sabbath night about 8 o'clock. I was quite surprised to see him so soon, and he said, "The letter you sent brought me home." He told me he had walked 15 miles of the way home, but he did not say where he came from. I understood he had been at the Bridge of Allan. He told me to call him early in the morning, as he was going back with the first train. He was looking quite well when he arrived—more like what he used to be. He said, "I am a great deal better—I am almost well." He went out about 9 o'clock. He asked for the pass key, as he was not sure but he might be late. When I next saw him I think it was about half-past 4 in the morning. The bell rang with great violence. I rose and called, "Who's there?" He said, "It is I; open the door." When I did so he was standing with his arms across his stomach. He said, "I'm very bad; I'm going to have another vomiting of that bile. I thought I would never have got home, I was so badly on the way." Water was the first thing he asked for. I held up the tumbler, and he drank the whole of it. He wished a little tea. Before I got it, and before he was half undressed, he commenced vomiting very severely. It was the same kind of matter he had vomited before. I said, "Have you not taken anything to disagree with your stomach?" He said, "Oh, no; and I never had better health than when I was at the coast," meaning, as I understood, the Bridge of Allan. I said, "You never took enough of medicine." He said he never approved of medicine. He was chilly and cold, and wished hot water to his feet and stomach. I got this for him. I got a jar of hot water to both. I threw three or four pairs of blankets and two mats over him. He became a little easier, but at 4 he got bad again. I proposed to go for the doctor. He said, "Thank you; but are you not afraid to go out?" I said, "Oh, no; I'm not a bit afraid;" but he said he did not think I would find the place, and he said he was a little better, and I was not to go. About 5 he became very ill again, and his bowels began to move. I told him I would go to the nearest doctor, and he said I might do so. I went for Dr. Steven. When I went for him he told me he was ill and could not come so early. He told me to give him 25 drops of laudanum, and put a mustard blister on his stomach, and if he did not get better he would come. M. L'Angelier said he could never take laudanum, and there was no use of mustard. About 7 o'clock he became black about the eyes, and I said I would go and get some doctor, at any rate. I went for Dr. Steven, who came shortly after I got home. I followed the doctor, who ordered mustard immediately. I left the doctor to get it. I did not hear what passed between them, but I pointed to the doctor what he had

vomited, when the doctor said, "Take it away; it is making him faint." It had a very sour smell. I got the mustard, and the doctor put it on. He gave him, I think, a little morphia. The doctor stayed about half an hour. While he was there, M. L'Angelier complained of pain in the forehead, but the doctor said it must be an inward pain, as there was nothing outwardly wrong. I asked the doctor if I could do anything else, and he said it was only time and quietness that was needed. I called out the doctor aside as he was leaving, and asked what was wrong. The doctor asked if he tippled, on which I said, "Oh, no—quite the opposite." He said it was just like what happened with people that tippled. I told the doctor this was the second time he had gone out well and come home badly. The doctor said, "That will be an afterwards explanation." When I went back, the deceased asked me what the doctor said. I told him he said he would get over it, when he said, "I'm far worse than the doctor thinks." I went two or three times back, when he said if he could get a little sleep he would be better. I went in about 9 o'clock, and he looked very bad like. I said, "Is there no one you would like to see?" He said, "I would like to see Miss Perry, Renfield-street." I sent for her and she came, but not before his death. After this he said, "Oh, if you please, draw the curtain; if I could get five minutes' sleep I think I would be better." I left him, and was back in five or ten minutes. I came quietly out, thinking he was sleeping. The doctor came in, and I told him he had only newly fallen asleep. He wished to see him. He felt the pulse and raised the head. I said, "Is there anything wrong?" He said, "Draw the curtains aside; the man is dead." I had no reason to know or suspect where he had been, but I knew he was in private correspondence with some lady, and I did not like to ask about it. Miss Perry came, but too late. I sent for several persons, who came. Mr. Stevenson, one of Huggins's young men, came also. I wished him to take charge of his effects, and he did so. They took a letter out of his pockets, and one of them said, "This explains all." I saw the letter. I said, "That's the letter that came on Saturday."

Cross-examined.—His first illness was greatly worse than the second. About the end of January he had a sore thumb, and several boils broke out upon him. When he became sick I said I thought it was bile, which I am troubled with myself, though my symptoms are not so violent, but what I have vomited was something like. He had also a good deal of purging as well as vomiting. He dined at home on the Sunday before his second illness. I remember his taking fresh herring that day, which I said I thought was not good for him, as the herrings were out of season. I once told him that he used too many vegetables, when he said when he was at college he used a great many vegetables, and never was the worse for them. I cannot remember if he went out on the Sunday night, the 22nd of February. I think I would have recollected his going out by his asking for the check-key. As far as I recollect, he was not out that Sunday night. I do not remember his bringing in any medicine, except after his first illness. There were, however, eight bottles left on his mantelpiece, one of them being laudanum. The authorities got them away about a week after his death. On coming home on the Sunday night from the Bridge of Allan he had a little tea and cold toast. I did not see him go out. I was aware of his being at the watercloset before going out. A great deal came off his stomach the morning he died. The chamberpot was quite full when the doctor told me to empty it. He was also purged a great deal. After going for the doctor the first time, I gave him a little hot water, which made him vomit more. He wanted to go to the water-closet. I said, "Oh, no; I am a married person, I will bring another chamberpot, and we will keep what you have vomited till the doctor sees it." Among other things the doctor suggested was laudanum. There was some in his press, but he refused to take it. "Besides," he said, "it's not good, it's been standing without a cork." After the doctor visited him, the doctor, in answer to my inquiries, said, "He'll get over it the

same as before." I think I recollect his complaining of his throat when the doctor was there. The doctor gave him water, which he complained was like to choke him. He was stretching out his arms all the morning, but I do not remember his hands being clinched. The right hand was clinched when he died. Miss Perry, I think, came in the forenoon. When she came, I asked, "Are you the intended?" She said, "Oh, no; I'm only her friend." I had supposed, on her being sent for, that she was his intended. I told her he was dead. She was much overwhelmed, and cried a great deal. I was quite surprised at her grief. I took her in to see the body, which was then laid out. When she told me she was not the intended, I said how sorry the lady would be. Miss Perry kissed the forehead several times. Miss Perry said how sorry she was for his mother. M. L'Angelier told me he had had an illness about the end of August. He said his bowels had been very bad, and he had not been in bed all night. I was from home for six weeks in August and September.

In re-examination the witness was shown the clothes of the deceased, which she identified, also his portmanteau. When I said to Miss Perry, "How sorry the lady will be," she told me not to say much about it, or anything about it.

By the COURT.—When I asked whether he had taken anything at the Bridge of Allan to disagree with him, I had no idea of his having taken anything that would do him ill after he had got back to Glasgow. He said, "No; I took nothing to make me ill. I never felt better than when I was at the coast." I did not ask him where he had been, thinking he had been visiting his intended. My husband was from home during all the time deceased stayed with us. He only saw him once, at the New Year time.

The witness was complimented by the Lord Justice Clerk for having given her evidence in a very clear and distinct manner. She had been nearly three hours under examination.

James Heggie, salesman to Mr. Chalmers, baker, and John Stewart, butcher, were called to prove the dates of the entries made in M. L'Angelier's pass books on the two occasions referred to by Mrs. Jenkins. Other witnesses were examined to prove his having stayed in Edinburgh from the 10th to the 17th of March, and his again hurriedly visiting it on the 19th, lest any letter should have been sent to the post-office there for him.

Mrs. Bain spoke to deceased arriving at Bridge of Allan on the evening of the 19th (Thursday), and staying there till Sunday afternoon, when he unexpectedly went away.

Charles Rutherford, late postmaster of Bridge of Allan, proved the stamp on a letter which M. L'Angelier had received on the Sunday morning, as re-addressed to him by M. Thuot.

William Fairfoul, guard of the railway train that left Perth at 2 26 for the south, deposed to deceased coming in at Stirling at 3 30 (there being no stoppage at Bridge of Allan), and going as far as Coatbridge, the nearest station to Glasgow, and eight miles distant therefrom (the railway communicating to Glasgow with the Scottish Central and Caledonian lines merely, the Edinburgh and Glasgow having no Sunday trains).

Thomas Ross, auctioneer, Glasgow, who was also proceeding from Stirling to Glasgow that Sunday, deposed to having walked in with deceased from Coatbridge, the latter being in good health and spirits, their walk in occupying little more than two hours –namely, from a quarter past 5 to half-past 7. The last witness in cross-examination said,—He told me he had come from Alloa that morning, and that he had walked thence to Stirling, a distance of eight miles. He said nothing about having been at the Bridge of Allan, that I remember. On our way we spoke of the scenery and other indifferent matters. He told me he had been in Stirling, that he had presented a check at the bank, which they would not cash, he being a stranger. We went into no house on our way. He did not tell me who he was.

William Stevenson deposed,—I am a warehouseman in the employment of Huggins and Co., Glasgow. The late M. L'Angelier was in my department, under me. He had leave of absence for some time in the month of March. He was to go to Edinburgh, and I understand he afterwards went to Bridge of Allan. I got a letter from him from the Bridge of Allan, in which he stated that he was much better, and was willing to return whenever he was called upon. I sent him an answer, stating that I was glad to hear he was getting better and enjoying himself. This letter was never received by the deceased, and was recovered by me at the post-office, Bridge of Allan, after his death. I was sent to Bridge of Allan to take possession of his property there, and I called for this letter. He had been four years and a half in Messrs. Huggins's. I got notice of his death on the 23rd, and sent for several persons to come. Drs. Thomson and Steven examined the body, and in consequence of what they said I gave information to the Procurator Fiscal. I did not expect M. L'Angelier to return to Glasgow so soon. A letter was found in the vest pocket of deceased. It was as follows:—

"Why, my beloved, did you not come to me? Oh beloved, are you ill? Come to me, sweet one. I waited and waited for you, but you came not. I shall wait again on you to-morrow night, same hour and arrangement. Do come, sweet love—my own sweet love of a sweetheart. Come, beloved, and clasp me to your heart; come, and we shall be happy. A kiss, fond love. Adieu, with tender embraces. Ever believe me to be your dear fond "MIMI."

When I found that letter I said, "This letter explains why he was in Glasgow, and not at Bridge of Allan." I did not know who "Mimi" was.

Witness was further examined as to the memorandum-book of deceased, and some discussion took place as to whether its entries should be read, which the Court decided should not be received at this stage of the proceedings.

The cross-examination of the witness was deferred till next day, and the Court adjourned at 6 o'clock till Wednesday at 10.

WEDNESDAY, JULY 1.—SECOND DAY.

The trial of Madeleine Smith was resumed before the High Court of Justiciary this morning at 10 o'clock. The prisoner entered the court in her usual airy manner, and sat for some time unveiled; she appeared in excellent health, and never during the day even slightly hung her head, except when reference was made to her love letters with the deceased.

William Stevenson, one of the clerks of Messrs. Huggins and Co., the employers of the deceased, was recalled and re-examined.—I first gave up seven letters to the Procurator Fiscal, six of them being among those found in the office desk of the deceased, and the seventh being the letter found in his vest pocket. I did not on the 24th or 25th of March entertain any serious apprehensions of the case forming the subject of a criminal charge. I felt uncomfortable, but nothing further. My feelings pointed me to a quarter where some explanation was likely to arise from, but nothing more.

Re-cross-examined.—I did not look at the dates of the letters I gave up at first, and only marked the envelopes with the word "desk," to signify I had found them there. The Fiscal did not mark them that I saw. I took a note of the postmark, but did not preserve it. The Fiscal did not tell me to do so. I found letters of M. L'Angelier in his tourist's bag, the desk in the warehouse, a leather portmanteau in his lodgings, also, I think, the desk in his lodgings, and one in the vest pocket. I cannot tell how many letters were in the desk at the warehouse. They were very numerous. Part of them were wrapped in

two brown paper parcels, sealed with the company's stamp, and part lying loose. They had apparently been sealed by the deceased. I am not aware whether the seven letters I gave the Fiscal were in a sealed packet or lying loose. I cannot identify any of the letters found in the desk excepting the sixth I have mentioned, and the seventh I found in the pocket. I do not know how many I found in the travelling-bag. I should say under a dozen. I did not count them. I read a portion of them. I can't say how many I found in the portmanteau. There were a good many of them. They were partly tied with twine and tape, and partly loose. I could not now distinguish those found in the portmanteau, nor those found in the desk in the lodgings. I cannot tell how many there were of the latter. (Shown a large number of letters from Miss Perry, which he examined.) These letters I cannot speak to individually, but I saw letters in the same handwriting among those I delivered up. One of the signatures is "M. A. P.," others "Miss Perry." I saw letters in this handwriting in all the different repositories of the deceased. I cannot tell how many I saw altogether in this hand, but there were a good many, though not so many as in the other handwriting. I did not attempt to divide them. My impression was that there could not be one-half so many in this hand as in the other. I could not say the number of letters in the first handwriting. (Shown a packet of 199 letters, being the subjects of the second inventory for the prisoner.) Judging from the bulk of the parcel now shown me I should say that there might be 250 to 300 letters altogether in all the handwritings. I know that deceased had other correspondents besides those whose letters have been found. I have seen letters addressed to ladies in England, and he had also correspondents in France. He was a vain person—vain of his appearance; very much so. He was of a very mercurial and excitable disposition. He was a packing clerk in Huggins's warehouse. I am not aware what money he had when he went to Edinburgh or Bridge of Allan. I saw the first medical report made by Dr. Thomson. It was made on Tuesday, the 24th. (Shown several medical reports, Nos. 155 to 161 in the inventory of the prosecution.) It is not among these. I saw it and read it. It is on a small slip of scroll paper. There is a report there by Dr. Thomson and Dr. Steven. It is dated March 28th. The report I speak of was made on the 24th. That report was given to me, and I gave it to Mr. Young at the Fiscal's office. I don't think I've seen it since. (Shown No. 1 in second inventory of the prisoner—a portemonnaie.) That was got in the vest of deceased. There are two rings inside of it. These are the rings I have already spoken to as found in his pocket. I do not think I gave this up to the Fiscal at first. It was locked up in one of the drawers. It was not got out till the afternoon his clothes were packed up in one of the portmanteaus, which was some time after. I recollect giving several articles out of the portmanteau to the agents for the prisoner, but am not certain if this was one of the articles. (Shown letters, which he identified to be in the handwriting of L'Angelier.)

By the COURT.—When I was first precognosced I understood there was a criminal charge against some one in connexion with L'Angelier's death, and I believe it was known I was the first person who had looked into his repositories. I think it was after I gave up the letters in the desk to Murray. I am not aware that the sheriff was present on any of the occasions. I understood at the time who it was that the letters in the first handwriting were from, and that the charge was murder. The party was in custody by this time. Neither the sheriff nor the Fiscal examined the repositories of deceased, so far as I saw. The letters from the various places were put into a bag, but no inventory was made. There were no letters left. The officers got everything that was in the repositories of the deceased, including those in the second handwriting (Miss Perry's). Murray and another officer got away a brown paper parcel of letters from the lodgings, but I cannot say that the parcel was sealed. In the course of my precognitions I was asked to put my initials to some of the letters only.

On this witness being relieved,

The Lord Justice Clerk said,—I think it right to say that I know of no duty at once so urgent and so imperative as that of the sheriff superintending the direction of every step in a precognition for murder, and in the experience of myself as an old Crown officer, and of my brethren as sheriffs, the course which this case appears to have taken is unprecedented. You are at liberty to go, Mr. Stevenson. Your memorandum-book has not been kept, perhaps, very regularly or scientifically, but I think you have done everything according to the best of your judgment and experience, nor do I suppose there is any imputation in the matter against you.

The witness was desired to be in attendance, lest he should be called for again.

Dr. Hugh Thomson, physician, Glasgow.—I knew the late L'Angelier. He first consulted me about a year ago about a bowel complaint, from which he recovered. He consulted me again on the 3rd of February as to a cold, a cough, and a boil on his neck. He was very feverish. I prescribed for him. He came to me again on the 23rd. He was very feverish, his tongue was much furred, and it had a partchy appearance from the fur being off in several places. He complained, and said he had been vomiting and purging. He had some symptoms of fever. His pulse was quick and his condition prostrate. I took his complaint to be a bilious derangement, and prescribed an aperient draught. He said he had been unwell for a day or two, but he told me he had been taken worse during the night. I made some notes on the 6th of April, but the dates of the visits and medicine I had from my books. I continued to visit him. I did so on the 24th, 25th, and 26th. On the 1st of March I intended to visit him, but I met him on the Great Western-road. On the 24th I prescribed some powders for him. On the 24th he was in much the same state as on the 23rd. He had vomited the draught I gave him on the 23rd. From his whole symptoms I took it to be a bilious fever. On the 25th he was rather better, and had risen, but was on the sofa undressed. On the 26th he was considerably better and cooler, and I did not consider it necessary to repeat my visits then. It did not occur to me that these symptoms arose from any irritant poison. The symptoms were just those that would have been shown had he taken any poison. He looked very dejected and ill-like. I saw him again about eight or ten days after the 1st of March. He was in much the same state. He said he was thinking of going to the country. I did not give him any prescription or advice, but about the 26th of February I told him to give up smoking, which I thought was injurious to his stomach. I never saw him again in life after the last time I spoke of. On the 23rd of March Mr. Stevenson and M. Thuot called on me and mentioned that M. L'Angelier was dead, and they requested me to go and see the body, and give my opinion as to the cause of his death. They did not know I had not seen him in his last illness. I found the body laid out on a stretcher, dressed in grave-clothes. The skin had a slightly jaundiced hue. I said it was impossible to give any decided opinion on the subject without opening the body. I requested Dr. Steven to be called. I saw what he had vomited, and the landlady told me of his symptoms before death. After Dr. Steven came he corroborated the landlady's statement as to the symptoms, but he could not account for his death. There was no resolution come to on the Monday. On Monday afternoon I was called upon by Mr Huggins and another gentleman, and I said the symptoms were such as would be produced by an irritant poison, and it was such a case as in England would have been the subject of a coroner's inquest. Next morning Mr. Stevenson called and said Mr. Huggins requested me to make an examination. I said I would require a colleague, and Dr. Steven was fixed upon. We made the examination on Tuesday, at midday. We wrote a short report the same day, and afterwards an enlarged report. (Shown 155 of inventory—the later report —which stated that death might either have arisen from poison, or from internal

congestion arising from exposure to cold or fatigue.) That is a true report. I was summoned to attend the Procurator Fiscal's office the day after I had written that report. The stomach was put into a sealed bottle and delivered to Dr. Penny. On the 31st I was requested to attend at the Ramshorn churchyard to aid in an inspection of the body. Dr. Steven, Dr. Corbet, and Dr. Penny were present. The coffin was opened in our presence, and the body taken out. I recognised it as the body of L'Angelier. The appearance it presented was much the same generally as when we left it. It was particularly well preserved. We removed various portions of organs of the body for analysis. A report was made of the state of these organs to the effect that on the smaller intestine and other organs there was a considerable quantity of arsenic. All the substances removed from the body on the exhumation were left with Dr. Penny.

Cross-examined.—When I came on the Monday, Mrs. Jenkins showed me what deceased had vomited or purged. It was not preserved that I know of. I had first made a short report to Mr. Stevenson before the report of the 24th of March. When I attended M. L'Angelier in February there were no symptoms that I could say were not those of a bilious attack.

Dr. James Steven, physician, Glasgow.—I was sent for early in the morning of the 23rd of March by Mrs. Jenkins, who stated that a lodger of hers was ill. I myself had been ill for about a week, and I was unwilling to go out at night, and I thought from the description given I might prescribe without going. It was named to me as a bilious attack, and seemed from the description given me to be so. I told her to give him hot water to make him vomit, and then to give him some laudanum. Mrs. Jenkins came back for me, and when she said he was a Frenchman I thought I had better go, lest he might not be understood by those attending him. When I saw him his features were pinched, and he appeared both mentally and physically depressed. I spoke to him. His voice did not seem particularly weak when I first entered, but it became weaker while I was there. He complained of his breathing being painful, but it did not seem hurried. I dissuaded him from speaking, and ordered more blankets and hot water. He seemed to have vomited effectually, and I prescribed a little morphia. His pulse was not very weak, but the circulation was somewhat weaker at the extremities. He complained of thirst, but he seemed not to wish to drink much, as it increased the pain of vomiting. He wanted cold water, and was unwilling to take whisky, as his landlady spoke of giving him. I saw a chamberpot filled with his vomiting and purging. I ordered it to be removed, because it was offensive, and a clean vessel put in its place, that I might see what he vomited. The first vessel was kept for some time, but I said it might be thrown away. He said, "This is the third attack I have had. The landlady says it is bile, but I never was subject to bile." He mentioned how dull he felt being so ill and away from his friends. He spoke several times of "his poor mother." I stayed about half-an-hour. I applied a mustard poultice myself. I called again at a quarter past 11. When I called his landlady told me he had been quite as bad all the time. She said she had just been in the room, and he had now fallen quiet. When I went in I found he was dead. I went again that day when Dr. Thomson was there. I asked him if there was anything particular in his previous symptoms, but we were both at a loss to account for the cause of death. The landlady said she thought it was natural causes. I refused to give a certificate of death without making an examination. I made a report next day along with Dr. Thomson; and I was also present at the second examination, when the body was exhumed. I had never attended any case in which there had been poisoning by arsenic.

Frederick Penny, Professor of Chymistry, Andersonian University, Glasgow. —I recollect on the 27th of March last being communicated with by Dr. Hugh Thomson and one of the clerks of the Fiscal, who came to my laboratory in the Andersonian Institution and delivered a bottle, of the contents of which they

asked me to make an analysis. I broke the seal and examined the contents, which were a stomach and a reddish-coloured fluid. I commenced my analysis on the 28th. The stomach contained about 82 grains of arsenic, in addition to 5 grains that had been made into powder by the testing processes through which the substance was put. It is not easy to give a precise answer as to how much arsenic would destroy life. It has been known to be destroyed by two or three grains, but four or six are generally considered sufficient. I saw the body exhumed. The conclusions of the analysis are—first, that the body of the deceased contained arsenic; and second, that it must have been taken by him while living. I have no opinion to give as to how long before his death the body had contained arsenic. (Shown No. 209, a list of articles delivered to Dr. Christison on the 11th of April, chiefly the bottles containing the stomach and intestines.) These articles were entirely in my custody till I delivered them to Dr. Christison. In the course of this investigation I was asked to make a report regarding arsenic bought at Mr. Currie's, druggist, Sauchiehall-street, and Mr. Murdoch's, North-street, Anderston. The object was to ascertain if the articles sold as arsenic by them really contained that substance, and in what quantity. Murdoch's contained 95·1 of pure white arsenic, and Mr. Currie's 94·4. Mr. Murdoch's contained carbonaceous matter, and Mr. Currie's particles of indigo. I should not have expected to discover any part of the indigo in the contents of the stomach, though such had been taken. If Murdoch's arsenic had been administered, and if it had settled down in the contents of the stomach, as in this case, I should have expected to find some traces of the carbonaceous matter. Suppose there had been prior administration of arsenic, a month previously, and that arsenic had been bought at Murdoch's, I certainly should not have expected to find traces of the carbonaceous matter. Various articles were delivered to me by Mr. Wilson, said to have belonged to deceased. There were twelve bottles, two paper packages, and a cake of chocolate. I examined them to ascertain their general nature and to see if there was any trace of arsenic. Witness stated the contents of each bottle and packet, none of them having any trace of arsenic. I identify the bottles now produced. Excepting the solution of aconite in one of the bottles, none of their contents is of a poisonous nature, and the quantity of the solution of aconite would not have been sufficient to destroy life. The bottle is half full, and has about two ounces in it. If the whole bottleful had been taken, it would not have been sufficient to destroy life. Aconite acts as a poison by producing insensibility, coldness, and death. I never heard of prussic acid being used as a cosmetic. I should think it highly dangerous so to use it. I am not aware of any action it exerts to whiten the skin. I should say it would be very dangerous to use arsenic as a cosmetic. If rubbed into the skin it might produce symptoms of poisoning by arsenic. I have heard of arsenic mixed with lime or other matters being used as a depilatory. Arsenious acid is not so used; it is usually the yellow sulphide.

Cross-examined.—In the entire stomach and its contents there was arsenic to the extent of 83 grains and 7-10ths. That was exclusive of the white powder, which weighed 5 grains and 2-10ths. The two together come to nearly 90 grains. I did not determine the quantity in the organs of the body removed on exhumation. In the small intestines there must have been a considerable quantity. When the contents were allowed to repose, arsenious acid crystallized out of them, and deposited abundantly on the sides of the vessel. I cannot give you an idea of the quantity in the small intestine. It was a very appreciable quantity, but I should not like to guess. If deceased, when attacked by symptoms of arsenical poisoning, vomited a great deal, the arsenic would be carried off by the vomiting, or not, according to the mode of administration. If given with solid food and in a solid state, a large portion of the arsenic would be ejected from the stomach, but if it were stirred up with a liquid, and thereby thrown into a state of mechanical suspension, I should not expect any considerable quantity

to be ejected by vomiting. I could not say what proportion would be ejected by vomiting if administered in a fluid. I should not be surprised if in such a case as much had been ejected as remained. Judging from what I found of the state of the body, the dose of arsenic must have been of very unusual size. There are cases on record in which large quantities have been found in the stomach. There are examples in which larger quantities have been found than the present. There is one case in which two drachms have been found, that is 120 grains. That is the largest quantity I recall at present. I cannot tell of any case in which a large quantity has been found in which the arsenic was administered by another party. In the case which I have referred to the poison was voluntarily taken. It would be very difficult to administer a large dose of arsenic in a liquid. A large dose would exclude many vehicles in which arsenic might be administered. Nothing in the appearance of the body indicated the time at which the arsenic was taken. The utmost period that I have known to elapse between the administration of this poison and the appearance of the symptoms is eight or ten hours, or thereabouts. Very often the symptoms appear in an hour. There are cases in which the symptoms have been late in appearing, and in which death did not take place for two or three days. The greater part of the colouring matter in Currie's arsenic might be removed by adding cold water and agitating the two together. After a portion of the arsenic has subsided, and you remove the superlatent water, a portion of the colouring matter will go away. With great dexterity the greater portion might be removed, but it would require the skill of a chymist to remove it. Murdoch's arsenic was coloured with carbonaceous matter. It had the character of coal soot. I cannot tell by the examination of a dead body whether the arsenic has been administered in one dose or several. I think the external use of arsenic in any way very dangerous. There are cases in which it has been applied to the whole skin, and symptoms of poisoning ensued—vomiting pain, but not death. In one case it was rubbed upon the head. From the remembrance of general reading, it is my impression that it would produce eruption of the skin. I should not like to wash myself in water in which arsenic had been put, but I can give no further answer on that point. The arsenic is absorbed by the blood, and it is through its rapid absorption that it reaches the vital organs.

Re-examined.—Cocoa or chocolate are substances in which a considerable dose of arsenic might be conveyed. I have found by actual experiment that when 30 or 40 grains of arsenic are put into a cup of warm chocolate, a large portion of the arsenic settles down to the bottom of the cup, and I think a person drinking such chocolate would suspect something when the gritty particles came into his mouth; but when the same or a larger quantity was boiled with the chocolate, instead of being stirred or mixed, none of it settles down. I could not separate the soot from the arsenic by washing, but a very large quantity of it may be separated in that way.

Re-cross-examined.—A larger portion of the arsenic dissolves by being boiled with the chocolate than by being thrown into it. Coffee or tea could not be made the vehicle of a large dose of arsenic in that way.

By the Court.—The period between the administration and the appearance of the symptoms varies in different persons, and more especially according to the mode of administration. Pain in the stomach is among the first symptoms after a large dose, and may exist before vomiting commences. Ten to 20 grains might be given in coffee, but not a large dose such as we have been referring to.

The Lord Justice Clerk, as the witness left the box, said that more satisfactory, lucid, and distinct evidence he had never heard.

Dr. Christison, professor in Edinburgh University.—I recollect Dr. Penny bringing to me various substances, said to be portions of the body of P. E. L'Angelier. I made analyses of them with the view of ascertaining if they contained arsenious acid or other poison. After subjecting to the usual processes the

MEETING OF THE LOVERS IN THE LAUNDRY.

white powder given me by Dr. Penny, which he had found in the stomach of the deceased, I found it to be oxide of arsenic. The quantity of arsenic in the stomach was considerable, and more than sufficient to destroy life. Sometimes the effects of arsenic pass off quickly, sometimes they continue for months, causing indigestion, weakness, loss of strength, emaciation, and occasionally diarrhœa. The report of Drs. Thomson and Steven was read to witness, and he was asked, is there anything in that description you would expect to find after a frequent administration of arsenic? Witness said it was a very natural appearance after a frequent administration of arsenic, but the appearances might proceed from previous diseases arising from other causes.

The LORD ADVOCATE described the symptoms of M. L'Angelier's repeated illnesses as deponed to by Mrs. Jenkins, when Dr. Christison said,—I have no doubt the cause of death was poisoning by arsenic, and that being the case I should have entertained strong suspicion as to that being also the cause of his prior illness. The symptoms I have described are just those that have occurred in the repeated administration of doses singly insufficient to cause death.

Cross-examined.—If colouring matter had been administered with the arsenic I should have expected to find it in the small intestine. I did not search for or apply any process of analysis for the detection of colouring matter. If colouring matter had been administered with the poison, I think it might have been found. Some of the components of soot are insoluble. I should have expected to find it but for the vomiting, which, however, would not have removed it entirely. I should have found true indigo had it been there. It appeared to be what is called waste indigo, such as is used in dyeing, that was in Currie's arsenic. I cannot particularly tell the constituents of waste indigo. Charcoal is one of the constituents both of true and waste indigo. Charcoal is also the chief constituent of soot. I was informed by Dr. Penny of the large quantity of arsenic found in the stomach. Suppose the illness commenced by severe vomiting and purging, I should suppose the quantity of poison swallowed by the deceased to be much greater than the quantity found in the stomach and intestines. The quantity of the poison vomited would depend very much on the means taken to facilitate vomiting. Hot or cold water given would greatly facilitate the discharge of the poison. It is quite impossible to tell the quantity vomited. It would be reasonable to suppose that as much was vomited as remained. It might even without extravagance be four or five times the quantity that remained. All the symptoms which have been described to me in this case have been found in cholera. The ulcers found in the duodenum and other parts might have been the previous indications of a disease which would present the symptoms of bowel complaint or cholera. The general run of cases is from 24 hours to two and a half days from the administration of poison till death. There are exceptional cases. I have known of death in two hours. The period between the administration and the appearance of the symptoms is generally about two hours, but has been known to be seven or nine. It does not appear that the period of appearance of the symptoms depends on the quantity of the dose. There seems no connexion, generally speaking, between the quantity and the time. In the present case the quantity swallowed may have been double the quantity found—200 grains probably. There is one case on record in which six ounces were taken. But we certainly consider 200 grains a large dose. There are many cases recorded of suicide from very large doses. In the great proportion of cases of suicide the doses are very large. That may be accounted for by the desire of the person to be certain of the result, but murder by injuries, as well as in cases of poison, is often detected by the excess of means. In almost all cases of murder by poisoning there is more poison used than is necessary to occasion death. The very fact that poison is found on the stomach at all proves that more was given than was necessary, for it is not what is left that causes death, but what has been on the stomach. I do not recollect any case of murder by arsenic in which anything approaching to 88 grains was found in

the stomach of the deceased, but I cannot rely on my recollection as to a negative fact of that kind. I have sometimes found it in very small quantities, but I have never paid so much attention to the quantity as to the fact. The use of a large quantity is of course a great mistake on the part of those wishing to administer it without suspicion. A large quantity is not easily conveyed in a liquid. It would only convey what was easily soluble, or so fine as to be suspended in water. If the arsenic was pretty coarse and gritty, its determination to the bottom of a liquid would be the greater, and a less quantity could be administered through it. It is a very rare occurrence that any one is able to eat a hearty meal after once having taken arsenic, but one remarkable case of the kind is recorded in the French books.

Re-examined.—Cocoa or chocolate is a vehicle in which a great deal might be administered. Active exercise or a long walk would, I think, quicken the action of arsenic. Exercise precipitates the action of all poisons, except narcotic poisons. The colouring matter might have been present without detecting it. A previous administration of arsenic would quicken the effects of the subsequent one, and the constitution would become more susceptible of the effects of the poison.

Amadée Thuot, examined through M. François Chaumont, interpreter.—I am a clerk in Glasgow, and lodged in March last in Mrs. Jenkins's, and with M. L'Angelier. I had seen the photograph shown me in M. L'Angelier's room, and believed it to be the portrait of his intended. I knew of his being in correspondence with a lady, but I never saw any of the letters. I knew of the lady wanting some of her letters back. I remember going with L'Angelier to the Broomielaw on one occasion, and of his stopping at a house near Blythswood-square to deliver a letter. He made a slight noise with his stick on the window. It was the second window from the corner of Blythswood-square. After L'Angelier's death I showed that window to a police officer. L'Angelier sometimes went out at night. He told me he went to his intended's house. I recollect his becoming very ill one morning after he had been out at night. I asked him in the morning if he had seen the lady. He said he had seen her. I asked if he had been ill in her presence. He said he was. I do not think he was out the night before the morning of his second illness. I do not think that in conversing with L'Angelier he ever told me the lady's name. I understood that his intimacy with her was against the consent of her family. I understood that the house at which the letter was delivered was the house at which the lady lived.

Cross-examined.—I have seen M. L'Angelier take laudanum several times. I told him once that he took a good deal—that he took too much. He said he could not sleep without it. He once told me he had taken a great deal of laudanum. I have seen him take it four or five times.

By the Court.—I never saw him take much laudanum, except may be when he was suffering a great deal.

Auguste Vauverte de Meau, Chancellor to the French Consul in Glasgow.—I knew M. L'Angelier for about three years. I also knew Miss Smith, the prisoner. I knew there was a correspondence between them, and L'Angelier told me of his relations with Miss Smith, though I did not wish his confidence on the subject. Mr. Smith lived some time at Row. L'Angelier lodged with me once or twice at Helensburgh. I told him I thought he should go to Mr. Smith and tell him that he was in love with Miss Smith, that she returned his attachment, and ask his consent to their marriage. He said that Miss Smith had asked her father's consent, which he refused, so that it would be of no use for him to ask it. I have had very little intercourse with deceased since I was married, which I have been for a year. I remember L'Angelier coming to my office a few weeks before his death. I spoke of having heard that Miss Smith was to be married to some one else—namely, a Mr. Minnoch. L'Angelier said it must surely be false, but that if it was to come to this he would forbid it, and that he had in his possession documents that would be sufficient to forbid the

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banns. I did not see him again. I did not think I was at liberty to speak to Mr. Smith of M. L'Angelier's attachment to his daughter while he lived, but after his death I thought it my duty as a gentleman to tell Mr. Smith of the correspondence between his daughter and the deceased, in order that he might take what steps he might think proper for her exoneration in case anything might come out against her. I told him that the deceased must have had a great number of letters from his daughter in his possession, and that I thought it right to apprise him of this, in order that he might know what to do, and that the letters might not fall into the hands of strangers. I told him that I understood no seal had been attached to his property, and that the letters were in such a place that numbers of people had the opportunity of seeing them. I went at Mr. Smith's request to Mr. Huggins. He was not in his office, but I saw two other gentlemen. I told them what I was charged to ask, but they said they could not give them without the consent of Mr. Huggins. I asked that those letters should be put under seal till they could be disposed of. I went back to Mr. Smith next day, and told him what the answer was. In the interval I heard some rumours which induced me to go again. About that time I saw Miss Smith in presence of her mother. I apprised her of the death of L'Angelier. She asked me if it was of my own will that I had come. I said, No; that it was at the special request of her father; and I asked her to tell me what she could, in order to put me in a position for contradicting the statements which had been made to me by M. L'Angelier. I asked her if she had seen him on the Sunday night? Miss Smith told me she did not see him. I observed to her he had come from Bridge of Allan by special invitation given by her in a letter written to him. She told me she was not aware he was at Bridge of Allan; that he was in Glasgow; and that she did not give him an appointment for Sunday, as she wrote on Friday evening, making an appointment for the following day. She said she expected him on Saturday, but he did not come, and that she had not seen him on Sunday. I put the question to her five or six different times and ways, and told her my conviction was that she must have seen him on Sunday, as he came from Bridge of Allan on Sunday to see her, and if he had committed suicide he was not likely to have done so before at least having seen her. I said to Miss Smith that the best advice I could give her was to tell the truth, because it was a serious affair, and might lead to inquiry by the justice, and that if she did not speak the truth as to her having seen him, probably a servant, or a policeman, or somebody passing might be able to say that they had seen him, which would throw a very strong suspicion on the motive that could have led her to hide the truth. She then got up and said, "I swear to Monsieur Meau I have not seen L'Angelier for three (or for six) weeks. I swear I did not see him yesterday." I put the question five or six times, and her answer was always the same. I asked her how she, being engaged to another gentleman, could carry on a clandestine correspondence with her former sweetheart? She told me she had done so in order to try to get back her letters. I asked her if it was true that she had been in the habit of meeting L'Angelier of late, and that she was in the habit of making appointments with him. She told me that L'Angelier had never entered the Blythswood-square house at all. I asked her how she had her meetings with L'Angelier. She told me that he used to come to the corner street —Main-street, I believe—that he signalled to her with his stick, and that she opened the window and used to talk with him. I asked her if it was true that she had signed letters with L'Angelier's name as his wife, and she told me she had.

Cross-examined.—I lived at Helensburgh in the summer of 1855. L'Angelier visited me there. He once came on a Saturday evening. We spent the whole evening together. On Sunday we went a good distance on the Glasgow-road, and returned. L'Angelier, instead of following me, went down stairs, and in a short time I went down to inquire why he did not come to his dinner, but I

met him returning, when I found him excessively pale. I asked him what had been the matter; and he told me he had been frightfully sick, vomiting all the time down stairs. He sometimes complained of being bilious, but I cannot recollect at what period. Once he told me he had an attack of cholera; this must have been last year. I was then acting consul, and he did duty as my secretary for some weeks. He told me that he had been on one occasion attacked by a burning pain at the heart, but L'Angelier had often complained to me, and, as I thought, without any great cause, and therefore I did not pay any great attention to it. I knew that he was in the habit of taking laudanum, and in his occasional visits to me at Helensburgh I never knew him come without having it in his carpet-bag. He once spoke to me about the use of arsenic, but that is now a considerable time ago—I think in the winter of 1853-54. I ridiculed the idea of its being possible to take it without danger, while he maintained that it was possible to take it in a small quantity. I cannot, however, precisely recollect the conversation. He once told me about his having been jilted by an English lady, a rich person, and he said that on account of that desertion he was "like mad" for about a fortnight, and went about without taking food. I think he was an excitable person. When he had any cause of grief it affected him very much.

By the COURT.—I had less intercourse with L'Angelier after I was married. The reason was that I feared he might be led to take some rash step with Miss Smith, and as I had some young ladies under my charge I did not think it was proper that I should keep up my intercourse with him. I mean that he might have proposed to make an elopement with Miss Smith; indeed, I felt sure he would propose this, as he told me that he would do so in the event of Mr. Smith not giving his consent to his daughter's marriage with him. I understood from L'Angelier that Miss Smith had engaged herself with him. The reason I went to Mr. Smith after L'Angelier's death was, that as I knew the letters were love letters, it was much better the family should have them in their hands than strangers. My opinion of L'Angelier was, that he was a regular young man; that he was religious and exemplary in his conduct, his only fault was excessive bragging. He boasted of his appearance and of his influence, and said of Miss Smith, "I shall forbid Mademoiselle to do so and so," or "she shall not dance with such a beau." He seemed jealous that any one should pay attention to Miss Smith.

The Court adjourned at 6 o'clock till 10 next morning.

THURSDAY, JULY 2.—THIRD DAY.

The trial of Madeleine Hamilton Smith for the murder of Pierre Emile L'Angelier was resumed at the High Court of Justiciary, Edinburgh, this morning at 10 o'clock. The prisoner still looked fresh and animated, but in the course of the day became a little more restless and excited than she had previously, and particularly when her former school companion, Miss Buchanan, and the gentleman to whom she was latterly engaged, Mr. Minnoch, were in the box.

Charles O'Neill deposed to the accuracy of a plan of the house, 7, Blythswood-square, which he had drawn. It showed that Mr. Smith, father of the prisoner, occupied a house consisting of a street floor and sunk floor, Mr. Minnoch and Mr. Douglas residing in the floors above. The house was situated in the corner of Blythswood-square and Main-street, into which several of the windows looked, and among others, the bedroom windows of Miss Smith in the lower and partially sunk floor. Any person putting his arm through the grating could tap at Miss Smith's window there, and if anything was let fall it

would fall about the level of the sill of the window, and any person inside could easily take it in.

The declaration of the prisoner was then read. It was as follows:—

"My name is Madeleine Smith. I am a native of Glasgow, 21 years of age, and I reside with my father, James Smith, architect, at No. 7, Blythswood-square, Glasgow. For about the last two years I have been acquainted with M. Emile L'Angelier, who was in the employment of W. B. Huggins and Co., in Bothwell-street, and who lodged at 11, Franklyn-place. He recently paid his addresses to me, and I have met with him on a variety of occasions. I learned about his death on the afternoon of Monday, the 23rd of March current, from mamma, to whom it had been mentioned by a lady named Miss Perry, a friend of M. L'Angelier. I had not seen M. L'Angelier for about three weeks before his death, and the last time I saw him was on a night about half-past 10 o'clock. On that occasion he tapped at my bedroom window, which is on the ground floor, and fronts Main-street. I talked to him from the window, which is stanchioned outside, and I did not go out to him, nor did he come in to me. This occasion which, as already said, was about three weeks before his death, was the last time I saw him. He was in the habit of writing notes to me, and I was in the habit of replying to him by notes. The last note I wrote to him was on the Friday before his death—viz., Friday, the 20th of March current. I now see and identify that note and the relative envelope, and they are each marked No. 1. In consequence of that note I expected him to visit me on Saturday night, the 21st current, at my bedroom window, in the same way as formerly mentioned, but he did not come, and sent no notice. There was no tapping at my window on said Saturday night or on the following night, being Sunday. I went to bed on Sunday night about 11 o'clock, and remained in bed till the usual time of getting up next morning, being 8 or 9 o'clock. In the course of my meetings with M. L'Angelier he and I had arranged to get married, and we had at one time proposed September last as the time the marriage was to take place, and subsequently the present month of March was spoken of. It was proposed that we should reside in furnished lodgings, but we had not made any definite arrangement as to time or otherwise. He was very unwell for some time, and had gone to the Bridge of Allan for his health, and he complained of sickness; but I have no idea what was the cause of it. I remember giving him some cocoa from my window one night some time ago, but I cannnot specify the time particularly. He took the cup in his hand and barely tasted the contents, and I gave him no bread with it. I was taking some cocoa myself at the time, and had prepared it myself. It was between 10 and 11 p.m. when I gave it to him. I am now shown a note or letter and envelope which are marked respectively No. 2, and I recognise them as a note and envelope which I wrote to M. L'Angelier and sent to the post. As I had attributed his sickness to want of food, I proposed, as stated in the note, to give him a loaf of bread; but I said that merely in a joke, and, in point of fact, I never gave him any bread. I have bought arsenic on various occasions. The last I bought was sixpence worth, which I bought in Currie the apothecary's in Sauchiehall-street; and prior to that I bought other two quantities of arsenic, for which I paid 6d. each —one of these in Currie's, and the other in Murdoch the apothecary's shop, in Sauchiehall-street. I used it all as a cosmetic, and I applied it to my face, neck, and arms, diluted with water. The arsenic I got in Currie's shop I got there on Wednesday, the 18th current, and I used it all on one occasion, having put it all in the basin where I was to wash myself. I had been advised to the use of the arsenic in the way I have mentioned by a young lady, the daughter of an actress, and I had also seen the use of it recommended in the newspapers. The young lady's name was Jubilee (Giubilei), and I had met her at school at Clapton, near London. I did not wish any of my father's family to be aware that I was using the arsenic, and therefore never mentioned it to any of them, and I don't suppose they or any of the servants ever noticed any of it in the

basin. When I bought the arsenic in Murdoch's I am not sure whether I was asked or not what it was for, but I think I said it was for a gardener to kill rats or destroy vermin about flowers, and I only said this because I did not wish them to know that I was going to use it as a cosmetic. I don't remember whether I was asked as to the use I was going to make of the arsenic on the other two occasions, but I likely made the same statement about it as I had done in Murdoch's, and on all the three occasions, as required in the shops, I signed my name to a book in which the sales were entered. On the first occasion I was accompanied by Mary, a daughter of Dr. Buchanan, of Dumbarton. For several years past Mr. Minnoch, of the firm of William Houldsworth and Co., has been coming a good deal about my father's house; and about a month ago Mr. Minnoch made a proposal of marriage to me, and I gave him my hand in token of acceptance, but no time for the marriage has yet been fixed; and my object in writing the note No. 1, before mentioned, was to have a meeting with M. L'Angelier, to tell him that I was engaged in marriage to Mr. Minnoch. I am now shown two notes and an envelope bearing the Glasgow postmark of January 28, which are respectively marked No. 3, and I recognise these as in my handwriting, and they were written and sent by me to M. L'Angelier. On the occasion that I gave M. L'Angelier the cocoa, as formerly mentioned, I think that when I used it it must have been known to the servants and members of my father's family, as the package containing the cocoa was lying on the mantelpiece in my room, but not one of the family used it except myself, as they did not seem to like it. The water which I used I got hot from the servants. On the night of the 18th, when I used the arsenic last, I was going to a dinner party at Mr. Minnoch's house. I never administered, or caused to be administered, to M. L'Angelier arsenic or anything injurious. And this I declare to be truth. MADELEINE SMITH."

Mary Jane Buchanan.—I reside with my father, Dr. Buchanan, at Dumbarton. I am acquainted with Miss Smith. I was with her on the 6th of March in Sauchiehall-street, when she went into Currie the druggist's shop. She asked for arsenic. She was told she must sign her name. The shopman did not ask what she was to do with it, but I asked her. She said it was to kill rats. She got the arsenic—I think sixpennyworth. The shopman suggested phosphor paste to kill rats, but she said it had been tried before, and it was unsuccessful. She said they were going to the Bridge of Allan, and that there was no danger of leaving arsenic in the cellars while the family were absent. I think she asked how much would be a dose for the rats, and he said the quantity she named would kill a great many. She said she only wished it for that purpose. We had no more conversation about it, but I laughed at the idea of a young lady buying arsenic. Miss Smith said nothing, but she laughed with me. I was at school with Miss Smith at Clapton, near London. We were a year there together, and I have been acquainted with her since. I am familiar with her handwriting. I examined a number of letters in the Procurator-Fiscal's office, which I came to the conclusion were in her handwriting. I think I first became acquainted with Miss Smith in 1852 or 1853. Her full name is Madeleine Hamilton Smith. In the course of last spring she wrote to me, telling me she was engaged to be married. This was in the end of February last. The gentleman was Mr. Minnoch. She spoke to me also on the subject on the 6th and again on the 30th of March. On the last occasion she spoke of the marriage as being to take place in June. She spoke of no doubt or difficulty about it.

Cross-examined.—I live at Dumbarton. I was visiting Glasgow on the 6th of March. I had visited at Mr. Smith's house at Row when they lived there, and I also visited at Blythswood-square when I was in Glasgow. Miss Smith was not in when I called on the 6th of March, but she came in while I was there. We went out together. She said she wished to talk with me about her marriage, but I had no time to wait. She said she would walk so far on

the way with me. There was a school promise between us that whichever of us was first married should have the other as bridesmaid. We went from Blythswood-square to Sauchiehall-street, and along it. This was the way I was going. On coming to Currie's she said, "Oh, just stop a minute; I want to go into this shop." There were two young men behind the counter. We both went forward to it. She asked for arsenic. The man said she must sign the book. She said she would sign anything they liked, and signed "M. Smith," and asked if that would do, and the man said, "Yes." Miss Smith first asked the young man, "How do you sell arsenic? Would sixpence worth be a large quantity?" I did not sign the book. Everything was done very openly. When we were at school together at Clapton I remember something about arsenic. I remember either at lesson or in our evening reading of our reading an account of the Styrian peasants taking arsenic to give them breath in climbing steep mountains, and about their having a peculiar plumpness and rosiness of appearance. I remember Miss Giubilei, who was a pupil-teacher in the school. She was at the reading at the time, I think. We were always obliged to be at the evening reading, and I should think that Miss Smith would be there.

By the COURT.—I met Miss Smith by appointment on the 6th of March. She knew I was coming, and she wrote me, making the appointment at half-past 1. I saw her on the 30th. I think I was with her from 3 to half-past 4. I saw her then in her own house. I had been visiting Glasgow for a week or two. Nothing particular passed between us on the 30th. I asked her about her marriage, and we spoke of it together.

Mrs. Walcot (formerly Augusta Giubilei).—I was a pupil-teacher in a school at Clapton in the year 1852. I never advised the prisoner to use arsenic as a cosmetic, or to apply it to her face and arms diluted with water; nor, indeed, to use it in any way. I never had any conversation with her about the use of arsenic, that I recollect of. I believe I never had any conversation with her at all about the use of cosmetics. I recollect a fact occurring in our reading, of mountaineers taking small quantities of arsenic to improve their breath, and that those who so took it were remarkable for their plumpness. I believe I never had any conversation with the prisoner about this passage.

William Murray, lately page to, and residing with, Mr. Smith.—I went to Mr. Smith's service in November last. I slept in the room as you go in at the low front door, on the left hand side. Miss Madeleine Smith slept on the right hand side beyond the kitchen—a room which has two windows to Main-street. There were also a cook and housemaid in the house, named Christina Haggart and Charlotte M'Lean. They slept in the room at the other end of the passage, on the left. Miss Madeleine once sent me to an apothecary about four months ago. I recollect her being missed from home one morning. It was about six weeks or two months before that I was at the apothecary's. I went for prussic acid. She gave me a line, with the words, "A small phial of prussic acid." I took it to an apothecary's, Dr. Yeaman's, in Sauchiehall-street, but they would not give it me. I went back to Miss Smith, and told her so. She said, "Very well; never mind." She said she wanted it for her hands. I did not know M. L'Angelier by sight or otherwise. I have posted letters for Miss Smith. I have observed some with something like that name, but I never could make out what it was. It was my business to lock the area gate, but I sometimes forgot. I went to bed about 10 on Sunday, the 22nd of March. I sleep very sound. I heard no noise before the morning. Miss Madeleine had not gone to her room when I went to bed. It was on the Thursday after the Sunday Miss Smith was found missing. Mrs. Smith told me about 10 o'clock she was missing. She came back at night. I recollect Christina Haggart being unwell that Sunday. She kept her bed till about 6 o'clock. After coming down from worship on Sunday night I went to bed.

Cross-examined.—I went to Dr. Yeaman's as the nearest shop. Miss Smith

did not tell me to go to any particular shop. She was in the bedroom, and called me from the kitchen quite loudly when she sent me on the message. The other servants could have heard her if they had been listening. She said she wanted a small phial of prussic acid, and I must take care of it, for it was poison. The shopman asked who it was for, and I told him. He said he could not get it without a physician's line, for it was a very rank poison. The family last winter were Mr. and Mrs. Smith, Mr. John Smith, and Misses Madeleine, Bessie, and Janet Smith. Miss Madeleine is the eldest, Bessie the second, and Janet the youngest. I think Miss Janet will be about 12 or 13. She always slept with Miss Madeleine in the same room and bed. I had no charge of the back door—only the front area gate and upper front door. It was generally the cook who locked the back door, also the front area door. I remember all the servants and family were at prayers the night of Sunday, the 22nd. The usual hour is 9 o'clock. When I came down I first went into the kitchen, and stopped about five minutes, and then went to bed. I was waiting at breakfast next morning. Miss Smith was there just as usual. There was a young man named Mackenzie who visited Christina Haggart at this time. She is married to him now. Miss Smith and Janet sometimes got hot water in a jug from the kitchen before going to bed. I did not see Mackenzie that Sunday night.

Re-examined.—I heard nobody go out or come in on the night of the 22nd. There are two keys to the area gate. One of them is generally kept in the kitchen, hanging on a nail. The keys of the front doors are generally left in the inside of the doors.

Re-cross-examined.—The entrance to the back area is not a gate, but a door. It is too high for me to climb. There is broken glass on the top.

George Yeaman, physician, Sauchiehall-street, Glasgow.—I recollect a paper presented to me by my assistant, on which was written "Half an ounce of prussic acid." When the line was brought to me I went into the shop, and saw a boy. He told me he came from Miss Smith, Blythswood-square. I asked whether he knew what he wanted. He answered that he thought it was poison. I then said if Miss Smith would call herself I would see whether or not she could have it. Miss Smith did not come, that I saw or heard of.

George Murdoch, druggist, Sauchiehall-street.—Shown 185 of the inventory, being his register of all arsenic he sold in retail. There is an entry there, dated "February 21. Miss Smith, 7, Blythswood-square, sixpence worth of arsenic for garden in country-house. (Signed) M. H. Smith." Miss Smith came alone for it, as far as I remember. I was in one of the back rooms when my assistant called my attention to a lady wishing to purchase arsenic, and I came forward and recognized Miss Smith. I named to her the form we must keep. She said it was for her country-house. I was aware Mr. Smith had a house in the country. I signed the register, as also my assistant. It was common white arsenic mixed with soot, in the proportion required by the Act. I saw Miss Smith again on the subject, when she called and inquired if arsenic should not be white. I said it required to be sold coloured. She did not then purchase any more. James Dickie delivered to Dr. Penny afterwards a similar quantity of arsenic to that given to Miss Smith, and from the same bottle.

Cross-examined.—My shop is three or four minutes' walk from Blythswood-square. The family were in the habit of dealing with me. One and a half ounce is the quantity usually sold for 6d. The arsenic was not, I think, paid for, but charged to Mr. Smith's account, along with some soda-water got the same day.

James Dickie, assistant to Mr. Murdoch, corroborated his evidence.—The arsenic was entered as unpaid in our book, and put to Mr. Smith's account. That account has not been rendered. Miss Smith took the arsenic away herself.

Cross-examined.—I have been with Mr. Murdoch for six years. Mr. Smith had an account standing in our books. I put the entry of the arsenic first in

the scroll-book, and it was afterwards entered up in the ledger, charged to Mr. Smith. This satisfies me it was not paid for by Miss Smith. Some soda water is entered the same day as the arsenic.

George Haliburton, assistant to John Currie, druggist, Sauchiehall-street.—Mr. Currie keeps a registry-book of the sale of poisons. It is the registry published by Fisher for the use of chymists and druggists. I see an entry on March 6th. It is "March 6, Miss Smith, one ounce arsenic, to kill rats." My signature and her signature follow. Miss Smith said the rats were in the house in Blythswood-square. I recommended phosphorus paste, but she said she had tried that and it had failed. She said the family were going away that day to Bridge of Allan, and she would take care to put it down herself. She got the arsenic and paid for it. Our arsenic is mixed with indigo to colour it. I find another entry on the 18th of March, exactly the same as before. She then came in and asked for another sixpence worth. She said she had come back for it because the first was so effectual, she having found seven or eight large rats lying dead. Mr. Currie was in at the time, and he made some objection to her getting it. I told him she had got it before, and he allowed me to get it. A young lady, whom I took to be her sister, was with her. I never heard of arsenic, such as I gave Miss Smith, being used as a cosmetic, but a preparation of arsenic is used as a depilatory for taking hairs off the face. That is the yellow sulphurate of arsenic.

Cross-examined.—Both purchases were made quite openly. Miss Smith was accompanied by a young lady on the first occasion whom I did not know. The young lady said she always thought that arsenic was white, but I told her we were obliged to colour it by Act of Parliament.

By the COURT.—Arsenic is used as a depilatory, because it so affects the skin that it takes out the roots of the hair. That is not the usual quality of a cosmetic.

John Currie, druggist, corroborated Haliburton's evidence as to the sale of arsenic to Miss Smith on the 18th of March. He further deponed—I recommended her to take some other preparation to kill rats, and she said she did not insist upon it, but she would prefer having arsenic, as it had answered so well before. I told her she must sign the book, which she readily agreed to do; and from her affability and frankness I had no suspicion, and I desired the young man to give it to her. She paid for it. I did not know the young lady with her.

William Campsie, gardener at Mr. Smith's house at Rowaleyn, parish of Row.—I never got any arsenic from Miss Smith to kill rats, and do not recollect ever having any conversation with her on the subject. I never used arsenic there for that purpose.

Cross-examined.—We were very much troubled with rats, but had not used arsenic to destroy them. We had used phosphor paste, and found it to be effectual. We partly got quit of them by it.

Robert Oliphant, stationer, Argyll-place, Helensburgh.—I know the prisoner. She used to deal with our shop for envelopes and note-paper. I have seen her handwriting. I was shown a variety of letters by the Procurator-Fiscal, and recognized them as in Miss Smith's handwriting; and I recognized some of the envelopes as having come from our shop. They were stamped with the initials "M. H. S." specially for her.

William Harper Minnoch, examined by the SOLICITOR-GENERAL.—I am a merchant in Glasgow, and a partner of the firm of John Houldsworth & Co. I live in Main-street, above the house of Mr. James Smith. I have been intimately acquainted with his family for upwards of four years. In the course of last winter I paid my addresses to Miss Smith, and I made proposals of marriage to her. She accepted these proposals. The time of our marriage was fixed between us. Previously to that I first asked her generally, without reference to any time. That was on the 28th of January. My attentions to her, I

understood, had been such as to make her quite aware that I was paying my addresses to her. She accepted me on the 28th of January, and we arranged more particularly on the 12th of March. From the 28th of January to the end of March there was nothing which suggested any doubt to my mind as to the engagement continuing. I had no idea that she was engaged to any other person, and I was aware of no attachment or peculiar intimacy between her and any other man. The marriage was fixed to be on the 18th of June. Last season I made Miss Smith a present of a necklace; it was some time in January, before the 28th. She went along with her family to the Bridge of Allan on the 6th of March; she remained there till the 17th. I visited the family while they were there. After leaving I received a letter from Miss Smith (No. 133); that is the letter; it is dated "Monday" merely. After she came home from Bridge of Allan she dined in my house with her father and mother; that was on Monday, the 19th of March. I met her at dinner again at Mr. Middleton's on the 25th of March. I was not aware of anything wrong at that time. I called on Thursday morning, the 26th, at her father's house. She was not in the house. I was informed she had left the house. I went to Rowaleyn in company with her brother, Mr. John Smith, to look for her. We went by train to Greenock, and then on board the steamer, and we found her on board. It was going to Helensburgh and then to Row. It called at Roseneath and then returned to Greenock. We found her in the steamer a little after two o'clock. She said she was going to Rowaleyn. I went on to Rowaleyn with her and her brother; and then we ordered a carriage, and drove her up to Glasgow to her father's house. On reaching Glasgow I had no conversation with Miss Smith. I saw her again on the Saturday following. I had heard a rumour that something was wrong. She told me on the Saturday that she had written a letter to M. L'Angelier, the object of which was to get back some letters which she had written to him previously. She made no further statement at that time. I saw her again on the Sunday. There was no conversation on the subject then. I saw her on Monday and Tuesday. On Tuesday morning she alluded to the report that L'Angelier had been poisoned, and she remarked that she had been in the habit of buying arsenic, as she had learnt at Clapton school that it was good for the complexion. I had heard a rumour that he had been poisoned. She said nothing further, and that was the last time I saw her. Before she made these statements to me I was not aware that she was acquainted with L'Angelier. I was not acquainted with him myself.

Cross-examined.—I was at the Opera with Miss Smith and my sister on the evening of the 19th of February. We went to the Opera about half-past seven o'clock. We got home about eleven o'clock. Miss Smith returned with us. She had been with us all the evening. The cab stopped at her door, and she went into her house. On the 26th of March I suggested the probability of Miss Smith having gone to Row, her father having a house there in which a servant was living at the time. In consequence I and her brother went down. When we met her in the steamer I asked her why she had left home, leaving her friends distressed about her; but I requested her not to reply then as there were too many people present. I renewed the inquiry at Rowaleyn, and she said she felt distressed that her papa and mamma should be so much annoyed at what she had done. Mr. Smith told me that she had left the house that morning; and I asked him the reason, and he said it had been for some old love affair. I understood her to refer to that in the answer she made to me. She gave us no further explanation. She told me not to press her, and she would tell me all. We were only about three quarters of an hour at Row. We took her back to her father's house and left her there. On the 31st of March it was she who introduced the subject of L'Angelier's death, referring to the report of his having been poisoned; that was about half-past nine in the morning. I had called to inquire for Mrs. Smith, having heard she was unwell. My meeting with Miss Smith that morning was so far accidental. I have men-

tioned all that passed on the occasion. On the 29th I reminded her of the promise she made to me at Row that she would tell me by and by. I had not then heard anything of L'Angelier. She had not then mentioned his name to me, but she said he was a Frenchman. On the 25th I called before going to Mr. Middleton's. I called for Mr. Smith, but I did not see him. He was unwell and in bed. I took Miss Smith to Mr. Middleton's. He is the minister of the United Presbyterian Church which they attend.

Mrs. Clark, wife of Peter Clark, curator of the Royal Botanic Gardens, Glasgow.—The late M. L'Angelier lived with us two years. He went from my house to Mrs. Jenkins', Franklin-place. I was very intimately acquainted with him when he lived in my house. I formed a very good impression of his character. He seemed very steady and temperate. He never was late out while he lived in my house. I was led to believe that he attended church regularly; I was told so by others who saw him; he attended St. Jude's Episcopal Chapel (Mr. Mile's). His general health was good. He occasionally visited my house after he went to Mrs. Jenkins'. I observed that a month or two before his death his health became affected. He has spoken to me about a lady. I don't exactly remember when he did so; it was while he lived in my house—I think in the first year that he lived with me. He told me her name. It was Miss Smith. He spoke of her by her first name, "Madeleine" and "Mini." He gave me to understand that there was a mutual attachment between him and this lady. He said they corresponded by letter. He said they were in the way of meeting. He told me of an interruption to the correspondence. I don't remember when that was; it was while he lived in my house. He said the intimacy was afterwards resumed. I understood that it was interrupted because of Mr. Smith's displeasure. I understood from him that the correspondence subsisted while he was living with Mrs. Jenkins. He told me that Miss Smith and he were to be married, but he did not say when the marriage was to be. I last saw him on the 5th or 6th of March. He called at my house. He did not speak of Miss Smith that day. He left my house about the beginning of July, 1856, and went to Mrs. Jenkins. Shortly before his death he spoke of a second interruption to his intimacy with Miss Smith; it was within two months of his death. He told me that he was afraid they would not get their end accomplished, as Miss Smith's father was putting stronger obstacles in the way than ever. He said nothing further at that time. He afterwards spoke on the subject, and said something to the same effect. He spoke of no coolness between Miss Smith and himself. The last time he was at the Botanical Gardens he got some silver fish. That was about the 5th or 6th of March.

Cross-examined by Mr. YOUNG.—He came to my house first in May, 1854.—He complained of the climate not agreeing with him. He did not say particularly how it disagreed with him. He said that he was occasionally troubled with symptoms approaching to diarrhœa. I understood from himself that on one occasion, when he visited Helensburgh, he had been attacked with something like cholera. He had gone to visit M. De Meau there. He told me he was not in the practice of taking cholera medicine, but he told me he took it at that time. I saw the cholera medicine in his room. It was so labelled. I understood from him that he was not acquainted with Miss Smith's family. I understood that his correspondence with her was clandestine. When he said he was to be married to her, he said his intention was to have the banns secretly proclaimed. I mean by that, unknown to her parents, and that he intended on the Monday following to have a carriage ready and to drive to chapel and be married. He did not say that he arranged with any particular person to marry them, nor did he mention the chapel.

By the SOLICITOR-GENERAL.—He had a very great horror of taking medicine, and did not take it while in my house.

Thomas Fleming Kennedy, cashier to Huggins and Co.—I knew L'Angelier

four years and a half. He was a well-behaved, well-principled, religious young man. He enjoyed general good health while in our warehouse. He was not off duty from bad health till latterly. I think his health first became affected in February. I am not sure if he was not ill in January, but he was laid up for a week in February, and got leave of absence in March to recruit his health. He told me of his attachment to Miss Smith, Blythswood-square. He said very little about it, and I knew nothing further than that there was an intimacy till shortly before his death. He came to me one morning and asked what he should do about the correspondence. I advised him strongly to give back the letters, but he said he would not. That would be about a fortnight before the 23rd of February. He said that she had written asking for the letters. I understood that there had been a coolness on the part of both of them. He said he would never allow her to marry another man as long as he lived. I said it was very foolish. He said he knew it was—that it was infatuation. He said, "Tom, she will be the death of me." That was about our last conversation. Witness was then shown and identified several letters he had received from L'Angelier while in Edinburgh and Bridge of Allan, but which contained nothing of importance.

Cross-examined.—It was in February that L'Angelier first told me of Miss Smith's desire to break off her engagement with him. I can't say the exact day. I think that was the only occasion he said so. The conversation took place in the counting house. L'Angelier came to me between 10 and 11 a.m. crying. He said he had received a letter from Miss Smith that morning, asking back her letters and wishing the correspondence to cease, and he said that a coolness had arisen. I said—"You ought to give up the letters and be done with it." I made the remark that the lady was not worthy of him. He said he would not give up the letters. He said so distinctly and determinedly. He said he was determined to keep them, but he threatened at the same time to show them to her father. I told him he was very foolish, and that he had much better give them up. He said, "No, I wont; she shall never marry another man as long as I live." He also said, "Tom, it is an infatuation; she'll be the death of me." He was exceedingly excited during the whole time. I heard him say on one occasion—I don't recollect when—"I wish I was six feet under the ground." This was before the time I am speaking of. I took no notice of that statement; I never supposed that anything was wrong with him. His first serious illness, so far as I remember, was in February; but I think he was slightly complaining in January some time. I don't remember what his illness then was. I have heard him say on one or two occasions that he was subject to attacks of bowel complaint. Two occasions I recollect, but I can't say when, months previous to his death. I don't remember his saying that he had a bad attack of cholera in Belgium.

John Murray, sheriff's officer, deposed to the proceedings of the officers in attaching the property of the deceased, and identified the various articles and letters shown him, including a photograph found in Miss Smith's apartment and another found in L'Angelier's. Witness had, along with M'Lauchlan, called at all the druggists' shops according to a list taken from the *Glasgow Directory*, and such others as they could find; also at all the druggists on the way from Coatbridge to Glasgow, and all those in Stirling and Bridge of Allan, and had examined the registers of all those who kept registers from December to March inclusive, but found no poison bought at any of them under the name of L'Angelier.

In cross-examination the witness deposed that in several places they had visited arsenic was sold, but no register was kept, and he had not visited any of the manufacturing chemists or drysalters.

William Wilson, clerk to the Procurator Fiscal, was called in identification of the documents proceeded on, and was cross-examined at length as to the mode of getting up the case.

The evidence for the prosecution was further adjourned till Friday morning at 10.

FRIDAY, JULY 3.—FOURTH DAY.

The evidence for the prosecution was resumed to-day by the examination of William Hart and Peter Taylor Young, Joint Procurators Fiscal for the lower ward of Lanarkshire. Their evidence chiefly related to the mode of recovering and attesting the documents in the repositories of the deceased, also to the preparation of the case and the communication of copies of the documents to the prisoner's agents.

Andrew Murray, jun., writer to the signet, proved the accuracy of the print of the portion of the correspondence founded on by the Crown, and in the hands of counsel on both sides.

Rowland Hill M'Donald, controller of sorting department, post-office, Glasgow, was called to identify the postmarks on numerous envelopes.

Robert Monteith and Robert Sinclair, packers, in the employment of Huggins and Co., deposed that they had addressed letters for L'Angelier to "Miss C. Haggart," both at India-street, where the family resided before Whitsunday, 1856, at the country house at Row, and latterly at 7, Blythswood-square. L'Angelier did not wish his handwriting to be known.

Janet M'Donald, postmistress at Row, remembered letters coming to the post-office at Row in 1855 and 1856, addressed "Miss Bruce; to be called for," and which one of Mr. Smith's servants called for. Did not know of any person named Miss Bruce.

Catherine M'Donald, Bridge of Allan, deposed that the family had resided in her house there from the 6th to the 17th of March.

Dr. Robert Telfer Corbet.—I assisted in the examination of the body of M. L'Angelier on the 31st of March, and concurred in the report then made. The conclusion we came to was that deceased had died from the effects of irritant poison. The morbid appearances were of two kinds—one showing the recent and immediate action of irritant poison, and the other effects of some antecedent administration. The ulcers on the duodenum were such as I think an irritant poison administered a month before might have produced. I think the inflammatory action and ulceration were indicative of the administration of arsenic. Jaundice is not a common, but an occasional symptom of irritant poison. Extreme thirst is one of the symptoms, and shows itself very early. That is not a symptom of British cholera in the earlier stages. A dose of arsenic generally shows itself in half an hour or an hour. Longer periods have been known, but they are unusual. The early appearance of the symptoms would depend more on the mode of administration and the state of the stomach than the quantity. It would operate more quickly, I think, if there had been repeated doses. I have read of cases of murder in which large doses have been administered. I cannot say I have heard of 80 grains, but I have read of cases in which the authors describe the doses as being large.

Cross-examined.—Twenty grains would certainly be a very large dose. It would be a large dose to be administered, and certainly a very large quantity to be found in the stomach. I cannot tell of any case of homicidal administration in which so large a dose was given. I state upon the authority of Dr. Taylor that jaundice is a symptom. (Shown Taylor's work, and asked to point out the passage). I do not know the fact except from reading. I think Taylor refers to Christison as his authority.

The DEAN.—No, not Christison, but Marshall. If you can give me a single line except the one now shown me, in which Taylor refers to Marshall as his authority, namely, at page 62, I entreat you to show it to me.

Witness.—I am not aware that it is mentioned in any other part of the article than the page to which you allude, but I would require to read it over.

The DEAN.—But surely when you come here to swear, as a man of skill, that jaundice is a symptom of arsenical poisoning, you are prepared to give me a

better answer than that. Do you know that there is a life depending on this inquiry? Pray keep that in mind.

Witness.—I know jaundice to be a secondary symptom of arsenical poisoning by my reading.

The DEAN.—And is there any reading that you can condescend on, except what I have pointed out to you?

Witness.—Nothing.

Cross-examination resumed.—The ulcers might be produced by other causes than irritant poison. I have never seen ulcers in the duodenum except in this case, but I should conceive that any cause of inflammation of the upper intestines would produce them.

Re-examined.—The presence of jaundice would not sway me very materially in the view of arsenical poisoning. I have made a great many *post mortem* examinations.

Dr. Penny recalled and re-examined for the Crown.—I have made experiments as to the effect of the colouring matter in the arsenic of Murdoch and Currie, as to how far the colouring matter could be afterwards detected. I administered Murdoch's to a dog, and I found no difficulty in detecting the soot in the stomach of the dog. I administered arsenic coloured by myself with indigo to another dog, and I had no difficulty in detecting the indigo in that case. I administered to another dog a portion of the arsenic sold by Mr. Currie, and I detected black particles in the stomach, but could not undertake to identify the arsenic found with the arsenic given. I found carbonaceous particles, but could not undertake to say that they are of themselves sufficient to identify any particular description of arsenic. I could detect no arsenic in the brain, but I found it in the stomach, as well as in the texture of the stomach.

Cross-examined.—I made myself acquainted with the quality of the colouring matter in Currie's arsenic before administering it to the dog. The particles found in the dog's stomach bore a close resemblance to the colouring matter, both in their physical appearance and their chymical properties. Their appearance and properties were, indeed, identical.

Christina Haggart, or Mackenzie.—I was married to Duncan Mackenzie since the end of March last. I was previously servant in the family of Mr. Smith. I was two years in their service last Whitsunday. Miss Smith was the eldest of the family. Miss Bessie is a grown up young lady, perhaps about two years younger than Miss Smith. I think Miss Janet will be about 12 or 13. John, the eldest son, will be about 16 or 17, and was in an office in Glasgow; and James is two years younger. He was till the end of March at a school in Edinburgh. The family had a house at Rowaleyn Row. The first winter I was with them they lived in India-street, Glasgow. While they were living there Miss Smith pointed out a French gentleman to me, but did not tell me his name. I never heard his name, that I remember, till I was examined. Miss Smith told me he was a friend of hers. She pointed him out to me from the window one day he was passing. The photograph shown me appears to be a likeness of him. He once came into the house at India-street by the back gate, which Miss Smith requested me to open for him. The family were all at church except the youngest sister. She took him into the laundry. They shut the door after them. He remained about half an hour. He came back at night afterwards on several occasions—three or four times. He came about 10 o'clock. This was before the hour the family retired, but, so far as I remember, they were not at home. On these occasions he stood at the back gate, and did not come into the house, to my knowledge. I sometimes opened the gate when he was not there, that he might come in, and sometimes when I went out, at Miss Smith's desire, to open it, he would be there waiting. Miss Smith generally went out to him. The back door was a good way from the laundry, but they might have gone in there without my seeing it. I once pointed this gentleman out to Duncan

Mackenzie, my present husband. I said he was a friend of Miss Smith's, but I do not remember if I mentioned his name. I have spoken to that gentleman. He once made me a present of a dress while we lived in India-street. He did not say what he gave it for. I never saw him, that I remember, in the neighbourhood of Rowaleyn. Letters were sometimes addressed to me for Miss Smith at India-street. She said they were coming from her friend, and asked me to receive them. I thought she meant M. L'Angelier. I could not tell the number of letters that came in that way. I gave them all to Miss Smith. Letters came to Rowalyen addressed in the same way. I have called for letters addressed to Miss Bruce at Rowaleyn, which I gave to Miss Smith. Miss Smith has given me letters to post, I think to L'Angelier, but I could not read the name. I have posted letters to his address, from India-street, from Blythswood-square, and from Rowaleyn. I once delivered a letter to the same address in Franklin-place. I left it at the house. In the Blythswood-square house there is a back door, opening to the area in the back lane. Miss Smith asked me once to open that back door. It was a good long time before she was apprehended. I could not say how many weeks. I think it was not so much as two months before she was apprehended. It was at night she asked me to do this—past 10. I was in her room, which was on the same floor as the kitchen, when she asked me. I slept in the room next the back door. The cook slept with me. Her name is Charlotte M'Lean. I opened the back gate, but saw no one there. I left it open and came into the house. I also left the back door of the house open. I went into the kitchen. On going into the kitchen I met Miss Smith in the passage, going towards the back door. I then heard footsteps coming through the gate. I did not hear where Miss Smith went to. I did not hear the door of my room closed. I was in the kitchen half an hour or so. Charlotte M'Lean was in the kitchen at the time. We usually went to bed between 10 and 11, but I cannot say if we stayed up longer than usual that night. Miss Smith wished we might stay in the kitchen a little. When she told me to open the back door, she said she was to see her friend. While I stayed in the kitchen I did not know if she was in my bedroom, but I have no doubt she was. When we heard Miss Smith go to her room we left the kitchen. We heard the door of Miss Smith's bedroom open, but we did not hear the back bedroom door open. When we went, we found our room door shut. There is a front area to the house. The key of the door is sometimes in the kitchen and sometimes in the boy's room. I heard Miss Smith was to be married from her mother. This was before she was apprehended. I think a good while before. I asked her what she was to do with her other friend, and she told me then, or some time afterwards, that she had given him up. I asked if she had got back her letters. She said, "No; I do not care." I once in India-street refused to receive letters for her. I also refused at one time in Blythswood-square, but I don't remember if she passed any remark. She said she could receive letters in at the window. This was before I had refused. I have seen L'Angelier in Main-street, close to the house. He was walking slowly along. This was in the beginning of the last winter. Miss Smith could have passed from her bedroom to the kitchen or upstairs, without being overheard by us. I never saw any rats in our house in Blythswood-square. I remember Sunday, the 22nd of March. I was unwell that day, and kept my bed in consequence. I got up between 5 and 6 o'clock in the afternoon. I saw Duncan Mackenzie that evening. He came between 7 and 8. I was at the family worship at 9, as also was Miss Smith. Mackenzie remained below. I left Miss Smith in the dining-room, and did not see her again that evening. I went to bed at 10. Mackenzie left shortly before that time. We heard nothing in the course of that night, and knew nothing of any stranger being in or about the house. I remember Miss Smith leaving home unexpectedly on the Thursday following. I remember her being at an evening party between the Sunday and the Thursday. I cannot say if it was Wednesday

evening. The key of the back door was kept that night in my bedroom. It was about 8 in the morning that Miss Smith was missed. There was a key to the back gate of the area, of which I had charge. It is a wooden gate in a high wall. The key of the back door of the house generally stood on the wall. The back gate was sometimes locked, but more generally "snibbed." The key of the low front door was always left in the lock, as also the key of the high front door. It was the key of the front area gate that the boy kept. I had charge of Miss Smith's bedroom. I never during February or March saw the water she washed in peculiarly black or peculiarly blue.

Cross-examined.—I think it was soon after Miss Smith pointed out her friend that I knew of the correspondence. It was in April or May of 1856 the family went to Row. It would be a good while before this I knew of the correspondence. After I had received some of the letters I declined to take more. Her mother found out that something was going on, and forbade me to receive any letters. The family came back from Row in November last. I do not remember how long it was after the family's return that this gentleman came to the house, but it was a good while. I remember the family going to Bridge of Allan. It was a good while before this that he came. I could not say how long before. I do not remember the time Mrs. Smith told me that Miss Smith was to be married, but it was before we went to Bridge of Allan in March. The interview of the gentleman with Miss Smith might have been in the lobby. Her youngest sister slept with her, and she would be in bed by that time. My present husband was pretty frequently about the house at that time—several times in the course of a week. Duncan Mackenzie went out by the back door on the Sunday night. I saw him to the outer gate and "snibbed" it. I have no reason to suppose I did not lock the inner door as usual. After leaving Miss Smith in the dining room I did not see her that night. She gave me no reason to suppose she had had any meeting. I do not know if Miss Smith and Miss Janet went to bed together that night. The lock of the back door makes a considerable noise when it is turned. It is close to my bedroom. The window of our room looks into the back area, and is secured by iron stanchions.

By the Court.—When the family went to Bridge of Allan the servants were left at home. I saw Miss Smith when she came back on the Thursday from Row. She had a small carpet-bag with her. It was not very small, but it was such as a lady might carry. It was in India-street that I was desired by Mrs. Smith not to receive letters for Miss Smith, but I did receive some afterwards.

The Lord Justice Clerk.—I suppose, in reality, as Mackenzie was visiting you, you were willing to oblige the young lady. (A laugh.)

Charlotte M'Lean.—I was cook in Mr. Smith's family for six months, up till last Whitsunday. I never saw any gentleman visiting Miss Smith without the knowledge of her family, nor had heard of it. I never got letters to deliver or post to M. L'Angelier. I never knew of her receiving such letters. I never saw letters come addressed to Miss Bruce. I remember one night Christina Haggart asking me to remain longer in the kitchen, as some person was speaking to Miss Smith. I afterwards heard her go into her bedroom, on which we went to our room. I was at family worship on Sunday night, the 22nd of March, and left Miss Smith up-stairs. I did not know of any person being in during the night. I heard no noise.

Cross-examined.—It was near 11 that night when we went to bed.

Duncan Mackenzie.—I was married recently to Christina Haggart. I was visiting her on Sunday the 22nd of March. I left about 10 by the back gate. I was in the way of visiting her when the family lived in India-street. She once pointed out a gentleman to me at the back door of the house, but she did not tell me his name nor anything about him.

Cross-examined.—I spoke to this gentleman. I was coming up to the house, and he asked me if I was going in. He asked if I knew Christina. He asked

me to ask her to go out to speak to him. She went out. I did not hear what they said. I was not jealous about this, but she was afraid I might be. I had a letter afterwards, signed "M. Smith," telling me it was her friend I had seen, and hoping nothing would arise between us in consequence. I did not preserve the letter. I never saw that gentleman again. I was frequently about that house afterwards, and subsequently about the house in Blythswood-square, but never saw him again.

James Galloway deposed to having seen L'Angelier going up Sauchiehall-street on Sunday the 22nd March, about 9 o'clock. That would be in the direction from Franklin-place to Blythswood-square.

Cross-examined.—He was walking rather slowly.

Mary Tweedle deposed to his calling at Mrs. Parr's, St. Vincent-street, at 20 minutes past 9. He called for Mr. M'Alister, who was not in. Blythswood-square is five minutes' walk from there.

Thomas Kavan, night constable, Glasgow police.—My beat in March last included the north and east sides of Blythswood-square, and thus included Mr. Smith's house at No. 7. (Shown photograph of L'Angelier.) I have seen that person more than once. I saw him at least two months previous to my being examined about him. I saw him in Main-street. As well as I can recollect, it would be 10 or 11 o'clock. He was standing at the lamp-post near the lane. He once accosted me and said, "It's a cold night, policeman; do you smoke?" I said "Yes;" and he gave me two cigars. When I saw him he was about the breadth of this court-house from Mr. Smith's house. I recollect having seen him some 10 or 12 days after the first time. He was passing along the garden side, on the north side of Blythswood-square, going east towards West Regent-street. He was passing opposite 5 and 6, which are west of No. 7, and he was going east. I saw him again a fortnight or three weeks previous to the time I was examined. I saw him at the corner of West Regent-street coming towards Blythswood-square. It might be between 9 and 10 o'clock. I never saw him again.

Cross-examined.—I was examined on the 2nd of April. I was on my beat on Sunday the 22nd of March. I am quite sure I did not see him that night.

William Young, photographer, Helensburgh (shown the photograph found in L'Angelier's lodgings). I made this photograph. It is a portrait of Miss Madeleine Smith. It was done in September, 1856, at her desire.

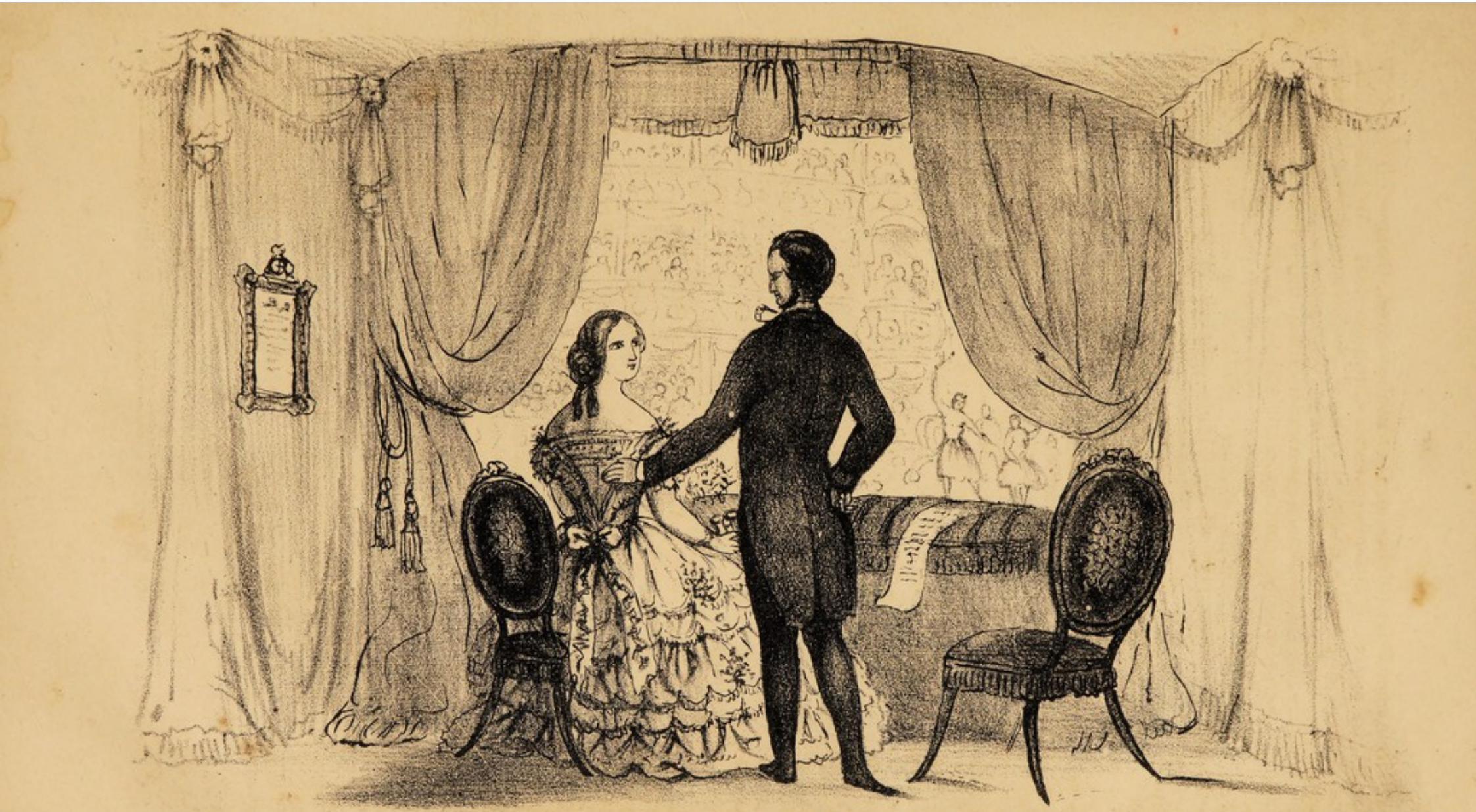
Mrs. Towers.—I am sister to Miss Perry, who lives in Glasgow. I live in Chester, but in March last my husband and I lived at Portobello, near Edinburgh. I remember L'Angelier coming to visit us there. He dined with us. He talked of his health almost the whole time. He said he had been given cocoa and coffee, but after taking them they had disagreed with him, and he had been very ill. He said he had not been accustomed to them. He made the remark that he thought he had been poisoned. This was after speaking of the coffee and cocoa. Nothing was said or asked about who had poisoned him.

James Towers, husband of last witness.—I was at one time a merchant in Glasgow, but resided in Portobello in March last. I had met L'Angelier at my sister-in-law's in Glasgow. I remember his dining with us in March. He told us he had had a very violent bilious attack or jaundice. He said he had had two attacks after taking cocoa or coffee. He said he thought himself poisoned after taking the cocoa and coffee. I remarked who would poison him, or what object could there be for that; but I do not recollect he made any answer. He told us he was going to return to Glasgow, and was after that going to Bridge of Allan. He looked quite well. I understood he had taken the coffee and cocoa at different times.

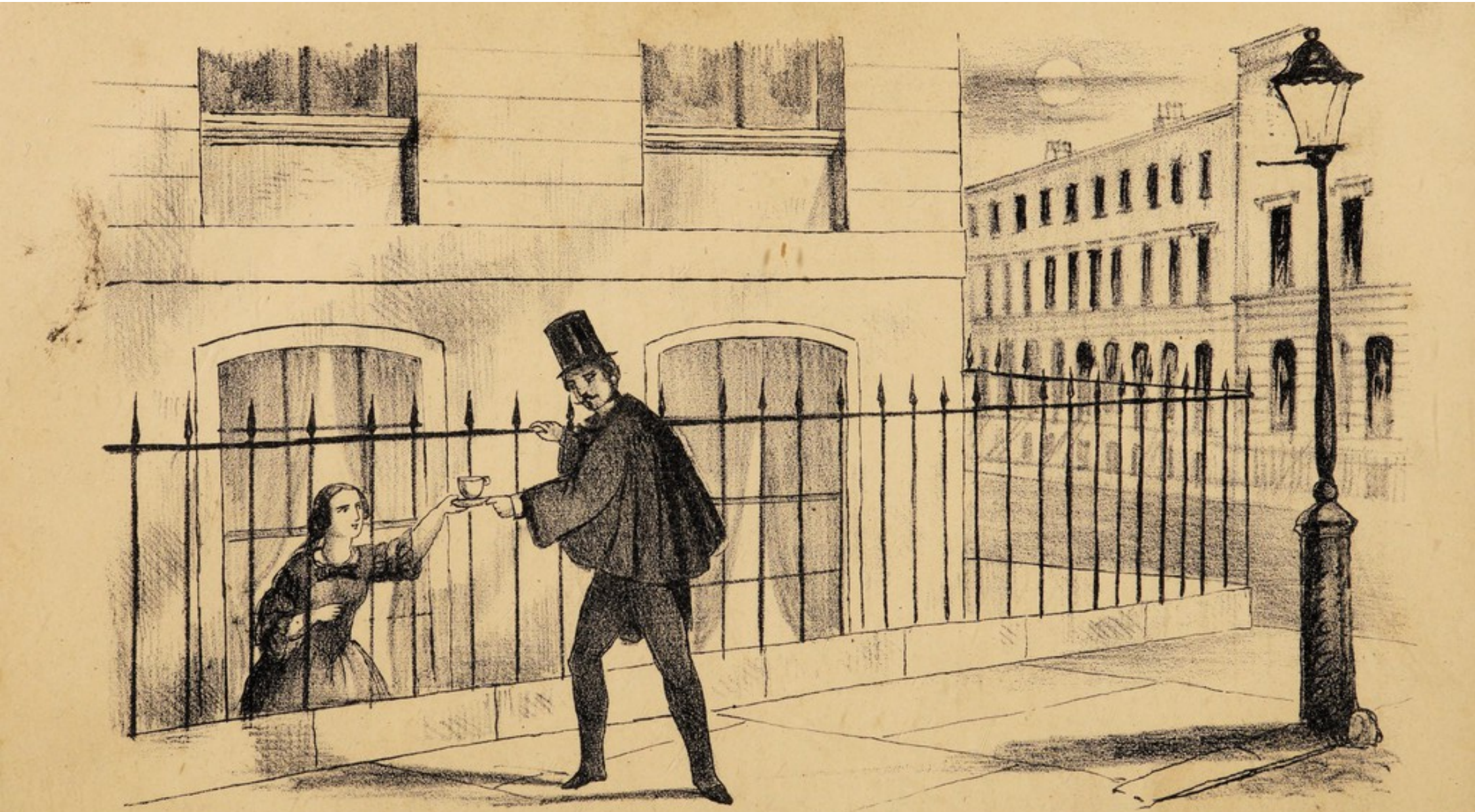
Cross-examined.—He ate a good dinner and talked a good deal. He certainly was of a talkative turn. He spoke much of his complaints, and seemed fond of talking about himself. I thought him a vain person. He said he had always taken coffee, but he was not surprised the cocoa had disagreed with him as he was not in the habit of taking it.

Mary Arthur Perry.—I live at 144, Renfrew-street, Glasgow. I knew the late M. L'Angelier. I became acquainted with him in 1853. We both attended the chapel of St. Jude's. About the spring of 1855 I came to know him more intimately. In the summer of 1855 he was engaged to a lady named Miss Madeleine Smith, and I was made aware afterwards of the progress of his attachment and correspondence. In August, 1855, he brought her to call on me. I after that received several letters from her. [Shown and identified Nos. 11, 19, 20, and 27, as letters from the prisoner.] No. 27 is signed "Mini." It is a pet name, and the name which M. L'Angelier called her. [Also shown and identified, 29, 45, and 83, also letters from Miss Smith written at intervals. Shown 141.] That is a letter from M. L'Angelier to me. It is dated the 20th of March, and says—"I should have come and seen some one last night, but the letter came too late, so that we are both disappointed." L'Angelier frequently visited at my house. He had general good health, but latterly was not so well as formerly. I think he told me in February he had heard of another gentleman paying his addresses to Miss Smith. He said at one time she had denied it, and that at another time she evaded the question. He dined with me on the 17th of February. He told me then that he expected to see Miss Smith on the Thursday following. I did not see him again till the 2nd of March. He was then looking extremely ill. We had some conversation about his illness. He said "I never expected to have seen you again, I have been so ill." He did not tell me he had seen Miss Smith on the 19th of February. He told me he had had a cup of chocolate, which had made him ill. It was on the 9th of March he told me this, when he took tea with me. On the 2nd he said he could not attribute it to any cause; but on the 9th he said, "I can't think why I was so unwell after getting that coffee and chocolate from her." I understood him to refer to two occasions. He was talking of Miss Smith when he said "her." He did not say if the illness he had on getting the chocolate was the same illness of which he had spoken on the 2nd of March, but I did not know of his having any other illness. On the 9th of March he was talking of his extreme attachment to Miss Smith. He said, "It is a perfect infatuation I have for her; if she were to poison me I would forgive her." I said, "You ought not to allow such thoughts to pass through your mind. What motive could she have to do you any harm?" He said, "I don't know that; perhaps she might not be sorry to get rid of me." All this was said in earnest. I interpreted the expression to mean to get rid of her engagement. There seemed to be some suspicion on his mind as to what Miss Smith had given him, but it was not a serious suspicion. I never saw him again alive. He said to me that he had once offered to Miss Smith to discontinue the engagement, but she objected to it then. She wished afterwards that their photographs should be returned to each other. He had offered to return her letters to her father. I received a message on the 23rd of March, about 10 o'clock, that M. L'Angelier was very ill. I went about midday and found him dead. I called on Mrs. Smith, and intimated the death to her. I saw the prisoner, but did not intimate it to her. She recognized me and shook hands, asking me to walk into the drawing-room. I asked to see Mrs. Smith privately, and said that Miss Smith would become acquainted with the object of my message. I never had seen Mrs. Smith before. I had a warm friendship for M. L'Angelier, and thought him a strictly moral, indeed a religious man. He was very regular in attendance at church. I was very much agitated and startled to find him dead.

Cross-examined.—I was not acquainted with Mr. Smith's family. L'Angelier told me when the engagement was first fixed he wished to inform her father, but she objected to that. He asked her to speak to him herself, which she also refused. This was a source of much distress to him at the time. M. L'Angelier was acquainted with Miss Smith's sister, but not her father or mother. The engagement had only existed a few weeks when Miss Smith was introduced to me. L'Angelier told me he had met Miss Smith first at Mrs. Baird's. I was



MISS SMITH AND HER ACCEPTED LOVER AT THE OPERA.



VIEW OF THE HOUSE AND MADELEINE SMITH HANDING A CUP OF CHOCOLATE FROM HER BED-ROOM WINDOW TO L'ANGELIER

aware that the intimacy was disapproved by the family, and that the engagement was broken off at one time. I never knew whether the father and mother had abated in their dislike to the intimacy. I wrote on one occasion to Miss Smith, advising her to mention the matter to her parents, and I advised L'Angelier not to renew the engagement after it was broken off. The engagement was renewed provisionally, Miss Smith having promised, on a proper opportunity, to tell her parents. I knew that they met clandestinely. I corresponded with both of them. (Shown No. 11 of the third inventory for the prisoner.) The postmark of that letter is the 7th of February. The letter said:—

"Though you have not told me so, I am in hopes, dear L'Angelier, that you have been receiving such kind cheering notes from Mimi that you are quite comfortable and happy, at least a great deal less sad than you were the last evening I saw you. I felt so sorry for you then, you were so ill and miserable, and I feel sorry that you should be so solitary in Glasgow, with no one to cheer you. To-day I saw Mimi with her mother and Bessie (at least, I took it to be her mother). Mimi looked quite well, and I believe she saw me. Are you suffering also from your neck? With kindest wishes for your happiness and Mimi's., I am, dear L'Angelier, ever your friend,

"M. A. Perry."

Witness also identified other letters shown as being from her to L'Angelier. We had corresponded at intervals for the last two years. He used to address me as "Dear Mary," or "My dear Mary," but never "Dearest Mary." I was introduced to him by a lady named Miss Philpot, who is now in England. I believe his mother lived in Jersey. I never inquired her occupation. He had two sisters, also a brother, who died. I remembered the date of L'Angelier's first illness, after my first precognition. It was mentioned in my presence then that the first illness was on the 19th, but I also remember it from other circumstances. When the 19th was spoken of, one of the clerks said that is the date he mentions of his first illness in his pocket-book. I took notes of my precognition afterwards. I was advised to do so by a friend, that I might be clear and distinct. Down to the time the 19th was mentioned by the clerk I had not remembered the date of his illness. I was precognised on the 6th of April, 7th of April, 23rd of April, 4th of June, 5th of June, and 23rd of June, in all six times.

By the Court.—I never saw the Sheriff at any of these times.

By the Dean.—On the 2nd of March he said that on his first illness he fell on the floor, and was unable to call assistance. At last he crept on his hands and knees and knocked on the wall, when the landlady came. He said he never had anything like it before. His second illness he called jaundice, or a bilious attack. It was some time prior to March that he told me of the proposals to discontinue the engagement. He imagined she seemed to be getting cool, and said if she wished to break it off he would accede to her wishes. At that time she did not wish to discontinue it. He spoke of this as having happened some time before. It was after that that she proposed a return of her letters, and when he offered to return the letters through her father I understood this to be a consent on his part to give up the engagement. Miss Smith would not accede to the proposal to give her letters to her father, and the engagement remained unbroken, as I understood, at Miss Smith's desire.

A lengthened discussion then took place as to the admissibility of the letters, which were objected to by the defendant's counsel, on account of the careless and irregular manner in which they had been recovered, and because they had no proof that all the documents had actually been recovered. It was replied that no objections had been taken sufficient to exclude the documents, and that any objections that were of any weight were matters for the jury. The Court decided that, whatever observations as to the mode of recovering and attesting these documents might be made on behalf of the prisoner, no ground had been stated sufficient to exclude them as evidence.

The Court adjourned at 6 o'clock till Saturday morning.

SATURDAY, JULY 4.—FIFTH DAY.

The evidence for the prosecution was resumed.

Dr. Christison, recalled and deposed,—I think it would be very unsafe indeed to use arsenic by putting an ounce into water and washing in it. I should expect inflammation of the eyes and nostrils, and probably of the mouth, to result from it, and, once taking hold of the skin, arsenic being an insoluble solid, it would not be easily got rid of. I never heard of arsenic being so used. A preparation of arsenic is used as a depilatory. It is a sublimate of arsenic and a sublimate of lime, but it is only used for removing hair.

Cross-examined.—Arsenic is not absolutely insoluble in cold water. If put into cold water originally, a 500th part is all that would probably be dissolved, but if the water had been first boiled and then cooled a 32nd part would be dissolved. It is only the finer powder of it that would be suspended in the water. If an ounce were put into a basin of water, not much of it would be suspended in it without agitation. I cannot absolutely say whether washing in it might not be productive of dangerous results, but I think it would be a very imprudent thing. I should not like to do it myself. I cannot say how long the finer powder might remain suspended. I should say that in three or four minutes scarcely any of the arsenic would remain in suspension, but I am speaking without authority.

By the COURT.—There is a controversy as to whether arsenic has any taste. Dr. Orfila, a much better authority than I am, maintains that it has a taste; but experiments were made by myself and two other scientific gentlemen, so far as it was possible with so dangerous a substance, and we found the taste very slight indeed—a little sweetish. The other gentlemen concurred in that opinion. It has always struck me as very strange that neither Orfila nor any of the authors who have doubted my observations have said that they made any experiments themselves. Orfila merely expresses his belief that it has a taste, notwithstanding what I have stated. I think the taste is not such as, taken in coffee or cocoa, could possibly be detected. Several persons who have taken arsenic largely without knowing at the time what it was, observed no taste—sometimes a sweetish taste, sometimes an acrid taste; but in regard to the acrimony there are two fallacies—first, that when asked afterwards about it they confounded the roughness of it with the acrimony; and, secondly, the burning effects slowly developed by the poison afterwards.

By the DEAN.—The arsenic was sometimes given in a simple fluid, such as coffee or water; sometimes in thicker substances, as in soup. I cannot say what quantities were given in the cases referred to. I have only seen two cases of poisoning by arsenic in my lifetime. The cases I have referred to are merely recorded. Dr. Orfila is undoubtedly a high authority in medico-legal chemistry. In the arsenic we tested we took it both in a solid and liquid state, and allowed it to pass along the tongue as far as we could do it with safety, and allowed it to remain a couple of minutes in the mouth and then spat it out. We took, perhaps, one or two grains each in our mouth, and we kept it sufficiently long to ascertain the taste.

The DEAN.—The taste of that quantity.

By the LORD ADVOCATE.—In the great majority of criminal cases the quantity of arsenic taken is not ascertained, even within a presumption.

By the COURT.—Orfila once maintained that there was arsenic in the human body, but he afterwards retracted that opinion.

By the DEAN.—It is new to me to hear that any author has said that arsenic is naturally found in the stomach.

The letters founded upon as evidence for the Crown were then read. They were very numerous, but the following copious extracts sufficiently show the

nature and progress of the attachment and intimacy between the prisoner and the deceased:—

No. 1 of inventory for the Crown, letter inclosed in envelope, bearing the postmark "April 3, 1855":—

"My dear Emile,—I do not feel as if I were writing you for the first time. Though our intercourse has been very short, yet we have become as familiar friends. May we long continue so. And ere long may you be a friend of Papa's is my most earnest desire. We feel it rather dull here after the excitement of a town life. But then we have much more time to devote to study and improvement. I often wish you were near us, we could take such charming walks. One enjoys walking with a pleasant companion, and where could we find one equal to yourself? . . With kind love, believe me yours ever sincerely, MADELEINE."

No. 5. Fragment of letter inclosed in envelope, posted at Row, Helensburgh, April 18, 1855:—

"My dear Emile,—I think you will agree with me in what I intend proposing,—viz., that for the present the correspondence had better stop. I know your good feeling will not take this unkind; it is meant quite the reverse. By continuing to correspond harm may arise; in discontinuing it nothing can be said." . . .

No. 11 is a letter from the prisoner to Miss Perry, without date:—

"Dearest Miss Perry,—Many kind thanks for all your kindness to me. Emile will tell you I have bid him adieu. Papa would not give his consent, so I am in duty bound to obey him. Comfort dear Emile; it is a heavy blow to us both. I had hoped some day to be happy with him, but, alas! it was not intended; we were doomed to be disappointed. You have been a kind friend to him; oh, continue so. . . . . Think not my conduct unkind; I have a kind father to please. Farewell, dear Miss Perry, and, with much love, believe me yours sincerely, MIMI."

No. 13 is in an envelope addressed to M. L'Angelier at Jersey, and bears the Helensburgh postmark of September 4, 1855:—

"Monday, 3d.

"My dearest Emile,—How I long to see you. It looks an age since I bade you adieu. Will you be able to come down the Sunday after next? You will be in town by the 14th. I do not intend to say anything till I have seen you. I shall be guided by you entirely, and who could be a better guide to me than my intended husband? I hope you have given up all idea of going to Lima. I will never be allowed to go to Lima with you, so I fancy you shall want to get quit of your Mimi. You can get plenty of appointments in Europe, any place in Europe. For my sake do not go. . . . . It will break my heart if you go away. You know not how I love you, Emile. I live for you alone; I adore you. I never could love another as I do you. Oh, dearest Emile, would I might clasp you now to my heart. Adieu for to-day. If I have time I shall write another note before I post this. If not I shall have a letter at the garden for you. So, dearest love, a fond embrace. Believe me your ever devoted and fond MIMI."

No. 17, in envelope with Helensburgh postmark, April 30, 1856:—

"Tuesday, April 29.

"My own, my beloved Emile,—I wrote you Sunday night for you to get my note on your birthday (to-day), but I could not get it posted. Disappointment it was to me—but—'better late than never.' My beloved, may you have many happy returns of this day. . . . . I wish we were more alone; I wish I were with you alone—that would be true happiness. Dearest, I must see you; it is fearful never to see you, but I am sure I don't know when I shall see you. P—— has not been a night in town for some time, but the first night he is off I shall see you. We shall spend an hour of bliss." . . . .

One or two scrolls, in the form of letters, found in envelopes in L'Angelier's desk, and addressed "Mimi," were proposed to be put in in evidence, but there

being no proof that they had ever been despatched or intended to be despatched, the Court disallowed them as evidence.

No. 23, postmark, "Helensburgh, 7th;" month illegible; year 1856. It reached Glasgow on 7th May:—

"Wednesday morning, five o'clock.

"My own beloved Husband,—I trust to God you got home safe, and were not much the worse of being out. Thank you, my love, for coming so far to see your Mimi. It is truly a pleasure to see you, my Emile. If we did wrong last night it must have been in the excitement of our love. I suppose we ought to have waited till we were married. Yes, beloved, I did truly love you with my soul. I was happy; it was a pleasure to be with you. Oh, if we could have remained never more to have parted. . . . Beloved, we shall wait till you are quite ready. I shall see and speak to Jack on Sunday. I shall consider about telling mamma. But I don't see any hope from her. I know her mind. You, of course, cannot judge of my parents; you know them not. I did not know, or I should not have done it, that I caused you to pay extra postage for my stupid cold letters; it shall not occur again. Darling Emile, did I seem cold to you last night? Darling, I love you—you, my own Emile. I love you with my heart and soul. Am I not your wife? Yes, I am. And you may rest assured, after what has passed, I cannot be the wife of any other but dear, dear Emile. No, now it would be a sin. . . . I felt a good deal of pain last night. I shall always remember last night. I dread next winter. Only fancy, beloved, us both in the same town, and unable to write to each other; it breaks my heart to think of it. Why, beloved, are we so unfortunate? . . . I shall always remember last night. Will we not often talk of our evening meetings after we are married? Why do you say in your letter, 'If we are not married?' I would not regret knowing you. Beloved, have you a doubt that we shall be married some day? I shall write dear Mary soon. What would she say if she knew we were so intimate? She would lose all her good opinion of us both, would she not?"

No. 31, letter in envelope, posted at Helensburgh, June 14, 1856:—

"My own, my darling Husband,—To-morrow night by this time I shall be in possession of your dear letter. I shall kiss it and press it to my bosom. Hearing from you is my greatest pleasure, it is next to seeing you, my sweet love. My fond Emile, are you well, darling of my soul? . . . I am well. I am longing so to see you, sweet pet, to kiss and pet you. Oh, for the day when I could do so at any time. I fear we shall spoil each other when we are married, we shall be so loving and kind. We shall be so happy, happy in our own little room; no one to annoy us, to disturb us. All to ourselves we shall so enjoy that day."

No. 35, in envelope, posted at Helensburgh, June 27, 1856:—

"Friday Night.

"Beloved, dearly beloved Husband, sweet Emile,—How I long to call you mine, never more to leave you! What must occur ere that takes place God only knows. I often fear some cloud may yet fall on our path, and mar our happiness for a long time. I shall never cause you unhappiness again. No, I was unkind, cruel, unloving, but it shall never be repeated. No, I am now a wife, a wife in every sense of the word, and it is my duty to conduct myself as such. Yes, I shall behave now more to your mind. I am no longer a child. . . . . If you only saw me now—I am all alone in my little bedroom—you would never mention your home as being humble. I have a small room on the ground floor—very small—so don't fancy I could not put up with small rooms and with humble fare. But if you think it would do you good —a tour—go by all means for six months or so. I trust you will take great care of yourself, and not forget your Mimi. Oh, how I love that name of Mimi. You should always call me by that name; and, dearest Emile, if ever we should have a daughter, I should like you to allow me to call her Mimi, for her father's sake. . . As you ask me, I shall burn your last letter. . . I must go to bed, as I feel cold, so good night. Would to God it were to be by your side, I would feel well and happy then, . . . I am thine for ever, thy wife, thy devoted, thy own true MIMI L'ANGELIER."

No. 37, in envelope, with postmark Helensburgh, 15th of July, 1856:—

"My sweet, beloved, and dearest Emile,—I shall begin and answer your dear long

letter. In the first place, how are you? Better, I trust. You know I feel disappointed at our marriage not taking place in September. But, as it could not, why, then, I just made up my mind to be content, and trust that it may be ere long. We shall fix about that our next meeting, which I hope won't be long. . . . Do not weep, darling, fond husband, it makes me sad to think you weep. Do not do it, darling; a fond embrace and dear kiss to you, sweet and much-beloved Emile. Our intimacy has not been criminal; as I am your wife before God, so it has been no sin our loving each other. No, darling, fond Emile, I am your wife. I shall cease to be childish and thoughtless; I shall do all I can to please you, and retain you truly, dear, fond love. You know I have wished as much as you do to give you my likeness, but I have not had an opportunity. I promise to you you shall have it some day, so that promise won't be broken. If I did not sign my name it was for no reason; unless it is a stranger I never do put Smith, only Madeleine. You shall, dear love, have all your letters back. Emile, love, you are wrong. If I did feel cool towards you in winter I never gave thought of love to any other. No other image has ever filled my heart since I knew you." . . . .

No. 47, in envelope with postmark, "Helensburgh, August 11, 1856:—"

"Wednesday afternoon.

"Beloved and ever dear Emile.—All by myself. So I shall write to you, my dear husband. Your visit of last night is over. I longed for it. How fast it passed! It looked but a few minutes ere you left me. You did look cross at first, but, thank heaven, you looked yourself ere you left—your old smile. Dear fond Emile, I love you more and more. Emile, I know you will not go far away from me. I am your wife. You cannot leave me for ever. Could you, Emile? I spoke in jest of your going last night, for I do not think you will go very far away from me, Emile, your wife. Would you leave me to end my days in misery? For I can never be the wife of another after our intimacy."

No. 49, in envelope, postmarks all illegible:—

"Thursday evening.

"My own dear Emile,—How must I thank you for your kind, dear letter. Accept a fond embrace and dear kisses, and assurances that I love you as much as ever, and have never regretted what has occurred. . . . . I did tell you at one time that I did not like Minnoch, but he was so pleasant that he has quite raised himself in my estimation."

No. 53, in envelope, with postmark, "Helensburgh, October" (day and year illegible):—

"Tuesday morning.

"My dear Emile.— . . . . . Our meeting last night was peculiar. Emile, you are not reasonable. I do not wonder at your not loving me as you once did. Emile, I am not worthy of you. You deserve a better wife than I. I see misery before me this winter. I would to God we were not to be so near the M. (the Minnochs.) You shall hear all stories and believe them. You will say I am indifferent because I shall not be able to see you much. I forgot to tell you last night that I shall not be able of an evening to let you in. My room is next to B., and on the same floor as the front door. I shall never be able to spend the happy hours we did last winter. Our letters I don't see how I am able to do. M. will watch every post. I intended to speak to you of all this last night, but we were so engaged otherwise." . . . .

No. 57, postmark of envelope "Glasgow, November" (day and year illegible):—

"Friday night, 12 o'clock.

"My own darling, my dearest Emile,—I would have written you ere this, but as I did not intend to be out till Saturday I saw no use in writing. . . . Sweet love, you should get these brown envelopes, they would not be so much seen as white ones put down into my window. You should just stoop down to tie your shoe and then slip it in." . .

Several letters follow, which are chiefly taken up with directions as to how they shall communicate with each other by the backdoor or her bedroom window, the family being now in Blythswood-square. In No. 67, posted at Glasgow, Dec. 5, 1856, she says—

". . . . . I wept for hours after I received your letter, and this day I have

been sad, yes, very sad. My Emile, I love you and you only. I have tried to assure you no other one has a place in my heart. It was Minnoch that was at the concert with me. You see I would not hide that from you. Emile, he is papa's friend, and I know he will have him at the house; but need you mind that when I have told you I have no regard for him? It is only you, my Emile, that I love; you should not mind public report. You know I am your wife, and that we shall shortly be united; so it matters not. I promised you I should be seen as little in public with him as I could. I have avoided him at all times. But I could not on Wednesday night; so, sweet love, be reasonable."

No. 75, in envelope, with postmark, "Glasgow, Dec. 19, 1856:—"

"My beloved, my darling,—Do you for a second think I could feel happy this evening, knowing you were in low spirits, and that I am the cause? Oh, why was I ever born to annoy you, best and dearest of men? Do you not wish?—oh yes! full well I know you often wish you had never known me. I thought I was doing all I could to please you. But no. When shall I ever be what you wish me to be? Never! Never! Emile, will you never trust me—she who is to be your wife? You will not believe me. You say you heard I took M. to the concert against his inclination, and forced him to go. I told you the right way when I wrote. But from your statement in your letter of to-night you did not believe my word. Emile, I would not have done this to you. Even now I would write and tell you I would believe. I would not believe every idle report. No! I would not. I would, my beloved Emile, believe my husband's word before any other. But you always listen to reports about me if they are bad."

No. 95, the envelope with postmark "Glasgow, 21st Jan., 1857:—"

"My dearest Emile,— . . . Why no letter, pet, on Monday night? It was such a disappointment to your Mimi. I cannot see you on Thursday, as I had hoped. Jack is out at a party, and the boy will sit up for him, so I cannot see you. A better chance may soon occur, my dear pet. MIMI."

In No. 97, dated Sunday night, half-past 7, she says—

"Emile, my own beloved, you have just left me. Oh, sweet darling, my heart and soul burns with love for you, my husband. What would I not give at this moment to be your fond wife. . . . But, oh sweet love, I dearly love you, and long with heart and soul to be your wife. I never felt so restless and unhappy as I have done for some time past. I would do anything to keep sad thoughts from my mind. A dark spot is in my future. What can it be? Oh, God, keep it from us, and may we be happy. I weep to think of our fate. If we could only be married all would be well; but alas, alas, see no chance of happiness for me. . . . MIMI L'ANGELIER."

"I trust that you may yet be happy, and get one more worthy of you than I.

"I am, &c. M."

"Thursday, 7 o'clock.

"You may be astonished at this sudden change, but for some time back you must have noticed a coolness in my notes. My love for you has ceased, and that is why I was cool. I did once love you truly and fondly, but for some time back I have lost much of that love. There is no other reason for my conduct, and I think it but fair to let you know this. I might have gone on, and become your wife, but I could not have loved you as I ought. My conduct you will condemn, but I did at one time love you with heart and soul. It has cost me much to tell you this—sleepless nights—but it was necessary you should know. If you remain in Glasgow, or go away, I hope you may succeed in all your endeavours. I know you will never injure the character of one you so fondly loved. No, Emile, I know you have honour and are a gentleman. What has passed you will not mention. I know when I ask you that you will comply.—Adieu."

No. 103 (February 9) complains of no answer having been received, but 105, evidently written next day, acknowledges L'Angelier's answer as follows:—

"Monday night.

"Emile,—I have just had your note. Emile, for the love you once had for me do nothing till I see you. For God's sake do not bring your once loved Mimi to an open shame. Emile, I have deceived you. I have deceived my mother. God knows she did

not boast of anything I had said of you, for the poor woman thought I had broken off with you last winter. I deceived you by telling you she still knew of our engagement. She did not. This I now confess, and as for wishing for an engagement with another, I do not fancy she ever thought of it. Emile, write to no one—to papa or any other. O! do not till I see you on Wednesday night. . . . It would break my mother's heart. Oh, Emile, be not harsh to me. I am the most guilty, miserable wretch on the face of the earth. Emile, do not drive me to death. When I ceased to love you, believe me it was not to love another. I am free from all engagement at present. Emile, for God's sake do not send my letters to papa; it will be an open rupture. I will leave the house. I will die. Emile, do nothing till I see you. One word to-morrow night at my window to tell me, or I shall go mad. Emile, you did love me. I did fondly, truly love you too. Oh, dear Emile, be not so harsh to me. Will you not, but I cannot ask forgiveness—I am too guilty for that. I have deceived. It was love for you at the time made me say mamma knew of our engagement. To-morrow one word, and on Wednesday we meet. I would not again ask you to love me, for I knew you could not. But oh, Emile, do not make me go mad. I will tell you that only myself and C. H. knew of my engagement to you. Mamma did not know since last winter. Pray for me—for a guilty wretch—but do nothing. Oh, Emile, do nothing. 10 o'clock to-morrow night—one line for the love of God."

"Tuesday morning.

"I am ill. God knows what I have suffered. My punishment is more than I can bear. Do nothing till I see you. For the love of heaven do nothing. I am mad. I am ill."

No. 107 has no postmark :—

"Tuesday evening, 12 o'clock.

"Emile,—I have this night received your note. Oh, it is kind of you to write to me. Emile, no one can know the intense agony of mind I have suffered last night and to-day. Emile, my father's wrath would kill me—you little know his temper. Emile, for the love you once had for me, do not denounce me to my P. Emile, if he should read my letters to you he will put me from him—he will hate me as a guilty wretch. I loved you and wrote to you in my first ardent love—it was with my deepest love I loved you. It was for your love I adored you. I put on paper what I should not. I was free because I loved you with my heart. If he or any other one saw those fond letters to you, what would not be said of me? On my bended knees I write to you, and ask you as you hope for mercy at the judgment day, do not inform on me—do not make me a public shame. Emile, my love has been one of bitter disappointment. You and only you can make the rest of my life peaceful. My own conscience will be a punishment that I shall carry to my grave. I have deceived the best of men. You may forgive me, but God never will. For God's love, forgive me, and betray me not. For the love you once had to me do not bring down my father's wrath on me. It will kill my mother (who is not well). It will for ever cause me bitter unhappiness. I am humble before you, and crave your mercy. You can give me forgiveness, and you—oh, you only—can make me happy for the rest of my life. I would not ask you to love me or ever make me your wife. I am too guilty for that. I have deceived and told you too many falsehoods for you ever to respect me. But, oh! will you not keep my secret from the world? Oh! will you not, for Christ's sake, denounce me? I shall be undone. I shall be ruined. Who would trust me? Shame will be my lot. Despise me, hate me, but make me not the public scandal. Forget me for ever. Blot out all remembrance of me. . . . . I have used you ill. I did love you, and it was my soul's ambition to be your wife. I asked you to tell me my faults. You did so, and it made me cool towards you gradually. When you have found fault with me I have cooled. It was not love for another, for there is no one I love. My love has all been given to you. My heart is empty—cold. I am unloved, I am despised. I told you I had ceased to love you—it was true. I did not love as I did; but, oh! till within the time of our coming to town I loved you fondly. I longed to be your wife. I had fixed February. I longed for it. The time I could not leave my father's house. I grew discontented; then I ceased to love you. Oh, Emile, this is indeed the true statement. Now you can know my state of mind. Emile, I have suffered much for you. I lost much of my father's confidence since that September; and my mother has never been the same to me. No, she has never given me the same kind look. For the sake of my mother—her who gave me life—spare me from shame. Oh, Emile, you will, in God's name, hear my prayer? I ask God to

forgive me. I have prayed that he might put in your heart to spare me from shame. Never, never, while I live can I be happy. No, no, I shall always have the thought I deceived you. I am guilty; it will be a punishment I shall bear till the day of my death. I am humbled thus to crave your pardon, but I dare not. While I have breath I shall ever think of you as my best friend, if you will only keep this between ourselves. I blush to ask you. Yet, Emile, will you not grant me this my last favour?—if you will never reveal what has passed. Oh, for God's sake, for the love of heaven, hear me. I grow mad. I have been ill, very ill, all day. I have had what has given me a false spirit. I had resort to what I should not have taken, but my brain is on fire. I feel as if death would indeed be sweet. Denounce me not. Emile, Emile, think of our once happy days. Pardon me if you can; pray for me as the most wretched, guilty, miserable creature on the earth. I could stand anything but my father's hot displeasure. Emile, you will not cause my death? If he is to get your letters I cannot see him any more; and my poor mother, I will never more kiss her. It would be a shame to them all. Emile, will you not spare me this? Hate me, despise me, but do not expose me. I cannot write more. I am too ill to-night."

No. 111, postmarks illegible and date uncertain :—

"Dearest Sweet,—Emile, I am so sorry to hear you are ill. I hope to God you will soon be better. Take care of yourself. Do not go to the office this week, just stay at home till Monday. Sweet love, it will please me to hear you are well. Do not come and walk about, and become ill again. You did look bad on Sunday night and Monday morning. I think you got sick with walking home so late, and the long want of food, so the next time we meet I shall make you eat a loaf of bread before you go out. I am longing to meet again, sweet love. We shall be so happy. I have a bad pen—excuse this scroll—and B. is near me. I cannot write at night now. My head aches so, and I am looking so bad that I cannot sit up as I used to do; but I am taking some stuff to bring back the colour. I shall see you soon again. Put up with short notes for a little time. When I feel stronger you shall have long ones. Adieu, my love, my pet, my sweet Emile. A fond, dear, tender love, and sweet embrace. Ever, with love, yours,

"Mimi."

No. 113, postmark, "Glasgow, Feb. 27, 1857 :—"

"My dear, sweet Emile,—I cannot see you this week, and I can fix no time to meet with you. I do hope you are better. . . . We go, I think, to Stirlingshire about the 10th March, for a fortnight. Excuse this short note, sweet love. With much fond tender love and kisses; and believe me to be yours, with love, Mimi."

No. 117, postmark, "Glasgow, March 4, 1857 :—"

"Dearest Emile,—I have just time to write you a line. I could not come to the window as B. and M. were there, but I saw you. If you would take my advice you would go to the south of England for ten days; it would do you much good. In fact, sweet pet, it would make you feel quite well. Do try and do this. You will please me by getting strong and well again. I hope you won't go to B. of Allan, as P. and M. would say it was I brought you there, and it would make me feel very unhappy. Stirling you need not go to, for it is a nasty, dirty little town. Go to the Isle of Wight. I am exceedingly sorry, love, that I cannot see you ere I go. It is impossible; but the first thing I do on my return will be to see you, sweet love. I must stop, as it is post time. So adieu, with love and kisses, and much love. I am, with love and affection, ever yours, Mimi."

No. 119 was a copy of a letter in deceased's handwriting, taken by a copying machine. Its reception was objected to on the part of the prisoner. A debate took place, and the judges by a majority decided that it was admissible in evidence, leaving its authenticity and value to be determined by the jury. It was as follows :—

"Glasgow, March 5.

"My Dear sweet Pet Mimi,—I feel indeed very vexed that the answer I received yesterday to mine of Tuesday to you should prevent me from sending you the kind letter I had ready for you. You must not blame me for this, but really your cold, indifferent,

and reserved notes, so short, without a particle of love in them (especially after pledging your word you were to write me kindly for those letters you asked me to destroy), and the manner you evaded answering the questions I put to you in my last, with the reports I hear, fully convince me, Mimi, that there is foundation in your marriage with another. Besides the way you put off our union till September, without a just reason, is very suspicious. I do not think Mimi, dear, that Mrs. Anderson would say your mother told her things she had not; and really I could never believe Mr. Houldsworth would be guilty of telling a falsehood for mere talking. No, Mimi, there is foundation for all this. You often go to Mr. M.'s house, and common sense would lead any one to believe that if you were not on the footing reports say you are you would avoid going near any of his friends. I know he goes with you, or at least meets you in Stirlingshire. Mimi, dear, place yourself in my position, and tell me am I wrong in believing what I hear? I was happy the last time we met—yes, very happy. I was forgetting all the past, but now it is again beginning. Mimi, I insist in having an explicit answer to the questions you evaded in my last. If you evade answering them this time, I must try some other means of coming to the truth. If not answered in a satisfactory manner you must not expect I shall again write to you personally, or meet you when you return home. I do not wish you to answer this at random; I shall wait for a day or so if you require it. I know you cannot write me from Stirlingshire, as the time you have to write me a letter is occupied in doing so to others. There was a time you would have found plenty of time. Answer me this. Mimi—Who gave you the trinket you showed me; is it true it was Mr. Minnoch? And is it true that you are directly or indirectly engaged to Mr. Minnoch, or to any one else but me? These questions I must know. The doctor says I must go to the Bridge of Allan. I cannot travel 500 miles to the Isle of Wight and 500 back. What is your object in wishing me so very much to go south? I may not go to the Bridge of Allan till Wednesday; if I can avoid going I shall do so for your sake. I shall wait to hear from you. I hope, dear, nothing will happen to check the happiness we were again enjoying. May God bless you, pet, and, with fond and tender embraces, believe me with kind love, your ever affectionate husband,

"Emile L'Angelier."

No. 123; postmark, "Bridge of Allan, 10th of March, 1857" (reached Glasgow at 5 30 p.m.):—

"My own best loved Pet,—I hope you are well. I am very well, but it is such a cold place, far colder than in town. I have never been warm since I came here. There are very few people that we know staying in the village. Have you ever been here, my own dear little pet? I hope, sweet one, it may make you feel well and strong again, and that you will not again be ill all the summer. You must try and keep well for my sake; will you, will you, my own dear little Emile? You love me, do you not? Yes, Emile, I know you do. We go to Perth this week to see some friends. I am going to Edinburgh the end of this month. B. will, I think, go too. I saw you pass the morning we left, and you, little love, passing the front door; but you would not look up, and I did not know where you were going to. We shall be home Monday or Tues lay. I shall write you, sweet love, when we shall have an interview. I long to see you—to kiss and embrace you, my only sweet love. Kiss me, sweet one, my love, my own dear, sweet, little pet. I know your kindness will forgive me if I do not write you a long letter; but we are just going to the train to meet friends from the north. So I shall conclude with much love, tender embraces, and fond kisses. Sweet love, adieu.

"Ever, with love, yours, Mimi."

No. 125; postmark, "Bridge of Allan, March 13, 1857" (reached Glasgow 10 45 same night):—

"Dearest and beloved,—I hope you are well. I am very well, and anxious to get home to see you, sweet one. It is cold, and we have had snow all the week, which is most disagreeable. I feel better since we came here. I think we shall be home on Tuesday, so I shall let you know, my own beloved sweet pet, when we shall have a dear, sweet interview, when I may be pressed to your heart, and kissed by you, my own sweet love. A fond, tender embrace; a kiss, sweet love. I hope you will enjoy your visit here. You will find it so dull; no one here we know, and I don't fancy you will find any friends, as they are all strangers, and don't appear nice people. I am longing to see

you, sweet one of my heart, my only love. I wish we had not come here for another month, as it would have been so much nicer; it would then be warm. I think if you could wait a little it would do you more good; but you know best when you can get away. Adieu, my only love, my own sweet pet. A kiss, dear love, a tender embrace, love and kisses. Adieu, ever yours, with love and fond kisses,

"I am ever yours,
"MIMI."

No. 133 is a letter to Mr. Minnoch, with the postmark, "Stirling, 16th of March, 1857:—"

"My dearest William,—It is but fair after your kindness to me that I should write you a note. The day I pass from friends I always feel sad; but to part from one I love, as I do you, makes me feel truly sad and dull. My only consolation is that we meet soon again. To-morrow we shall be home. I do so wish you were here to-day. We might take a long walk. Our walk to Dunblane I shall ever remember with pleasure. That walk fixed a day on which we are to begin a new life—a life which I hope may be of happiness and long duration to both of us. My aim through life shall be to please and study you. Dear William, I must conclude, as mamma is ready to go to Stirling. I do not go with the same pleasure as I did the last time. I hope you got to town safe, and found your sisters well. Accept my warmest, kindest love, and ever believe me to be yours with affection,

"MADELEINE."

The correspondence closes with the letter previously read, addressed by the prisoner to the deceased at his lodgings, forwarded to him at Bridge of Allan, with the Glasgow postmark of March 21. This letter was received by the deceased on the Sunday morning, and was found in his vest pocket after his death. It may be proper here to reprint it:—

"Why, my beloved, did you not come to me? Oh, my beloved, are you ill? Come to me. Sweet one, I waited and waited for you, but you came not. I shall wait again to-morrow night—same hour and arrangement. Oh, come, sweet love, my own dear love of a sweetheart. Come, beloved, and clasp me to your heart; come, and we shall be happy. A kiss, fond love. Adieu, with tender embraces. Ever believe me to be your own ever dear, fond MIMI."

The LORD ADVOCATE then proposed to put in a memorandum book of deceased's, which led to some debate, and it was ultimately resolved by the judges on the bench to consult the other judges of Justiciary.

Another witness for the Crown will follow, if the memorandum book is received, and this will close the case for the prosecution. It was arranged that the members of the prisoner's family should be called for the defence, and cross-examined for the Crown, instead of being called for the prosecution.

In reply to a juror,

The Dean of FACULTY said he could not undertake to say that the case would be closed before Wednesday.

The COURT adjourned at 5 o'clock till Monday.

The prisoner scarcely maintained her jaunty, indifferent air during to-day's proceedings, but appeared to feel the exposure which her letters made.

MONDAY, JULY 6.—SIXTH DAY.

The High Court met this morning at 10 o'clock, to proceed with the trial of Miss Madeleine Smith for murder.

The JUDGES first gave their opinion as to the reception of the deceased's diary or memorandum-book, the entries in which were made opposite the dates February 11 to March 14, and one or two of which were offered in proof of the

first and second charges of the indictment. Its admissibility raised a question entirely new, and their Lordships differed in opinion. The Lord Justice Clerk and Lord Handyside were of opinion that it would be highly dangerous to receive as evidence a writing which might have been idle and purposeless, or might have been a record of unfounded suspicions and malicious charges, which was only meant for the eye of the writer, and was subject to no test by which the seriousness or truth of the statements therein made could be ascertained. Lord Ivory, on the other hand, considered that the evidence should be admitted *quantum valeat*. The evidence was rejected in accordance with the opinion of the majority of the Court.

The following letter, No. 79 of inventory for the Crown, was put in as evidence by the Lord Advocate:—

"Monday.

"If P. and M. go, will you not, sweet love, come to your Mimi? Do you think I would ask you if I saw danger in the house? No, love, I would not. I shall let you in; no one shall see you. We can make it late—12, if you please. You have no long walk. No, my own beloved. My sweet dear Emile. Emile, I see your sweet smile. I hear you say you will come and see your Mimi, clasp her to your bosom, and kiss her, call her your own pet, your wife. Emile will not refuse me. . . . . I need not wish you a merry Christmas, but I shall wish that we may spend the next together, and that we shall then be happy."

Mrs. Janet Anderson was examined to prove that at a party at Mrs. Wilkie's on the 5th of February the prisoner denied that the necklace she had on was given her by Mr. Minnoch, and said it was given her by her papa.

This closed the evidence for the Crown.

EXCULPATORY EVIDENCE.

The DEAN of FACULTY said that reference would necessarily be made to affairs of a delicate nature in which the deceased had been engaged at an earlier period of his life, and he was anxious to avoid names being mentioned unnecessarily; and he had no doubt his learned friend on the other side would assist him in doing so.

Robert Baker, grocer, St. Heliers, Jersey.—I lived at Edinburgh in 1851-52, and acted as waiter in the Rainbow Tavern. When there I was acquainted with Emile L'Angelier. We slept together. The tavern was then kept by Mr. G. Baker, an uncle of mine. L'Angelier was then in a very destitute state, living in fact on my uncle's bounty. He was at times subject to low spirits. Latterly he told me, on more than one occasion, he was tired of his existence, and he sometimes spoke of suicide. He was very often in the habit of getting up during the night, walking about the room, and weeping. I was aware he had met with disappointment in a love matter, but he did not mention it to me. My uncle told me of it.

Cross-examined by the LORD ADVOCATE.—L'Angelier was a Jersey man, and I had met him there some time about 1846.

Re-examined, and shown No. 1, first inventory for prisoner.—In a letter from him to me, written in Dundee, he says, "I never was so unhappy in my life. I wish I had courage to blow my brains out."

William Pringle Laird, nurseryman, of Dundee.—I was acquainted with the late Emile L'Angelier. I knew him when in the service of Dickson and Co. in Edinburgh, in 1843. I took him into my own employment in 1852. He was gloomy and moody, and never spoke to any one. He was rather a vain man. He came to me as an extra hand. He offered to come for bed and board, and 8*s*. or 10*s*. a-week, and he got that.

William Pringle, nephew to last witness, and for some time his apprentice.—I slept with the deceased, and had frequent conversations with him. I told him I had heard of a marriage being in the newspapers—that such a lady had been

married. He seemed much agitated, and he ran once or twice behind the counter, and then he took hold of the counter knife and held it as if to stab himself. I stepped forward and he put it down again. I don't remember what he said. He was particularly melancholy after this, and I felt a little afraid he might do himself some mischief.

Andrew Watson Smith.—I am an upholsterer in Dundee, and was acquainted with L'Angelier. I was then living at Newport, opposite the Tay. He was in the habit of coming to see me there. We slept together when he came. I thought him a very excitable sort of character; he was often in very high spirits and often in very low. He told me of a disappointment in love he had had. When he spoke about the lady who had jilted him he was always very excited, and once I remember his crying as if in great grief. He talked of destroying himself, but it was not by means of drowning that he threatened to do so.

William Anderson.—I had a nursery and seed shop in Dundee in 1852. I became acquainted with Emile L'Angelier while he was in Mr. Laird's shop. I had occasional conversations with him. He seemed of a sanguine and excitable disposition, and his conversation was that of a vain person. He had more of a French, Spanish, or Italian than an English temperament.

William Ogilvie, assistant teller in Dundee Bank.—In 1852 I was secretary to the Floral and Horticultural Society in Dundee, and the meetings were sometimes held in Mr. Laird's back shop. In this way I became acquainted with L'Angelier. He was very variable in his spirits, remarkably so. His conversation was generally about ladies. He sometimes seemed vain of his success with them. He talked about the ladies looking at him as he passed along the street, and boasted of considerable success in obtaining the acquaintance of ladies. On one occasion in Mr. Laird's shop, while speaking of his sweethearts, he said, if he got a disappointment, he would (taking up a long knife) think nothing of putting that into him. He has spoken to me about travelling in France. He led me to understand he had been travelling in that country at one time with some persons of distinction, and had charge of all their baggage, carriages, horses, &c. He mentioned that the horses were very much knocked up with some long journeys, and that he had given them arsenic to recruit them. At that time I was not acquainted with the effects of arsenic in that way, and I asked what effect it had? He told me he had given it in order to enable them to accomplish the journey better. He said it made them long-winded, and thus he was enabled to accomplish a feat. I asked, was he not afraid of poisoning the horses? And in reply to that he said, "So far from that I have taken it myself." I told him I should not like to follow the same example, but he used some expression to the effect that there was no danger. He said another effect of it was that it improved the complexion. I inferred that he took it himself for that purpose, but he did not say so in so many words. He also said he sometimes complained of pain in his back and had difficulty in breathing, and that he had taken it, and it had a good effect in relieving him. I think he once showed me something white in a paper, and said it was arsenic. He either showed it to me or said he had it. I have seen him several times taking poppy seeds in pretty large quantities. I expressed on one of these occasions my surprise, as I understood they were poisonous; and he said, so far from that he could take them in large quantities, and that they were better than filberts or nuts. He said he had taken these poppy seeds in great quantities, till he had become quite giddy. He said he had done so when he was at Dickson's, in Edinburgh.

Cross-examined.—I became acquainted with him in 1852. He never told me he had been jilted. I did hear of that, but not from him. We had just one conversation about arsenic. He did not say in what shape or quantity he took it. The reason I thought poppy seeds dangerous was that opium is extracted from them.

By the COURT.—I cannot say whether he gave the horses arsenic on one

occasion, or throughout the journey, but I think it was on one occasion. I knew he was a foreigner, but he spoke remarkably good English. I only once heard him speak French. I am quite certain it was arsenic he spoke of giving the horses. He spoke in English.

Edward Mackie.—I am a merchant in Dublin. I was in the habit of visiting Edinburgh in the course of my business. I occasionally visited the Rainbow. I got acquainted with L'Angelier there. I was intimately acquainted with Mr. Baker, who kept the tavern. I first became acquainted with L'Angelier in 1846; and I continued to see him at the Rainbow until a day or so previous to his going to Dundee. I had several conversations with him. I saw quite enough of him to enable me to form an opinion of his character and disposition. I formed anything but a good opinion of him. I considered him a vain, lying fellow. He was very boastful of his personal appearance, and of parties admiring him—ladies particularly. He said ladies admired him very often. I remember on one occasion particularly he came in when I was reading the papers in the Rainbow; he told me he met a lady in Princes'-street with another lady, and she had remarked what pretty little feet he had. I had said he was a rather pretty little person, and I had no doubt he had gone out and concocted the story that she had said she admired his feet, they were so pretty. I never believed anything he said afterwards.

Miss Janet Christie.—Some years ago I was acquainted with Mrs. Craig, St. George's-road, Glasgow. She had a son in Huggins and Co.'s. I occasionally met L'Angelier at her house. I recollect hearing him say that the French ladies used arsenic to improve their complexion. This might be about four years ago.

Alexander Millar.—I am in the employment of Huggins and Co., and knew L'Angelier. I remember his telling me he was going to be married. He has spoken to me about people taking their own lives. He said he did not consider there was any sin in a person taking away his life to get out of the world when tired of it, and having lost all happiness in it. I objected to this, and said our life was not our own; but he did not acknowledge having abandoned his opinion. He had several other female correspondents besides Miss Smith.

James Girdwood.—I am a surgeon in Falkirk, and have been in practice about 40 years. I have been frequently asked by ladies as to the safety of using arsenic as a cosmetic, since the publication of an article in *Chambers's Journal* about two years ago.

The opinion I gave them was that it would be highly injurious.

William Roberts, merchant, Glasgow.—I became acquainted with the deceased about 1853. He dined with me on Christmas-day of 1853. It was on a Sunday. After dinner he became very ill. When the ladies retired he got up to leave the room. I showed him the water-closet and returned to the dining-room. I sat a considerable time and wondered what kept him. I opened the dining-room door and heard groaning and vomiting. I went to the closet and found him vomiting and purging. I sent upstairs for cholera mixture, and I think he got a good deal of it. Cholera had been lately in town, and we got very much frightened. After this he remained in the water-closet a considerable time, and he was afterwards taken home in a cab. He appeared to get better, for he called on me next day, or the one following, to apologize for having become ill. I think he was fully an hour absent before I went out to seek for him.

Cross-examined.—At that time I thought him a nice little fellow. He sat in chapel with me for three years. I had occasion to change my opinion of him, but not from anything within my own knowledge.

Charles Baird.—I am a son of Robert Baird, merchant, Glasgow. I have an uncle in Huggins and Co.'s warehouse, and through him became acquainted with L'Angelier about two years ago. I frequently met him after that, and sometimes went to his lodgings. I remember on one occasion finding him

very unwell in his lodgings in Franklin-place. It might be the last fortnight of September or first fortnight of October, 1856. He had just come in from the office, when he became suddenly ill. He put his hands on his stomach, doubling himself up, and went to the sofa, complaining of great pain. He afterwards went to bed. I advised him to send for a medical man, which I believe he did. I saw him next day and asked him how he was. He said he had had a very bad night of it, and he said he had sent for a medical man. I think he said Dr. Steven of Great Western-road. He has been in our house, but never met Miss Smith there, to my knowledge. Our family know the prisoner.

Robert Baird.—I am the brother of the last witness, and was acquainted with L'Angelier. It is not less than two years since I became acquainted with him. I remember him asking me to introduce him to Miss Smith. He asked me several times to do so. He seemed very anxious about it. I introduced him to her on one occasion. I asked a gentleman to introduce them, but he declined. This was an uncle of mine. I think I asked my mother to ask Miss Smith some evening and I would ask L'Angelier, and so introduce them, but she declined. They never met in my mother's house, to my knowledge. I introduced them in the street. He did not ask to be introduced to Miss Smith's father, but he expressed an anxiety or determination to be introduced to him. She was not alone. Her sister was with her. I am 19 years of age.

Cross-examined.—L'Angelier once asked me to go to Row. I understood he was wishing to see Miss Smith. He repeatedly expressed a desire to be introduced to her father. I have been in her father's house.

Elizabeth Wallace.—I keep lodgings in Glasgow. M. L'Angelier lodged with me when he first came to Glasgow, about the end of July, 1853. He remained till the month of December, 1853. He alluded to his having been in the navy, and that he had been a lieutenant at one time. He did not say whether it was the French or British navy; but I understood it was the British. He just said he had left the navy. He said nothing about his having sold his commission. He spoke of living in Edinburgh before he came to me. He said he had been long out of a situation. He made no allusion to Dundee; but he told me he had been frequently at Fife, and of his being acquainted with families there. I do not remember what families he spoke of, or if he said anything of the Balcarres family.

Colonel Fraser.—I reside at Portobello. I was not acquainted with the late M. L'Angelier. He was never in my house, and never dined with me.

Charles Adam.—I am a physician at Coatbridge, and keep a druggist's shop there. I was there on Sunday afternoon, the 22nd of March last. I remember a gentleman came in, and he asked at first for 25 drops of laudanum. He then asked for sodawater. I said I had none, but I would give him a soda powder, which I gave him. This was about half-past 5 o'clock. I thought he was a military man. He wore a moustache. (Shown the photograph of M. L'Angelier.) This has a resemblance, but I am not quite certain if it is the person. It is like the person. The shop was dark at the time, as the shutters were not off. I think he had on a dark brownish coat and a Balmoral bonnet. There was a handkerchief sticking out of his coat pocket.

By the Court.—The gentleman did not complain of anything. He swallowed the laudanum. I did not ask what he wanted it for.

James Dickson.—I keep a druggist's shop at Baillieston, which is on the road between Coatbridge and Glasgow. It is about five miles from the latter and two-and-a-half from the former, I remember a gentleman coming into my shop on a Sunday evening in the month of March last—about the end of the month, I think. It would be about half-past 6 o'clock. He appeared to be unwell. His hands were over his stomach and bowels, and he was complaining of pain. He wanted laudanum. I gave him some at the counter. From 20 to 25 drops was the quantity. He said he had come from Coatbridge, and that he

was going to Glasgow. He was about five feet seven in height, and wore a moustache. He looked from 25 to 30 years of age. He was not of a dark complexion. His coat was tight buttoned and he had on his head a Glengarry or Balmoral bonnet. (Shown the photograph of L'Angelier.) This is extremely like the person. I think he had a white pocket-handkerchief in his coat. It struck me he spoke with a slightly foreign accent.

Re-examined.—My shop is not on the high road. It is from 200 to 300 yards off it.

By the COURT.—The man required to go out of his way to come to my shop. He must have left the main road. He took the laudanum.

MISS KIRK.—I am a daughter of Mr. Kirk, who keeps a druggist's shop in the Gallowgate-street, Glasgow. I remember a gentleman coming into the shop on a Sunday night and getting something. I think it was in March, but cannot remember the day. It was about the end of it. It would be a little after 9. He wanted medicine. Do not remember what it was. He took it away with him. It was a powder he got, but I cannot tell what. I served him. He was a young man, I think about 30. He was not tall, rather to the little side. He was not very thin. His complexion was fresh, and rather fair. He wore a moustache. He had on a Glengarry bonnet, but cannot say about the rest of his dress. (Shown a photograph.) This is as good a likeness as I have ever seen. I was struck with his appearance at the time, and noticed it particularly. He paid for the medicine. He took the money from a little purse. (Shown a portemonnaie.) This is the purse.

Cross-examined.—I think this happened in March. The gentleman was alone. He was about five minutes in the shop. I think the photograph shown to me is the person. I can't remember what the medicine was. I did not enter the money in a book.

Robert Morrison.—I am in the employment of Messrs. Chambers, Edinburgh. They publish *Chambers's Journal.* (Shown four numbers of the journal, the first in December, 1851, and the last in July, 1856.) The circulation of the journal is about 50,000. There are articles on the subject of arsenic in these numbers of the journal now shown me.

George Simpson.—I am in the employment of Messrs. Blackwood, publishers, Edinburgh. (Shown the number for December, 1853.) The circulation of the magazine at that time was about 7000. The Messrs. Blackwood are also the publishers of the *Chymistry of Common Life*, by Professor Johnston. It was published in 1855, but it was originally published in pamphlets, the circulation of which varied from 5000 to 30,000. The circulation of the separate volume was about 10,000. There is one chapter entitled, the "Poisons we Select," and the first part is entitled the "Consumption of White Arsenic." Of the number containing that article there were sold at the time 5000, and the number sold up to the present time in numbers and volumes is about 16,000.

THE DEAN of FACULTY then proposed to put in several letters from the prisoner to the deceased.

The first was a letter in an envelope, with the postmark September 18, 1855. It said—

"Beloved Emile,—I have just received your note. I shall meet you. I do not care though I bring disgrace upon myself. To see you I would do anything. Emile, you shall yet be happy; you deserve it. You are young, and you, who ought to desire life, wishing to end it. Oh, for the sake of your once-loved Mimi, desire to live and succeed in life. Every one must meet with disappointments. I have suffered from disappointment. I long to see you, sweet Emile."

The next letter bore the postmark October 19, 1855, and was to this effect:—

"Beloved Emile,—Your kind letter I received this morning. Emile, you are wrong

in thinking that I loved you for your appearance. I did and do admire you, but it was for yourself alone I love you. I can give you no other reason, for I have got no other. If you had been a young man of a Glasgow family I have no doubt there would be no objection, but because you are unknown to him (Papa) he has objected to you. Emile, can you explain this sentence in your note—'Before long I shall rid you and all the world of my presence.' God forbid you ever do. My last letter was not filled with rash promises. No; these promises given by me in my last letter shall be kept, and must be kept. Not a moment passes but I think of you."

The third letter was taken up with the prisoner defending the young ladies in boarding schools, and at least herself, for some injurious remarks which deceased had made regarding them.

Dr. Robert Paterson.—I am a physician in Leith, and have been in practice there for several years. I have seen seven cases of suicidal poisoning by arsenic. They were chiefly cases of young women about the chymical works. In some of the cases they had got the arsenic about the works; in others they had purchased it. They all died with one exception. I used all the remedies I could think of. In all these cases the patients submitted to medical treatment. Not one of them disclosed before death that they had taken poison. I inquired of several of them if they had been taking poison or arsenic, but they all denied it. In the case of the recovery the young woman did not admit she had taken it until after her recovering from the secondary effects of the poison. In the previous part of her illness she was sullen and morose. Arsenic is greatly used in these chymical works, and the people employed in them have great facilities for taking it away.

By the Lord Advocate.—The cases occurred in the space of 18 years. They had all the usual symptoms of poisoning by arsenic. The symptoms depended on what they had taken. They were all cases of known suicide. The time the symptoms came on after taking arsenic were various; but none of them exceeded 30 hours.

By the Court.—In cases of suicide the earlier symptoms are generally concealed.

John Fleming.—I am storekeeper to Messrs. Tod and Higginbotham, printers and dyers, Glasgow. It is my duty to take charge of the dyeing substances used there. Arsenic is one of them. We get from 3 cwt. to 4 cwt. of it at a time. We get it from Charles Tennant and Co. in its pure white state. It is used in making colour. It is got in barrels. The arsenic barrel is put into the store among the other things quite open. The lid is merely laid on. Three men and a boy work along with me. From 80lb. to 90lb. is usually given to the colour-maker at a time. He gets this quantity several times a-month. No person gets into the store except those engaged in it. The arsenic is taken to the colour room in open wooden pails. There are a great many people employed on the works. I should not miss a few ounces at a time.

Robert Townsend.—I am manager to my brother, Mr. Townsend, manufacturing chymist, Glasgow. We have large quantities of arsenic in our premises at a time—from one to two tons. It is kept in a private office. It stands in casks, one cask being open for use. We employ 100 to 140 people. I have no doubt, if so inclined, any of them might manage to take some away. I have never known it taken away.

Janet Smith, sister of the prisoner, 13 years of age, a sweet-looking girl, whose appearance occasioned much interest, was next examined. She bore a considerable resemblance to the prisoner, but was paler in complexion. She gave her evidence with much composure. She deposed,—I was living in my father's house in Blythswood-square last winter and spring. I slept with Madeleine in the same room and bed. I generally went to bed before her. We generally both went to bed at the same time on the Sunday evenings. I remember Sunday the 22nd of March. We went to bed together that night about half-past 10, or afterwards. We went down stairs together

VISIT OF MISS PERRY TO THE CORPSE OF L'ANGELIER.

from the dining-room. We were both undressing at the same time, and we both got into bed nearly about the same time. We might take about half an hour to undress. We were in no hurry that night in undressing. My sister was in bed with me before I was asleep, and she was undressed as usual, in her nightclothes. I do not know which slept first. We fell asleep not long after going to bed. I don't remember papa giving my sister a necklace lately, but he gave her one about a year ago.

Cross-examined.—I have seen my sister take cocoa. She never made it in her room, but she kept the packet there. We had a fire in our bedroom. We went to bed that night the same time as usual. I remember the morning Madeleine went away. I suppose she came to bed that night, but I was asleep that night before it was her time to come. I missed her in the morning on awaking.

Re-examined.—I have seen my sister take her cocoa in the dining-room. I do not know if she had been recommended to take it. No other body in the house took it but her. I found my sister in bed when I awoke on the Monday morning about 8 o'clock.

Dr. Lawrie, physician in Glasgow.—I have had my attention recently directed to the effect which arsenic has on the skin in washing. I have tried a quarter to half an ounce of Currie's arsenic in water, and washed my hands freely with it. I have also taken half an ounce, and washed my face with it freely, and felt no bad effects. I used cold water after it. I tried the last experiment on Saturday. The effect on the hands seemed to be that they were softened, as if I had used a ball of soap with sand in it. The effect was not great, but if at all beneficial. I do not think a greater quantity of arsenic would make much difference, owing to its insolubility. I took an ordinary hand basin, with the usual quantity of water.

Dr. Douglas Maclagan, physician in Edinburgh.—I have had some experience in cases of poisoning by arsenic, and have devoted a good deal of attention to the subject. In washing with water with arsenic in it, so little of it would be dissolved that I do not think there would be any danger in so using it. It would not dissolve above a quarter per cent. with cold water. If a person merely washed the face and hands in water in which arsenic had been placed, I think it would have very little effect indeed. In hot water there would be a little more dissolved. The quantity dissolved by pouring hot water on arsenic is not great. In order to make water a sufficient solvent of arsenic it must be boiled in it for some time. In cases of slight quantities of arsenic being taken, the symptoms very often resemble those of bilious or British choleric attacks. In very severe cases of arsenical poisoning, terminating fatally, there is a very remarkable resemblance to persons labouring under malignant or Asiatic cholera.

Cross-examined.—Though a very small quantity only of arsenic is held in solution by cold water, I do not say the same thing of its being held in suspension. A considerable quantity of it would be suspended in water, at least if agitated. Though I think it might be safely done, I would not recommend washing with arsenic in the water; unless the mouth and eyes were shut, it might produce most injurious effects.

Hugh Hart, Glasgow, deposed that Bridge of Allan is between two and three miles from Stirling, and that from Alloa to Stirling is seven or eight miles; also that from Coatbridge to Glasgow is eight miles.

This concluded the evidence for the defence, and the Court, at 5 o'clock, adjourned till next morning at 10.

TUESDAY, JULY 7.—SEVENTH DAY.

The High Court of Justiciary resumed this morning at 10 o'clock, and the sitting was occupied with the speech of the Lord Advocate for the prosecution.

The LORD ADVOCATE said,—Gentlemen of the jury, after an investigation which, for its length, has proved unexampled, I believe, in the criminal annals of this country, I have now to discharge perhaps the most painful public duty that ever fell to my lot. Gentlemen, I should have wished that the result of the inquiry which it was our duty to make, and the laborious collection of every element of proof which we could find, would have justified us on the part of the Crown in resting content with the investigation into the facts, and withdrawing our charge against the prisoner. Gentlemen, I grieve to say, so far is that from being the result to which we have come, that if you give me your attention for I fear the somewhat lengthened trespass on your patience which I shall have to make, you will come to the conclusion that every link in the chain of evidence is so firmly fastened, every loophole is so completely stopped, that there does not remain the possibility of escape for the unhappy prisoner from the net that she has woven around herself. The indictment against the prisoner charges two separate acts of administering poison with intent to kill, and the third charge is the successful adminstering of poison with intent to kill, viz.,—murder. They are charges to which, in some respects, different parts of the evidence apply; but they hang together; they throw light upon each other; they are not unconnected acts of crime. Our case is, that the administration with intent to poison was truly part of a design to kill; on the other hand, the facts of the death throw light on the previous acts of administration. Gentlemen, in stating to you the evidence on which we think that these charges must be found proved, I shall avoid, as far as possible, travelling into a region which this case affords too great materials for—I mean alluding to the almost incredible evidence that discovers a scene of degradation; the social picture which this case has revealed, the fearful domestic results which must inevitably follow, those feelings of commiseration and horror which the age, the sex, and the condition of the prisoner must produce in every mind—all these are things into which I shall not travel. They might unnerve me for the discharge of my painful public duty. Besides, no language of mine, no language of my eloquent and learned friend opposite, can paint to the mind one-tenth of the impression which the bare recital of the details of this case has already created throughout the whole of this country. I shall only say that these matters weigh in my mind, as I am sure they do in yours, with a weight and an oppression which neither requires nor admits of expression. The only other remark of that kind which I shall make is, that while a prisoner in the position of this unfortunate lady is entitled, justly entitled, to say that such a crime shall not be lightly presumed or proved against her, yet, gentlemen, if the charges in the indictment be true, if the tale which I have to tell and have told be a true one, you are trying a case of as cruel, premeditated, deliberate homicide as ever justly brought its perpetrator within the compass and penalty of the law. The first important point in this inquiry is that the deceased Emile L'Angelier died of arsenic. The symptoms he exhibited were those of poisoning by arsenic; the stomach and intestines when examined and analysed were found to contain a great quantity of arsenic. The next question which comes is, by whom was that poison administered? That truly constitutes the inquiry which you have now to answer. In passing from the corpus delicti, so to speak —in passing from the cause of L'Angelier's death—I do not allude to a theory which barely crossed my mind during the reading the evidence yesterday as a possible case to be made in the defence, that the arsenic which was in the stomach of L'Angelier was to be attributed to other causes; and that, in truth, his death arose from biliary derangement or from cholera. Gentlemen, that is

a theory which it is impossible to maintain. I pass from that at present, and I shall assume, during the rest of my argument, that L'Angelier died from the administration of arsenic. Passing from that, then, I now proceed to inquire what is the evidence that connects the prisoner at the bar with the death of L'Angelier. The painful details of this case may be briefly stated as follows:—This young lady (the prisoner) returned from a London boarding-school in the year 1853. She met L'Angelier somewhere I believe about 1855. L'Angelier's history has not been very clearly brought out. It is plain, unquestionably, that in 1851 he was in very poor and destitute circumstances. Of his character I say nothing at present but this, that it is quite clear that by energy and attention he had won his way up to a position that was at least respectable—a position in which those who came in contact with him plainly had for him a very considerable regard. It is no part of my case to maintain the character of the unhappy deceased. The facts in this case make it impossible to speak of him in any terms but those of very strong condemnation. But still it is plain that when Miss Smith became first acquainted with L'Angelier he was a man moving in a respectable position, bearing a respectable character, liked by all those who came in contact with him, spoken of by the three landladies with whom he lodged in the highest possible terms—a man of whom the Chancellor of the French Consulate spoke as respectable and steady, a man spoken of by his employers and by his fellow-clerks in Huggins' warehouse also in the highest terms. These two persons met; they were introduced, I assume, clandestinely. After a time, it seems, an attachment commenced, which was forbidden by her parents. It is only right to say, that the letters of the prisoner at that time show good feeling, proper affection, and a proper sense of duty. This went on; the intercourse was again renewed, and in the course of 1856, as you must have found, it assumed a criminal aspect. From that time down to the end of the year, not once or twice, but repeatedly, acts of improper connexion took place between them; and by the end of 1856 she had so completely committed herself to him that she belonged to him, and could with honour belong to no one else. But her affection began to cool; another suitor appeared; she endeavoured to break off her connexion with L'Angelier by coldness, and asked him to return her letters. He refused, and threatened to put them into the hands of her father. There is much that is dishonourable in this case, but not that. It would not have been honourable to allow the prisoner at the bar to become the wife of any honest man. It was then she saw the position she was in; she knew what letters she had written to L'Angelier; she knew what he could reveal; she knew that, if those letters were sent to her father, not only would her marriage with Mr. Minnoch be broken off, but that she could not hold up her head again. She writes in despair to him to give her back her letters; he refuses. There is one incident—she attempts to buy prussic acid; there is another incident—she bought arsenic; there is a third incident—she bought arsenic again. Her letters, instead of demands for the recovery of her letters being contained in them, again assume all the warmth of affection they had the year before. On the 12th of March she has been with Mr. Minnoch making arrangements for her marriage. On the 21st she invites L'Angelier to come, with all the ardour of passion, to see her; she buys arsenic on the 18th, and L'Angelier dies of poison on the morning of the 23rd. The story is strange—in its horrors almost incredible. No one can wonder that such a story has carried a thrill of horror into every family. The prisoner is entitled to every presumption which can be given her; but if, as I am certainly bound, I bring before you such proof as to carry conviction to your mind that no reasonable man can doubt—that no reasonable ray of doubt can penetrate the judgment, then, incredible as the story is, and fearful as the result of your verdict must be, we have no alternative, in the discharge of our public duty, but myself to ask, and you to give, that verdict which the facts of the case, if proved, demand. In cases of this kind—in occult cases especially

—the ends of justice would be perpetually defeated, if you were to say you will not convict a man unless you find some person who saw the crime committed. But in the case of administration of poison that remark applies with peculiar force. In truth, the fact of administering poison before witnesses is so far from affording, in the first instance, a presumption of guilt, that it sometimes is the strongest proof of innocence. We all remember a case which attracted as much attention in a sister country as this has done in this. The culprit there sat by the bedside of his victim, surrounded by medical attendants, gave him the poison in their presence, sat and witnessed its effect, saw his dying agonies with a coolness which could hardly be believed. There could hardly be a stronger presumption of his innocence than that; and the result was, that he very nearly had entirely escaped suspicion from the fact that the thing was done openly. And therefore, in the case of the administration of poison, the fact of there being no eye-witness to the administration is not an element of much weight in the inquiry. You may assume that if it was done with a guilty intention it was done secretly. The question is, whether we have evidence to trace the crime from the course of the circumstances. Now, having thus given you an outline of the nature of the evidence, I go on to consider that evidence in detail; and I shall endeavour to do that in a manner which shall bring clearly before you how these facts in their order bear upon the crime alleged. [After reading from some of the earlier letters, in some of which the prisoner addresses the deceased as "husband," but which bear no evidence of any impropriety between them, beyond the clandestine character of their intercourse, the Lord Advocate quoted some passages from the letter of the 7th of May, 1856]:—

"My own, my beloved Husband,—I trust to God you got home safe, and were not much the worse for being out. Thank you, my love, for coming so far to see your Mimi. It is truly a pleasure to see my Emile. Beloved, if we did wrong last night it was in the excitement of our love. Yes, beloved, I did truly love you with my soul."

Then she says, farther down:—

"Am I not your wife? Yes, I am. And you may rest assured, after what has passed, that I cannot be the wife of any other but dear, dear Emile."

That letter speaks language not to be mistaken. From that period dates the commencement of the criminal intimacy between the parties. The letters between that date in May and the end of the year are written in a strain that really I do not think I should comment upon. I can say this, that the expressions in these letters—the language in which they are couched—the matters to which they refer—do so entirely overthrow the moral sense—the sense of moral delicacy and decency—as to create a picture which I do not know ever had a parallel in an inquiry of this sort. In one of her letters she glosses over the matter by saying, "Our intimacy has not been criminal, as I am your wife before God." The Lord Advocate then quoted from some of the letters written towards the close of 1856, showing the difficult part she had to play between receiving the addresses of Mr. Minnoch and holding her clandestine interviews and correspondence with the deceased. The letters then begin to show that the prisoner's first paroxysms of love had ceased, and that her affection towards L'Angelier had cooled. The reason of that, his Lordship said, it is not necessary that we should discern. He seemed to have been rather exacting; but, whatever the reason might be, it is quite plain that a change came over her affection about this time. Mr. Minnoch has told you that during the whole of this winter there was a tacit understanding between them that they were lovers. She alludes to this in her letters when she refers to the reports about her, and denies that there is any truth in them. And now, gentlemen, said his Lordship, having traced the correspondence down to this date, proving the greatest intimacy between the parties, proving the correspondence to be of such a character that no eye could see it without her character being utterly blasted,

proving also vows, over and over repeated, that, after her intimacy with him, she could be his wife, and that of no other, as to be so would be sin; having intimated in as strong language as she could that for Mr. Minnoch she had no affection whatever; that she had at no time whatever flirted with him or any one else, being his wife; having proved all this down to the end of 1856, we come to the crisis of this tragedy. On the 2nd of February she wrote to the deceased—

"When you are not pleased with the letters I send you, then our correspondence shall be at an end; and as there is a coolness on both sides, our engagement had better be broken."

These are the very words that Kennedy told you L'Angelier repeated to him on the morning when he entered the counting-house so much distressed. She says further—

"You have more than once returned me my letters, and my mind was made up that I should not stand the same thing again. And you also annoyed me much on Saturday by your conduct in coming so near me; altogether, I think, owing to coolness and indifference (nothing else) that we had better for the future consider ourselves strangers. I trust to your honour as a gentleman that you will not reveal anything that may have passed between us."

Four days before that letter was written she was engaged to Mr. Minnoch. There is a postscript to this important letter, in which she says—

"You may be astonished at this sudden change, but for some time back you must have noticed a coolness in my notes. My love for you has ceased, and that is why I was cool. I did once love you truly and fondly, but for some time back I have lost much of that love. There is no other reason for my conduct, and I think it but fair to let you know this. I might have gone on, and become your wife, but I could not have loved you as I ought. My conduct you will condemn, but I did at one time love you with my heart and soul. It has cost me much to tell you—sleepless nights—but it was necessary you should know. If you remain in Glasgow, or go away, I hope you may succeed in all your endeavours. I know you will never injure the character of one you so fondly loved. No, Emile, I know you have honour and are a gentleman. What has passed you will not mention. I know when I ask you that you will comply."

Gentlemen, what a labyrinth—what a wilderness this unhappy girl, first by her love, and then by her want of prudence, was drawn into! She tries to break off this engagement because she says there was coolness on both sides, which I dare say on her part was not affected. She says she has no other reason for her conduct but that she has lost her love for L'Angelier—she says this when she knows that the actual reason is that she has pledged her word to another. She tells L'Angelier that her affection was withdrawn in the hope that his indignant spirit would induce him to turn her off, when she would be free to form another engagement. But, gentlemen, she had the dreadful recollection of the existence of her correspondence. She did not know how much L'Angelier had, but she knew that she was completely in his power. Gentlemen, she did not hear from L'Angelier for more than a week, She accordingly wrote to him again, appointing the interview a week later. She had got no answer to the demand for her letters, and she writes a short cold letter saying everything is broken off, and making a second appointment for the delivery of her letters. L'Angelier refused to give up the letters, at least to give them up to her. He told Miss Perry, and he told Mr. Kennedy, that he would not give up the letters, but that, on the contrary, he would show them to her father. Now, gentlemen, in other circumstances, and had matters not gone so far between these unfortunate persons, it might have been considered a dishonourable and ungenerous thing in a man in L'Angelier's position; but whether it was or not is not material to the matter in hand. I must say, however, that in the position in which the prisoner and L'Angelier stood, I do not see how he, as a man of honour, could allow this marriage with

Mr. Minnoch to take place and remain silent. It may be doubted whether or not they were man and wife by the law of Scotland. It is needless to discuss this question. There are materials in this correspondence that this view might be maintained by L'Angelier had he chosen to do it, and that he considered the prisoner his wife though they had not been married in a regular and respectable manner. He considered her his wife, and so thinking, he was right not to give the letters. Recollecting what is the strain of her former letters, listen to what she says to him on the 9th of February:—

"Monday Night.

"Emile,—I have just had your note. Emile, for the love you once had for me do nothing till I see you. For God's sake do not bring your once loved Mimi to an open shame. . . . . Oh, Emile, be not harsh to me. I am the most guilty, miserable wretch on the face of the earth. Emile, do not drive me to death. When I ceased to love you, believe me it was not to love another. I am free from all engagement at present."

Unfortunately, the course of deliberate falsehood into which this unhappy girl had brought herself is not one of the least of her crimes. You will also observe that throughout all this despair there is no talk of renewing her engagement with L'Angelier. Her object was to be in a position to fulfil her engagement with Minnoch. Now, gentlemen, we have traced the matter up to this point. She is so committed that she cannot extricate herself, and yet, if not extricated, her character, her fame, her reputation, her position, are forfeited for ever. In her next letter she says—

"Emile, for the love you once had for me, do not denounce me to my P. Emile, if he should read my letters to you he will put me from him; he will hate me as a guilty wretch. I loved you, and wrote to you in my first ardent love; it was with my deepest love I loved you. It was for your love I adored you. I put on paper what I should not. I was free because I loved you with my heart. If he or any other one saw these fond letters to you, what would not be said of me? On my bended knees I write to you, and ask you as you hope for mercy at the Judgment Day, do not inform on me—do not make me a public shame . . Oh, will you not keep my secret from the world? Oh, will you not, for Christ's sake, denounce me. I shall be undone. I shall be ruined. Who would trust me? Shame will be my lot. Despise me, hate me, but make me not the public scandal. Forget me for ever. Blot out all remembrance of me . . I have . . you ill. I did love you, and it was my soul's ambition to be your wife. I asked you to tell me my faults. You did so, and it made me cool towards you gradually. When you have found fault with me I have cooled. It was not love for another, for there is no one I love. . . . For the sake of my mother, her who gave me life, spare me from shame. Oh, Emile, will you, in God's name, hear my prayer? I ask God to forgive me. I have prayed that he might put in your heart to spare me from shame. Never, never, while I live can I be happy. No, no, I shall always have the thought I deceived you. I am guilty; it will be a punishment I shall bear till the day of my death. Oh, for God's sake, for the love of Heaven, hear me. I grow mad. I have been ill, very ill, all day. I have had what has given me a false spirit. I had resort to what I should not have taken, but my brain is on fire. I feel as if death would indeed be sweet. Denounce me not. Emile, Emile, think of our once happy days. Pardon me if you can: pray for me as the most wretched, guilty, miserable creature on the earth. I could stand anything but my father's hot displeasure. Emile, you will not cause my death. If he is to get your letters I cannot see him any more; and my poor mother, I will never more kiss her. It would be a shame to them all. Emile, will you not spare me this? Hate me, despise me, but do not expose me, I cannot write more. I am too ill to-night."

Gentlemen, said his Lordship, I never in my life had so harrowing a task as raking up and bringing before such a tribunal and audience as this the outpourings of such a despairing spirit, and in such a position as this miserable girl was. Such words as these paraded in public under any circumstances would be intolerable agony, but the circumstances of this case throw all these considerations utterly into the shade; and if for a moment they do obtrude

themselves upon us they must be repelled, for our duty is a stern one, and cannot yield to such considerations. Pausing there for a moment, let me take in some surrounding circumstances; at the same time, L'Angelier, whatever were his faults, was certainly true to her. He spoke to Kennedy about her. He said his love for her was infatuation, and that it would be the death of him. It was not revenge that he wanted—he wanted his wife; and he plainly had told her that he would not permit their engagement to be broken off, and that he would put these letters into her father's hands. The Lord Advocate then referred to the prisoner sending the page for prussic acid, and asked for what purpose she wanted it. Some extrication, he said, was inevitable, if she hoped to save her character, and with a strength of will which I think she exhibited in some more passages in this case, she resolved she would not go back to L'Angelier; she had ceased to love him; she had determined to marry another. And throughout all this, while she is in utter despair, and tries to move him by her protestations, there is not the slightest indication of an intention to go back and love him, and be his wife. The Lord Advocate then adverted to Christina Haggart's evidence as to the secret interview the prisoner and deceased had in the back room of the house one day—some weeks, but not two months before the prisoner's apprehension. You will find, he said, allusions in these letters to embraces, interviews, and things that could only have taken place in the house, and she says distinctly that he might come without fear, for no one would see him, and that they would have an interview. That one interview took place we have the direct testimony of one witness. What took place at that interview we cannot tell; but we find this, that in one way or another, this feud had been made up, that the whole thing had been arranged; and how arranged? Not certainly, gentlemen, on the footing of giving up the letters. Not certainly on the footing of the prisoner not continuing her engagement with L'Angelier; but, on the opposite footing, upon the footing of the engagement continuing. How was that to extricate the prisoner? What did she propose to herself to do? She had found that L'Anglier would not give up the letters. She did not go on to endeavour to induce him to do so by despairing petitions. She took another line, and that line was pretending—because it could not be real—pretending to adopt the old tone of love and affection; all this time keeping the engagement with Mr. Minnoch, receiving the congratulations of her friends, receiving presents from him, and engaged in fixing the time of her union. She asks for those letters that she had written in her cool moments, to convince L'Angelier that she is as true to him as ever; but she makes an appointment for Thursday, and if that letter was written according to the postmark, plainly the quarrel had been made up, and it must have been after the date of these despairing letters. The day was Thursday, the 19th of February. We are now coming to the very crisis of the case. On Tuesday, the 17th of February, L'Angelier dined with Miss Perry. He told her he was to see Miss Smith on the Thursday. Thursday was the 19th, and he afterwards told Miss Perry that he had seen her on the 19th—some day before the 22nd of February, as I say, the 19th of February—and you will see whether that is proved or not immediately. L'Angelier in the middle of the night was seized with a sudden illness. You heard it described by his landlady, Mrs. Jenkins. It was vomiting and purging, vomiting a green stuff, and excessive pain. He lay on the floor all night. He was so ill that he could not call for assistance for some time, and his landlady found him in the morning. At last he was relieved, but only after a great deal of suffering. These symptoms were the symptoms of arsenic, whether or not they bore any resemblance to the symptoms of cholera. He recovered, and he went out on the day after, on the 20th. On the 21st the prisoner purchased arsenic at the shop of Mr. Murdoch—a very singular purchase, gentlemen, for a person in her position to make. But it was not the first time in the history of this case that she had tried to buy poison; she had tried to buy prussic acid before the meeting of the 11th. When she went to

Murdoch's shop, she asked for the arsenic openly, but the story she told in regard to its use, was, upon her own confession, an absolute falsehood; she said she wanted it to poison rats at Row. She afterwards gave another reason for it, which we shall also have to consider. Having purchased that arsenic on the 21st, according to my statement, L'Angelier saw her on the 22nd, which was a Sunday, and on the night of the 22nd and the morning of the 23rd he was again seized with the very symptoms that he had had before—the identical symptoms, in a somewhat milder form—namely, the green vomiting again, the purging again, pains again, the thirst again—everything, in short, which you would expect in a case of arsenical poisoning. L'Angelier told Miss Perry that he had seen the prisoner on the 19th, that he had been ill immediately after the 19th, and that he had afterwards been ill—after the 22nd and 23rd—I don't know that she named those dates, but she certainly said he was twice ill before she saw him, and he told her this—that these two illnesses had followed after receiving coffee one time and chocolate another time from the hands of the prisoner. Now, if that be true, and if he certainly said so, then it is certain that he saw her upon the 19th and that he saw her upon the 22nd; and in corroboration of that will you listen to this letter, which was found in the tourist's bag, the date of which is in dispute, but which I say was Wednesday, the 25th of February? That letter said:—

"You looked bad on Sunday night and Monday morning."

That could only be Sunday the 22nd, and Monday the 23rd of February.

"I think you got sick with walking home so late, and the long want of food, so the next time we meet I shall make you eat a loaf of bread before you go. I am longing to meet again, sweet love. My head aches so, and I am looking so bad that I cannot sit up as I used to do; but I am taking some stuff to bring back the colour. I shall see you soon again. Put up with short notes for a little time."

Now, gentlemen, if that was written on the 25th it proves that he saw her on Sunday and Monday, the 22nd and 23rd. It proves that he was sick at that time, and was looking very bad. According to my statement he was ill on the 19th. It proves that she was thinking about giving him food, that she was laying a foundation for saying that she was taking stuff to bring back her colour. It proves that she was holding out a kind of explanation of the symptoms which he had, because she says she is ill herself; and it proves that all this took place the day after she had bought arsenic at Murdoch's. L'Angelier said that it took place after receiving a cup of coffee from herself; and she says in her own declaration that upon one occasion she did give him a cup of coffee. The prisoner is shown that letter, and refers to it in her declaration as alluding to his recent illness. She says it was a mere jocular observation, that about the want of food; and that, as she attributed his illness to the want of food, she had made that observation about the loaf of bread. Now that I have shown you how the matter stands up to Wednesday, the 25th of February, what do you think of it? No doubt the illness of the 19th takes place when I cannot prove the prisoner had any arsenic in the house—that is perfectly true. The prisoner took some pains to prove that arsenic might be had without being purchased in a druggist's shop, but you will look at the surrounding circumstances in the next place—at the fact that L'Angelier said his two first illnesses had arisen immediately after receiving a cup of coffee one time and a cup of cocoa or chocolate the other, that she admits she did give him a cup of cocoa, that she had the means of making it in the house, that the illness the second time was the same as the first time, and that upon both occasions these illnesses were symptomatic of arsenic. You will also consider, what weighs on my mind, what was the nature of the arrangement between L'Angelier and Miss Smith. How did she propose to extricate herself from the difficulties in which she found herself placed? She had everything at stake—character, fame, fortune, and everything else. She knew she could not

get back her letters by entreaties, and she did not endeavour to get them by that means any longer, but professed to adhere to their engagement. What did she contemplate at this moment? For the first time she begins to purchase, or endeavour to purchase, prussic acid. And now, gentlemen, for the arsenic. What reason does she give for the purchase of the arsenic? She says she had been told, when at school in England, by a Miss Giubilei, that arsenic is good for the complexion. She came from school in 1853, and, singular enough, it is not till that week of February prior to the 22nd that she even thinks of arsenic for that purpose. Why, gentlemen, should that be? At that moment I have shown you she was frightened at the danger she was in in the highest degree, and is it likely that at that time she was looking for a new cosmetic? But what is the truth as to what she had heard, or very likely read? What is the use of the arsenic, and what does she say? She says that she poured it all into a basin, and washed her face with it. Gentlemen, do you believe that? If she was following up what she found in the magazine, that was not what she found there; for they say that the way to use arsenic is to swallow it in extremely small quantities. Therefore you would have to say whether you believe that she got the arsenic for the purpose she says. She says she used the whole quantity each time in a basin of water. I fear, gentlemen, there is but one conclusion, and that is that there is not a word of truth in the excuse; and if, therefore, you think there are two falsehoods here about the poisoning—the first told in the druggist's shop, and the second made in her declaration—I fear the conclusion is inevitable, that the purpose for which she had purchased it was a criminal one, and that, taking all the circumstances together, you cannot possibly doubt that the object was to use it for the purpose of poisoning L'Angelier. But this time it failed; he is excessively ill, but recovers. How she got the poison on the 19th I say at once I am unable to account for. But you will recollect what the symptoms were, and with the other evidence I have brought to bear upon this critical period, from the 19th to the 27th of February, I leave you to judge whether, at all events, it is not certain, first, that they met on these two occasions; second, that he got something from her on both occasions; and third, that his illness succeeded immediately after having got a cup of coffee in the first place, and a cup of cocoa in the second; and that, in the last place, these illnesses took place under circumstances which led him to say, half in joke, half in earnest, the old story, "If she was to poison me I would forgive her." Miss Perry does not say this was a serious belief. It would appear to have been a floating notion which coursed through his brain, and I suppose he drove it away. We shall see what happened to drive it away; we shall see protestations of renewed love, which probably made him believe that this phantom, suddenly conjured, was, after all, a mere delusion of his brain. After referring to what passes in the interval, L'Angelier going to Edinburgh, and afterwards to Bridge of Allan to recruit his health, and she recommending him to go to the Isle of Wight, the Lord Advocate remarked:—The prisoner had made the attempt at poison on two occasions and had failed. Apparently her heart was now touched, and probably she thought that if she could get him out of the way she might have her marriage with Mr. Minnoch over without his knowledge, after which it would be easy to get her letters, as there would be no motive for keeping them. But the prisoner does not succeed in her wish, and in answer to her letters, still warm in tone, but not in the old spirit, L'Angelier writes her a letter, of which a copy has been preserved. In it he expresses suspicion that there is foundation for the report of the prisoner's intended marriage with Mr. Minnoch, demands an explanation about the necklace presented to her, direct answers to the questions she had before evaded, and asks why she wishes so very much that he should go 500 miles off to the Isle of Wight. Then, when the prisoner found the toils coming closer around her, L'Angelier determined not to be put off, and she herself pledged to an absolute falsehood—viz., that the report of her marriage is not true—she purchases another dose of arsenic. Draw your own conclusion, gentlemen; I fear

you will find but one at which it is possible for you to arrive. His Lordship then adverted to L'Angelier's visit to Bridge of Allan, his anxiety for a letter, his immediate return to Glasgow on a letter being forwarded to him. He returned, he said, in perfect health. He was, Mrs. Jenkins says, looking infinitely improved since he left her on the 19th. He came home in the greatest spirits, and told them that the letter had brought him home. They knew, and he made no secret of why he had come home. The landlady knew so well that when he went out at night he was going to see his sweetheart that she never asked him any questions on these occasions. He stayed in the house, took some tea, and left the house in his usual health a little after or before 9 o'clock. He is seen sauntering along in the direction of Blythswood-square about 20 minutes past 9. It is too early. He knows the ways of the house, and knows that they have prayers on Sunday night. He must beguile the time a little, and so he goes past Blythswood-square, down to the other side, and makes a call on his acquaintance M'Alister, in Terrace-street, but does not find him at home. The maidservant recognised him, and says he was there about half-past 9 o'clock. Here we lose sight of him for a period of two or three hours; but there is no attempt to show that any mortal man saw him anywhere else than the only place he was going to. He went out with the determination of seeing the prisoner; and, believing that he had an appointment at that place, you cannot doubt that after coming from the Bridge of Allan post hast to see her, walking first from the Bridge of Allan to Stirling, then travelling from Stirling to Coatbridge, walking from Coatbridge to Glasgow, and then walking from his lodgings in the direction of Blythswood-square —you cannot believe that he would give up his purpose within 100 yards of the house. The thing is incredible—impossible. Well, gentlemen, as I said, he knew the ways of the house; he knew when it was the habit of the family to retire to rest, and that he would have to wait till Janet was asleep. Can you believe—is it reasonable to believe that, after all these preparations, L'Angelier should have returned without going into the house? The thing is impossible. But if he did go to the house, what do you suppose he did? He went, of course, to the window, and made his presence known. He could do it with certainty. The prisoner denies she heard anything that night. Is that within the region of possibility? She writes him a letter. I know she says the appointment was for Saturday; but do you suppose that in the course of that correspondence, even if that were true, she would not have waited for him next night on the chance of his being out of town? The interview was long delayed, anxiously looked for—the interview at which everything was to be explained, in an explanation which she knew he was waiting for. Is it possible that she went to sleep that night, and never woke till the morning? Gentlemen, whatever else you may think, I think you will come to this inevitable conclusion, that L'Angelier did go to the house, did make his presence known; and, if he did that, what means the denial in the prisoner's declaration that L'Angelier was there that night at all? It is utterly inconceivable and impossible. You have no other trace of him. The policeman, it is true, did not see him, but neither did he see him in many a midnight walk, for you know what a policeman's beat is. But that he was there is certain. This was the critical night, when the question was to be decided of her fame and reputation for ever. How do we see him next? He is found at his own door, without strength to open the latch, at 2 o'clock in the morning, doubled up with agony, speechless, parched with thirst; vomiting commences immediately, and the former symptoms, with great aggravation, go on from 2 till about 11 o'clock, when the man dies of arsenic. So ends this melancholy tale that I have taken so long to tell you. Now, gentlemen, I shall have to speak as to the idea of suicide. The evidence of Mrs. Jenkins from first to last shows that L'Angelier was most anxious to recover; and among the very last things he said was, "Oh, if I could only get a little sleep I think I should recover." At last, Mrs. Jenkins, taking alarm,

says, "Is there any one you would like to see?" He replies he would like to see Miss Perry. He does not say he would like to see Miss Smith. If he thought that his life was really in danger, surely the natural feeling is that he should wish to see her whom of all the world he was most devotedly attached to. But he expressed a wish only to see Miss Perry; and, doubtless, if he had seen Miss Perry we should have known more about this case than we do now. But before Miss Perry saw him death had sealed his mouth; it had caught him more quickly than the doctor or his nurse expected, and more quickly than he had any idea of himself. And so, when the doctor raised his head from the pillow, it fell back, and the mystery remains sealed, so far as the tongue of the unhappy victim is concerned. After commenting in detail upon the evidence for the defence, the Lord Advocate concluded as follows:—If I had thought that there were any elements of doubt or of disproof in this case that would have justified me in retiring from the painful task which I have now to discharge, believe me, gentlemen, there is not a man in this court who would have rejoiced more at that result than myself; for of all the persons engaged in this trial, apart from the unfortunate object of it, I believe the task laid upon me is at once the most difficult and the most painful. I have now discharged my duty. I am quite certain that in the case which I have submitted to you I have not overstrained the evidence. I do not believe that in any instance I have strained the facts beyond what they would naturally bear. If I have, yourselves, my learned friend on the other side, and the Court, will correct me. And now, gentlemen, as I have said, I leave the case in your hands. I see no outlet for this unhappy prisoner; and if you come to the same result as I have done, there is but one course open to you, and that is to return a verdict of guilty of this charge.

On the suggestion of the Lord Justice Clerk, the Dean of Faculty delayed his address till Wednesday, and

The Court adjourned at half-past 3 o'clock.

EIGHTH DAY.—WEDNESDAY, JULY 8.

The High Court of Justiciary met again at 10 o'clock on Wednesday.

The Dean of Faculty addressed the jury on behalf of the prisoner. He said,—Gentlemen of the Jury,—The charge against the prisoner is murder, and the punishment of murder is death; and that simple statement is sufficient to suggest to us the awful solemnity of the occasion which brings you and me face to face. But, gentlemen, there are peculiarities in the present case of so singular and strange a kind—there is such an air of romance and mystery invested about it from the beginning to the end—there is something so touching in the age, the sex, and the social position of the accused—ay, and I must add that public attention is so directed to this trial, that they watch our proceedings, and hang on our very accents with such anxiety and eagerness of expectation, that I feel almost bowed down and overwhelmed by the magnitude of the task which is imposed on me. You are invited and encouraged by the prosecutor to snap the thread of this young life, and to consign to an ignominious death on the scaffold one who within a few short months was known only as a gentle and confiding and affectionate girl—the ornament and pride of her happy family. Gentlemen, the tone in which my learned friend addressed you yesterday could not fail to strike you as most remarkable. It was characterized by great moderation—by such moderation as I think must have convinced you that he could hardly expect a verdict at your hands, and in the course of that address—for which I give him the highest credit—he could not resist the expression of his own deep feeling of commiseration for the position which the prisoner is placed in, which was but an involuntary homage that the official prosecutor

pays to the kind and generous nature of the man. But, gentlemen, I am going to ask you for something different from commiseration. I am going to ask for that which I will not condescend to beg, but will loudly and importunately demand—that to which every prisoner is entitled, whether she be the lowest and vilest of her sex, or the maiden whose purity is of the unsullied snow. I ask you for justice, and if you will kindly lend me your attention for the requisite period, and if Heaven will give me patience and strength for the task, I shall tear to tatters that web of sophistry with which the prosecutor has striven to invest this poor girl and her sad, strange story. The Dean then referred to the first introduction of L'Angelier to the prisoner—an introduction made in the street in such a way as showed he could not procure it otherwise or elsewhere. He described him as an unknown adventurer, and, relating such parts of his earlier history as had been brought before them, he described his character as vain, conceited, and pretentious, boastful of his personal attractions, and ever courting the society of ladies above him in station, and endeavouring to push his fortune by means of marriage. He referred to his changeable and excitable character, and his frequent threats of suicide while suffering from disappointment in love. Returning to the commencement of the prisoner's acquaintance with L'Angelier, he said he thanked the Lord Advocate for his admission, that, at that time, though their correspondence was improper, because clandestine, yet the letters of the young lady breathed nothing but gentleness and propriety. The correspondence, however, also showed that if L'Angelier had originally in his mind to corrupt and seduce this poor girl, he had entered on the attempt with considerable ingenuity and skill. Their correspondence was apparently soon after dropped through the young lady's own sense of propriety, but in the spring of 1856 it was unhappily renewed, and it was but fair to suppose rather on the importunate entreaty of this young man than on the suggestion of the lady. The correspondence was for a time put an end to by Mr. Smith, and for a time that interference had effect, but alas! the next scene was the most painful of all. In the spring of 1856 the corrupting influence of the seducer was successful, and the prisoner fell. How corrupting that influence must have been, and how vile the arts were to which he resorted for his nefarious purpose, could never be known so well as by looking to the altered tone of this poor girl's letters. She had lost not her virtue merely, but, as my learned friend said, her sense of decency. Whose fault was that? Whose doing was it? Think you that, without temptation, without vile teaching, a poor girl falls into those depths of degradation? No. Influence from without, most corrupting influence could alone account for such a fall. And yet, gentlemen, through the midst of this frightful correspondence, which I wish to God could have been concealed from your eyes and those of the public—and if it had not been, as my learned friend thought, absolutely necessary for the ends of justice that it should be produced, I feel satisfied he would not have done so—but even through the midst of this frightful correspondence there breathes a spirit of devoted love towards the man who wronged her, that strikes me as most remarkable. Entering upon the case, the learned counsel remarked upon the little evidence that existed to prove that the parties had ever met in the house in Blythswood-square. From the 18th of November till the death of L'Angelier there were only two interviews proved to have taken place within the house. From all her letters it appeared that the condition of getting access to the house depended upon the absence of her parents from home. "If M. and P. go from home I could take you in at the front door, and I won't let a chance pass." But that chance never came. The Lord Advocate seemed to say that there were some concerted signals by rapping at the window or on the railings with a stick in order to attract attention. This you will find is an entire mistake. L'Angelier did on one or two occasions take that course, but the prisoner immediately forbade it, and ordered him not to do it again. In a letter which bears the postmark of December 5, 1856, she says—"Darling, do not knock at

the window;" and again in a postscript, "Remember, do not knock at the door," earnestly repeating this caution. Independent of their communications at the window, whatever they were, there were only two occasions—namely, those of which Christina Haggart spoke, on which they were proved to have met within the house in Blythswood-square at all. About this time it is quite obvious that they had it in view to accomplish an elopement. It was quite plain that the consent of Miss Smith's parents to her union with this young Frenchman was not to be thought of any longer. That hope was altogether gone, and accordingly there are constant references in the letters, about this time, to the arrangements that were to be made for carrying her from her father's house and accomplishing a marriage either in Glasgow or Edinburgh. The opportunity for that, however, never came. The Dean then proceeded to say:—We now arrive at a very important stage of this case. On the 28th of January the prisoner accepts Mr. Minnoch, and my learned friend says that from that time the whole character of her mind was changed, and she set herself for the perpetration of one of the most cool and deliberate murders that ever was committed. I will not say that such a thing is absolutely impossible, but I do venture to say it is well nigh incredible. He will be a bold man who will seek to set limits to the depths of human depravity, but on that subject all past experience teaches us that the perfection even of depravity is not rapidly attained. It is not by such short, easy stages as the prosecutor has been able to trace in the career of Madeleine Smith that a gentle, loving girl passes at once into the savage grandeur of a Medea or the appalling wickedness of a Borgia. No, gentlemen, such things are not possible. There must be a certain progress in guilt. It is quite out of all human experience to suppose that, from the tone of love in which the letters that had passed before were written, there should be a sudden transition, I will not say to the loss of affection for one particular object, but to that savage desire of removing by any means the obstruction to her wishes which the prosecutor imputes to the prisoner. Think for a moment how foul and unnatural a murder is imputed to her—the murder of one who within a very short space was the object of her love—an unworthy object—an unholy love; but yet while it lasted—and its endurance was not brief—it was a deep, absorbing, unselfish, devoted passion. Yet it is the object of this love she is now said to conceive the purpose of murdering. Such is the theory you are asked to believe; but surely, gentlemen, before you believe it, you will ask for demonstration, you will not be contented with conjecture or suspicion, and it will not be enough to say that the theory of the prosecutor is the most probable that is offered to us. Oh, gentlemen, is that the manner in which the jury are to deal with such a case? Is that the kind of proof on which you are to convict of a capital offence? On the 19th of February, on the 22nd of February, and on the 22nd of March—for the prosecutor has now absolutely fixed on these dates—the prisoner is charged with administering poison to the deceased. Observe, he does not ask you to suppose merely that by some means or other the prisoner conveyed poison to L'Angelier, but he asks you to affirm that on those three occasions she with her own hands administered the poison. In all three charges he says, that she did wickedly and feloniously administer to, or cause to be taken by, the said deceased Emile L'Angelier, a quantity of arsenic. I do not dispute, gentlemen, that these charges may, in the absence of eye-witnesses, be proved by circumstantial evidence, but you must always bear in mind that circumstantial evidence must come up to this—that it must convince you of the perpetration of these acts. Now, then, in dealing with such circumstantial proof, what should you expect to find proved? Of course, that the means were in the prisoner's hands of committing the crime. The possession of poison will be the first thing that is absolutely necessary; and on the other hand the fact that the deceased on one occasion, was ill from the consequences of poison; that on the second occasion he was ill from the same cause; and that on the third he died from the effects of poison. But it would be the most defective of all proofs of poison to stop at

such facts as these, for one person may be in the possession of poison and another person die from the effects of poison, and yet that proves nothing. You must have a third element. You must not merely have a motive—and I shall speak of a motive by-and-by—you must not merely have a motive but opportunity, the most important of all elements. You must have the opportunity of the parties coming into personal contact, or of that poison being carried to the murdered person through the medium of another. Now, we shall see how far there is the slightest room for such a suspicion here. The Dean then examined the first charge against the prisoner, the administration of poison on the 19th or 20th of February. Mrs. Jenkins — than whom he never saw a more accurate and trustworthy witness—was able to fix a date for the second illness—namely, the 23rd of February; but she said that the first was eight or ten days previous to the second, which would bring them back to the 13th, or thereabout; and that he was ill about the 13th was proved by one of the letters and by the testimony of Mr. Miller. As to Miss Perry, she did not recollect the date of his first illness the first, the second, or even the third time she was precognosced, and it was only by the most improper interference of one of the Fiscal's clerks, who read to her a date out of a book which has been rejected as worthless in fixing dates, that she fixed upon the 19th. But suppose the 19th was the date, notwithstanding that the prosecutor had searched all the druggist's shops in Glasgow they had been unable to find that the prisoner bought any arsenic at till the 21st, when she went so openly into Murdoch's, signed her name, and let it go to her father's account. He left his learned friend to choose one or other of the horns of this dilemma,—either that the deceased was ill from the effects of arsenic on the first occasion, in which case it must have been administered by other hands; or that he was ill from some other cause—a fact which destroyed the whole theory and foundation of the prosecutor's case. As to the second illness, there was no proof whatever that the parties met after this purchase at all. Mrs. Jenkins said she did not think L'Angelier was out of the house on Sunday night the 22nd. She said she had not given him the latchkey that night, which she always did when he was to be out late; that she should have recollected it had he borrowed it that night; and M. Thou said he certainly did not let him in that night, which was the only way he could get in if he left without the latchkey. Letter 107, however, was founded on to prove they met that night; a letter which had no date—and which, though it had been found in an envelope with the clearest date, it would be madness to convict upon; and with all the possibilities of such a letter finding its way into a wrong envelope, even in the hands of deceased, and still more in the hands of those by whom it was recovered, and with the date quite illegible, and which the Crown witness said had an "r" in the month, which showed it could not be "Feb."—so that even the Crown discarded their own witness to carry out their theory—he was entitled to say that there was not merely a conflict of evidence on the point, but an accumulation of evidence disproving the theory that they met that night at all; and the failure to prove that certainly put an end to the charge. If, then, deceased was ill from arsenical poison on that occasion, the inference he again drew was that he was in the way of receiving arsenic from some other hand. The Dean then proceeded to consider the third and last charge. He referred to the missing letter deceased received from the prisoner at Bridge of Allan on Friday. That letter evidently contained an appointment for a certain night, and when he found he could not keep it he knew it was useless to come without a special appointment. He then came to the second letter forwarded to Bridge of Allan, bearing the postmark 21st March, and, as he held, making the appointment for the Saturday evening. When was it she waited and waited? Thursday evening. The letter from the deceased to Miss Perry conclusively proved that. When was it likely she would write her next summons? I should think the next evening, for she almost invariably wrote in the evening, and when she did not write in the evening

she mentioned the hour of the day. This all-important letter was written, therefore, on the Friday evening, and posted on Saturday morning, addressed to Mrs. Jenkins, and appointing the meeting for the Saturday evening. It was written with the same notice which she usually gave him of their appointments, and she believed him to be in Glasgow. There is no appearance throughout the correspondence of any meeting having taken place without previous arrangements being made, and she had constantly repeated her warning against his making any signal at the window, as it was sure to lead to discovery and risk of various kinds. On every occasion she watched and waited for him; he never came without preconcert. Having broken his appointment for the Thursday, he never supposed he could procure an appointment for the Friday. He waited till he got another letter, and when he broke his appointment on the Saturday why should he expect to have one on the Sunday? On the Sunday night the family are at prayers, the servants come down stairs, and go to bed one by one, the cook not retiring till 11. The prisoner and her youngest sister descend to their bedroom between half-past 10 and 11. They take half an hour to undress. The prisoner goes to bed with her sister, and, so far as human evidence goes, the house is undisturbed and unapproached up to the following morning. Do you think there could have been a meeting and no evidence of it? The policeman, who knew him, had not seen him that night; and you must remember this is not a bustling part of the town, but a quiet west-end square, about which the appearance of a stranger at a late hour on Sunday would be sure to attract attention. Neither within the house nor without the house is there the slightest vestige or ground of suspicion that the meeting appointed for Saturday took place on Sunday. Then, as to L'Angelier, it is said he came to the house to see the prisoner on Sunday night. Even if that were a reasonable assumption, it would not advance the prosecutor's case one step, but the supposition was not a reasonable one—to suppose that he came that distance to keep a meeting which had been appointed for another evening. We do not know what other letters he may have received at Bridge of Allan, and in one of his own he says, "I have received no letters from Mr. Mitchell, and I should like to know what he wants with me." The Crown has not told us who Mr. Mitchell is, and I do not know. Who can tell that he received no other letters at Bridge of Allan, and for what purpose he came so unexpectedly home? L'Angelier came to Glasgow, and there is also considerable mystery thrown over his identity in the course of the journey. Ross did not describe a person like the prisoner, and Ross was not shown the photograph. The mail guard professed to identify him from it, and yet the Crown objected to our relying on the photograph when identified by the druggists. No one is called from the inn to identify L'Angelier; and what was the account the supposed L'Angelier gave of himself to Ross? Why, that he had come from Alloa, and that he was going to Glasgow to cash a check, of which payment had been refused to him as a stranger,—an account which, if given by L'Angelier, the Crown had taken no means to test or account for. If L'Angelier was not with Ross he gives no false account of himself, and the evidence of the druggists at Coatbridge, Baillieston, and Gallowgate, from whom he bought laudanum, who all identify the likeness, and one of them the purse out of which the money was paid, were consistent with each other. If these three witnesses were correct he was ill; and finally in Miss Kirk's shop he purchased a white powder, and Miss Kirk can't tell you what this white powder was. He comes to his lodging, he goes out at 9, is seen in different streets, but not in Blythswood-square; so that this proves nothing at all. He calls on M'Alister. Why is M'Alister not here, that he might, perchance, tell what brought him to Glasgow, and if he knew anything of Mr. Mitchell? From half-past 9 to half-past 2 he is absolutely lost sight of, and the Lord Advocate admitted that the fact that prisoner and deceased met that night is founded on inference and conjecture. Good heavens, inference and conjecture! Inference and conjecture

whether on the night he was poisoned he saw the prisoner who is charged with this murder! I never heard such expressions made use of in a capital case before, as indicating or describing a link in the chain of a prosecutor's case. I have heard them many a time in the mouth of a prisoner's counsel, and I dare say you will hear more of them from me to-day, but for the prosecutor himself to describe such a part of his evidence as a piece of conjecture and hypothesis is to me a most startling novelty. And yet my learned friend could not help himself. It was a necessity he should so express himself; for if he intended to ask a verdict at all, he could ask for the verdict he did only on a series of unfounded and incredible suspicions and hypotheses. The Dean then referred to the statements as to L'Angelier having a suspicion on his mind that he had received poison from the prisoner, and said if that were true, they were asked to believe that he took the poisoned cup from the prisoner, in which there lurked so great a quantity of arsenic as was sufficient to leave on his stomach 88 grains, and from the hands of one whom he suspected had been practising on his life. It was a dose which, according to Dr. Christison, might have amounted to 240 grains. It was a dose that, so far as experience went, never was before successfully administered by a murderer, and it was most difficult to conceive a vehicle in which so great a quantity could be administered, far less to one who had had his suspicions previously excited. Then the Crown had shown that the colouring matter of any arsenic could afterwards be found in the stomach, but their witnesses say their attention was not called to that circumstance. Whose fault was that? The Crown must have known the importance of this inquiry, and the prisoner had no means of being represented in this chymical analysis. Such was the evidence of the last charge. If the case is a failure on the first and second charges, it is a far more complete and radical failure in the last. In fact, I have demonstrated that it was absolutely impossible to bring guilt against the prisoner. It remains not only not proved, but the whole evidence connected with the proceedings of that day seems to go to negative such a supposition. I might stop there, for nothing can be more fallacious than to suppose that it is for me to explain how L'Angelier came by his death. His Lordship will tell you a defender in this court has no further duty but to stand on the defensive, and maintain that the case for the prosecution is not proved. No man living probably can tell how L'Angelier came by his death; nor am I under the slightest obligation even to suggest to you a possible manner in which his death may have been compassed without being at the hands of the prisoner. But it is but fair that when dealing with matters of suspicion and conjecture you should consider whether the suppositions on which this charge is founded are preferable in respect of higher probability to other suppositions that may be fairly made. The character of this man—his origin, his previous history, the nature of his conversation, the numerous occasions upon which he spoke of suicide—naturally suggest that as one mode by which he may have departed this life. I am not undertaking to prove that he died by his own hand. If I were doing anything so rash I should be imitating the rashness of the prosecutor, but I should not be stepping a hair's-breadth further out of the beaten track of evidence, and proof, and demonstration; for I think there is more to be said for suicide than for the prisoner's guilt. From the very first time at which we see him, even as a lad, in the year 1843, he talks in a manner to impress people with the notion that he has no moral principle to guide him. He speaks over and over again in Edinburgh, Dundee, and elsewhere—ay, and the prisoner's letters show that he had made the same threat to her—that he would put himself out of existence. And is it half as violent a supposition as the supposition of this foul murder, that upon this evening—the 22nd of March—in a fit of that kind of madness which he himself described came over him when he met with a disappointment—finding, it may be, that he could not procure access to an interview which he desired—assuming that he came to Glasgow for the purpose—assuming, even, that he mistook the evening of the meeting, and expecting

MADELEINE SMITH AT THE BAR OF THE JUSTICIARY, EDINBURGH.

to see her on the Sunday—can anything be more probable than that in such a case, in the excited state in which he then was, that he should have committed the rash act which put an end to his existence? I can see no great improbability in that. But whether he met his death by suicide, or whether he met his death by accident, or in what way soever he met his death, the question for you is, Is this murder proved? You are asked to affirm that on your oaths—to affirm on your oaths as a fact—that the arsenic which was found in that man's stomach was presented to him by the hands of the prisoner. Gentlemen, I have talked of the improbabilities which belong to this story—to this charge. But surely you cannot have omitted to observe how very unnatural and extraordinary a crime it is to impute to a person in the prisoner's situation. I stated to you before, as a piece of undoubted experience, that no one sinks to such a depth of depravity all at once; and now I ask you to remember at what period we left this correspondence—at a period when she desired to break off with L'Angelier, no doubt—at a period when she desired to obtain possession of her letters, the return of which was refused. I am most unwilling to intersperse my address with remarks upon the character of a man who is now no more. But picture to yourselves the moral temperament, the taste, the feeling of a human being who, having received such letters from a girl as you have heard read in this court, would ever preserve them. He must have been dead to all feelings of humanity, or he would never have refrained from burning those letters. But he not only preserves them, but he retains them as an engine of power and oppression in his hands. He keeps them that he may carry out his cold-blooded original design, not merely of possessing himself of her person, but of raising himself in the social scale by a marriage with her. It was his object from the first, and that object he pursues constantly, unflinchingly, to the end. But he will expose her to her friends and to the world, he will drive her to destruction, or to suicide itself, rather than let her out of his power. It may be said that I am only describing the great provocation which she received, and therefore enhancing the probability of her taking this fearful mode of extricating herself from her embarrassment. I don't fear that, gentlemen. I want you to look now at the picture which I have under her own hand of her own state of mind at this time—not for the purpose of palliating her conduct—not for the purpose of vindicating her against this charge either of unchasteness or impropriety as regards Mr. Minnoch, but for the purpose of showing you in what frame of mind that poor girl stood at the time—the very time at which she is said to have conceived and contrived this foul murder. There are two or three letters, but I select one for the purpose of illustrating what I now say. It is written on the 10th of February, and it is written after she has asked for the return of her letters, and been refused. The Dean here read in a touching manner the remarkable letter No. 107, in which, in a strain betokening much agony of mind, she conjures L'Angelier not to expose her shame to the world. Is that, he proceeded to say, the mind of a murderess, or can any one affect that frame of mind? Will you, gentlemen, for one moment, listen to the suggestion that that letter covers a piece of deceit? No, no! The finest actress that ever lived could not have written that letter unless she had felt it; and is that the condition in which a woman goes about to compass the death of him whom she has loved? Is that her frame of mind? The thing is preposterous, and yet it is because of her despair, as my learned friend called it, exhibited in that and similar letters, that he says she had a motive to commit this murder. A motive—what motive?—a motive to destroy L'Angelier? What does this mean? It may mean, in a certain improper sense of the term, that it would have been an advantage to her that he should cease to live. That is not a motive in any proper sense of the term. That is not a motive, else how few of us are there that live who have not a motive to murder some one or other of our fellow-creatures. But, gentlemen, even in the most improper and ille-

gitimate sense of the term, let me ask you what possible motive there could be—I mean what possible advantage could she expect from L'Angelier ceasing to live, so long as the letters remained in his possession? Without the return of the letters she gained nothing. Her object—her greatest desire—that for which she was yearning with her whole soul was to prevent the exposure of her shame. But the death of L'Angelier, instead of insuring that object, would have been perfectly certain to lead to the immediate exposure of everything that had passed between them. Shall I be told that she did not foresee that? I thought my learned friend had been giving the prisoner too much credit for talent in the course of his observations upon her conduct; but I should conceive her to be infinitely stupid if she could not foresee that the death of L'Angelier, with these documents in his possession, was the true and the best means of frustrating the then great object of her life. So much for the motive; and see what another startling defect that is in the case for the prosecution. Shall I be told that the motive might be revenge? Listen to the letter. Tell me if it is possible that in the same breast with these sentiments there could lurk one feeling of revenge? No; the condition of mind in which that poor girl was throughout the months of February and March is entirely inconsistent with any of the hypotheses that have been made on the other side—utterly incredible in connection with the perpetration of such a crime as is here laid to her charge. The learned counsel then referred to the prisoner's flight to Row, and said,—Gentlemen, this was no flying from justice, but it was flying from that which she could just as little bear—the wrath of her father and the averted countenance of her mother. But she came back again without the slightest hesitation, and upon the Monday morning there occurred a scene as remarkable in the history of criminal jurisprudence as anything I ever heard of, by which that broken spirit was altogether changed. The moment she was met by a charge of being implicated in causing the death of L'Angelier she at once assumed the courage of a heroine. She was bound down and she fled while the charge of her own unchastity and shame was all that was brought against her; but she stood erect and proudly conscious of her innocence when she was met with this astounding, this monstrous charge of murder. After reading the declaration of the prisoner and commenting on various statements made in it, the Dean said, such openness and candour of statement, under such circumstances—made to the magistrate interrogating her on the charge, and who had, as was his duty, informed her that whatever she said might be used to her prejudice, but could not possibly be used to her advantage—I leave to speak for themselves. But I have now to request your attention to one particular point in connection with this declaration—the different purchases of arsenic. The possession of this arsenic is said to be unaccounted for, as far as the prisoner herself is concerned. It may be so, and yet that would not make a case for the prosecution. She says she used it as a cosmetic. This might be startling at first sight to many of us here, but after the evidence we have heard it will not in the least amaze you. At school her statement, which has been so far borne out by evidence, shows that she had read of the Styrian peasants using arsenic for the strengthening of their wind and the improvement of their complexions. No doubt they used it internally, and not externally as she did; but in the imperfect state of her knowledge that fact was of no significance. L'Angelier stated to more than one witness—and if he stated falsely it is only one of a multitude of lies proved against him—that he used it himself, and it is not surprising that if he (L'Angelier) knew of this custom that he should have communicated it to the prisoner. There is no reason to suppose that if used externally, as the prisoner says she did use it, it would be productive of any injurious effects; so that there was no reason to suspect on that ground the truth of the statement that the prisoner had made. No doubt we have medical gentlemen coming here and shaking their heads and looking wise, and saying that such a use of arsenic would be a dangerous procedure.

Well, so should we all say that it is both a dangerous and foolish procedure. But that is not the question. The question is, whether the prisoner could actually so use it without injurious effects, and that she could do so is demonstrated by the experiment of Dr. Laurie and by the opinion of Dr. Maclagan. Gentlemen, my learned friend the Lord Advocate said that great as was the courage that the unhappy prisoner displayed when charged with the crime, that demeanour was not inconsistent with the theory of her guilt. He said that a woman who had nerve to commit the murder would have nerve calmly to meet the accusation. I doubt that hypothesis. Gentlemen, I know of no cause in which such undaunted courage has been displayed, from first to last, by so young a girl, confronted with such a charge, where that girl was guilty. But, gentlemen, our experience does furnish us with examples of as grave a bearing in so young a girl when innocent. Do you know the story of Eliza Fenwick? She was a servant girl in London. She was tried on the charge of poisoning her master and family by putting arsenic into dumplings. When the charge was first made she met it with a calm and indignant denial; she maintained the same demeanour throughout a long trial; and she received sentence of death without moving a muscle. According to the statement of a bystander, when brought upon the scaffold to die, she looked serene as an angel, and she died as she had borne herself throughout the previous stages of her sad tragedy. It was an execution which attracted much attention at the time. Opinion was much divided as to the propriety of the verdict, and the angry disputants wrangled even over her grave. But time brought the light which was wanting before; the true perpetrator of the murder confessed on his death-bed—too late to avoid the enacting of a most bloody tragedy. That case, gentlemen, is now matter of history. It happened at a time beyond the recollection of most of the gentlemen whom I now address; but it is on record—a flaming beacon to warn us against the sunken rocks of that presumptuous arrogance and opinionated self-reliance hidden in the cold and proud human heart; it teaches us, by terrible example, to avoid confounding suspicion with proof, and to reject conjectures and hints when tendered as demonstration. I fear, gentlemen, that this was not a solitary case; either the recollection or reading of any of us may recall similar cases where, after execution, the judgment was proved wrong which had doomed a fellow-creature to die. I pray God that neither you nor I may in any degree be guilty of adding another name to that black and bloody calendar. The Dean of Faculty, in an eloquent peroration, called upon the jury not rashly to tear asunder the veil of mystery in which Providence had wrapped this case, and said, so assured did he feel of what the verdict ought to be, and so personal an interest did he feel in the result, that, should there be a miscarriage of justice in this case, he should be able to attribute it to nothing but his own inability to conduct the defence, and the recollection of this day and of this prisoner would haunt him as a dismal spectre to his grave. May, he said, the Spirit of all Truth guide you to an honest, just, and true verdict! but I pray you to remember that no verdict will be either honest or just or true unless it at once satisfies the conscientious scruples of the severest judgment, and yet leaves undisturbed and unvexed the tenderest consciences among you.

A burst of applause followed the conclusion of the learned counsel's speech.

The Lord Justice Clerk then charged the jury. He said that the crime of murder by poisoning was one almost always secretly committed, and two cases only, he believed, had been known in this country in which any one had seen the admixture or the administration of the poison. It was a crime which generally must be proved by circumstantial evidence alone; but they must on the other hand take care that the circumstantial evidence was such as excluded the possibility either of innocence on the one hand, or of unexplained mystery on the other, and they must not allow any defect in the evidence to be supplied by suspicion, still less by presumptions arising from any probabilities in the

case. They must be satisfied that the parties were together when the poison was said to be administered. They must be satisfied that there was a purpose to administer poison, and that the accused had the poison in her possession; and, further, that it was administered on the particular occasion and in the circumstances set forth in the indictment. It was unnecessary for the prisoner's counsel so solemnly to abjure them not to quench a doubt in order to arrive at a verdict of guilty, for he was sure that if the result of their deliberations should be to pronounce a verdict of guilty, it would only be wrung from them by the most powerful and conclusive evidence. Though they might not be satisfied with any of the theories propounded in behalf of the prisoner, though they might not be inclined to adopt any of those notions as to the deceased taking laudanum twice in the course of the journey, as to his being in the habit of taking arsenic, or as to her using it as a cosmetic, though all these matters might fail in her defence, yet the case for the prosecution might still be radically defective on the evidence. His Lordship then went into the evidence, commenting on it as he proceeded. He referred to the fact that the deceased had his first illness some days at least before the prisoner was proved to possess any arsenic, and said it would not do to infer from her having purchased arsenic afterwards that she had it before. That would be a serious and violent presumption against the prisoner indeed. In reference to Mrs. Jenkins's evidence, he referred to L'Angelier's remark to the latter, that "it was the letter you sent me that brought me home," by which the supposition as to his having come to see Mr. Mitchell was excluded In regard to the deceased's second illness of the 22nd of February, he said that if there was no proof (and they would see what light the correspondence threw on that subject by and by) that the prisoner had the opportunity of administering arsenic, there was much force in the remark that the foundations of this case were shaken. His Lordship then remarked on L'Angelier's repeating, even in his last illness, that it was bile, was of importance as showing whether or not he had any suspicion of having received anything to injure him. His Lordship next adverted to the letter the deceased received at the Bridge of Allan, which said, "Come, beloved, and clasp me to your heart," plainly implying that the former and missing letter made arrangements for an interview within the house. As to whether the deceased had gone to seek the prisoner on the Sunday night, they would, perhaps, think the probability was that he had done so. Whether he succeeded in finding her was another question. Suppose that letter brought him to Glasgow, were they in a condition to say they were satisfied in their consciences, as an inevitable and just result from the evidence in the case, that they really met that night? That was the real point in the case. That they might have a strong moral suspicion in the matter—that they might believe he was well able, after all their clandestine correspondence, to obtain the means of an interview —that as she had complained of his not coming on the Thursday, she "waited and waited" for him not only on the Saturday but on the Sunday evening—that might be all very true. Probably they all thought so; but they were trying a case of which the evidence must be satisfactory, complete, and distinct. A jury might often safely infer certain facts from correspondence, they might safely infer that meetings appointed to take place did take place, but it was for them to say here whether, it not having been proved that he was in the house that night by any one, they could hold that link in the chain was supplied by just and satisfactory inference. If they merely felt in their own minds a strong suspicion, or that the whole probabilities of the case were in favour of it, it was not enough, for if that was all they could derive from inference in that matter, then a link remained still wanting; the catastrophe and its alleged cause were not found together. His Lordship proceeded to read further portions of the evidence, remarking, that whether or not the prosecutor's case had been made out, the theories urged in defence were of the most unsatisfactory kind; but

they could not from that supply any defect, if defect there existed, in the prosecutor's proof.

His LORDSHIP had gone nearly half through the parole evidence when the court adjourned till the next morning at 9 o'clock.

NINTH DAY—THURSDAY, JULY 9.

The Court met this morning at nine o'clock, when The LORD JUSTICE CLERK proceeded with his charge to the jury. Commenting on the evidence of the female servants, he observed, that a material part of this evidence was, that it showed that on one occasion an interview took place between prisoner and deceased in the house, and that there were ample facilities for the prisoner admitting L'Angelier to the house, if she wished it, without any one in the house knowing it; so that if there was evidence otherwise sufficient to satisfy the jury that he went to the house on the night of Sunday, 22nd of March, there was nothing in the fact that he was not heard. On this point there was also the fact that the prisoner got out of the house on the Thursday morning without this being known to any one. As to the story about using the arsenic as a cosmetic, he confessed he looked on it as a false pretence altogether, and an excuse for the possession of the arsenic; this story, therefore, was not of the slightest importance at all. There was no doubt that on the night of the 22nd, after his return from Bridge of Allan, he went out in the direction of the pannel's house. Reverting again to the probability of an interview between the prisoner and deceased on Sunday, his Lordship remarked that as she had waited for him one night according to appointment, and another night after that, and then wrote another letter, imploring him in terms professing strong passion for him, to come and clasp her to his heart, it would not be wonderful if she expected that he would come on the Sunday night, though the appointment was for Saturday night. Coming next to Miss Perry's evidence, he remarked on the fact that L'Angelier had said to her, that on two occasions before he took ill he had got coffee or cocoa and chocolate from the pannel. They had no proof that the pannel had arsenic in her possession on the 19th February, and there was no evidence of any meeting on the 19th, except what was drawn from the letter, the date of which the Lord Advocate fixed for the Wednesday. But here was a statement by the dead man, good and competent evidence; and the jury must judge of the weight of it. He mentioned at Portobello, that he was ill after getting coffee and cocoa, and that he thought he had been poisoned, and again to Miss Perry he said, "I can't think why I was so unwell after getting that coffee and chocolate from her." This most unquestionably referred to two different illnesses, each following the getting of coffee and cocoa or chocolate from the prisoner. The jury must judge whether this conversation with Miss Perry was of importance. She did not interrogate him on the subject, and she seemed very properly to wish to banish the thought from his mind. Still this was said in earnest, and Miss Perry stated on oath that she thought he entertained some suspicion of the pannel, though not a serious suspicion. It was true that Miss Perry knew the intimacy between the two parties was clandestine; that was strange conduct of a person of her respectability and of her age; but sometimes they would find that ladies at her time of life had a good deal of absurd sentimentality about them, and this lady seems to have had considerable pleasure in being the confidant of the attachment between these two young persons. It might be

explained in this way; but he did not think it could be doubted that she was a truthful witness. The jury must, however, consider whether all this amounted to more than to give rise in their minds to very great suspicion, which might not warrant them in coming to a conclusion that he did get poison. They must remember that though he was ill on these occasions, and seemed to ascribe it to cocoa, there was no proof that the attack was really caused by arsenic, on either of these two occasions. The symptoms corresponded with those of irritant poison, no doubt, but then they might also be the symptoms of bilious attack; and the jury must consider whether they were warranted in confiding in his statements, however strongly made, to Miss Perry, that these attacks arose from some poisonous substance, it did not signify what. Prisoner bought arsenic on the 21st of February, before the second illness, and therefore the fact of her possessing it on that occasion, of course gave much greater strength and point to his remark, that he did receive something which had made him ill on the 27th February. As to the evidence for the defence, that he had on one occasion threatened to throw himself from a window in the Rainbow Tavern, his Lordship observed that, as the witness was in bed at the time, the deceased had ample opportunity to have thrown himself over, if he had been so inclined, before the witness could have interfered; and the jury would consider whether, when going about the room in an excited state, he had only thrown open the window to get some air. As to the other stories, that he would drown himself if he were jilted, they did not amount to much, when it was known that on one occasion he had been jilted and had not drowned himself. He also treated the story as to giving arsenic to horses on a journey in France as very unimportant; it was nonsense to say that it made them long-winded if only given to them once, because it was only the constant use of it which could produce that effect. Altogether, he did not see the importance or materiality of this evidence. It was brought to support the notion that he poisoned himself with arsenic; but if he was in the habit of taking it in small quantities, he knew its qualities, and therefore this did not aid the notion that he took an immense quantity on the 22nd March for the purpose of destroying himself. No doubt the prisoner was not bound to prove that he poisoned himself—it was enough for her to satisfy them that there was not evidence to bring home to her the guilt of poisoning him; but it was a hazardous thing to set up in defence that L'Angelier went out that night carrying such a quantity of arsenic in his pocket, and that he swallowed it how, where, or when no human being could conceive. And therefore he thought the case stood far better for the prisoner on her real plea, that the guilt was not brought home to her, which was truly the matter at issue. Probably the jury would hold that the notion of his having poisoned himself was in reality groundless, and did not strengthen the case. Proceeding to the evidence of the druggists at Coatbridge and Baillieston, he remarked that they had against that, Mr. Ross's evidence that he walked with him all the way to Glasgow, that he never complained of being ill, and that he had not gone into any shop on the way. There must, he thought, be a mistake on the part of these people as to this being L'Angelier at all. It must also be remembered that he went home and took tea, and never complained that anything was wrong with him. As to the evidence that he bought a white powder in Kirk's shop, Gallowgate, his Lordship said it was not even suggested that this was arsenic; if it was arsenic she was bound to write it down; and he did not think the jury could believe that he bought arsenic there just after he left Ross, and before he saw the pannel, or knew what answer he would get from her. The witness Kirk identified L'Angelier's purse as that from which he had taken the money to pay for the powder; but it was very probable, his Lordship thought, that some of the jury might have a purse in their pockets exactly like it. As to the third letter put in for the defence, written by the prisoner to L'Angelier, denying that the

conversation of young ladies at school had reference to certain subjects, his Lordship remarked that this seemed to have been written in reply to some complaint by L'Angelier as to the impropriety of her conversation, and with the view of correcting her faults. As to the evidence with regard to the arsenic kept in great chemical works, he observed that there was no evidence that L'Angelier was ever seen about these works at all. Alluding to Dr. Laurie's experiments with arsenic, he observed that in these experiments the hands and face were immediately afterwards washed with cold water, which might prevent any irritation, but if it was so used in this case, what effect could it have as a cosmetic? His Lordship next directed attention to the correspondence. On this point he observed—The Lord Advocate states his theory of the case thus: the pannel became acquainted with L'Angelier, the acquaintance went on very rapidly, and ended in an engagement; they corresponded frequently and clandestinely; on the 6th May, 1856, he got possession of her person; the engagement was discontinued once or twice; the letters continued on her part in the same terms of passionate love for a very considerable time—I say passionate love, because unhappily they are written without any sense of decency, and in most licentious terms. After a certain time Mr. Minnoch's attentions to the girl became very marked; she saw there was no chance of of marrying L'Angelier even if she continued to like him sufficiently; but the other was certainly a most desirable marriage for her to make. The Lord Advocate says that her object then was to extricate herself from the position which she was in; that she first makes an appeal to L'Angelier to give up her letters; she writes then very coldly; and says the attachment has ceased on her part, and she thinks on his part also. Certainly there was no reason to suppose that, though he frequently blamed her conduct; but that is what she states. The Lord Advocate says that by these cold letters she was trying to make him give her up and to give up her letters. She failed in that. The Lord Advocate says that then she proceeded to write in as warm terms as ever, and to talk of their embraces as she had done before. She does now succeed in that tone, and then she receives him, as he says must be inferred and is proved, into her house for the purpose of succeeding in this. She has to leave Glasgow, and he too has to go to Edinburgh. She returns, and she understands that he returned, and she writes letters for the purpose of having interviews with him. The Lord Advocate says that on the former occasions when she failed in getting the letters, out of resentment she had administered the poison to him on the 19th and 22nd; and, aware that no allurements, or enticements or fascinations from her would get the letter from him, she had prepared for the interview which she had expected on the 22nd of March, by another purchase of arsenic, and with the intention to poison him. The Lord Advocate's theory and statement is, that the interview having taken place, she did accordingly administer that dose of arsenic from which, howsoever administered, he died. All this, on the other hand, is treated as a totally incredible supposition by the counsel for the prisoner. It is said that she could not have had such a purpose—that it is something too monstrous to believe or inquire into even. Gentlemen, it is very difficult to say what might not occur to the exasperated feelings of a female who had been placed in the situation in which this woman was placed. And there it is that the correspondence comes to be of much importance in ascertaining what sort of feelings this girl cherished, what state of mind and disposition she was in, and whether there is any trace of moral sense or propriety to be found in her letters, or whether they do or do not exhibit such a degree of ill-regulated, disorderly, distempered, licentious feelings, as to show that this is not a person quite capable of cherishing any object to avoid disgrace and exposure, and to cherish any revenge which such treatment might excite in the mind of a woman driven nearly to madness, as she says she was. I shall not read many of these letters,

but there are some characteristics of the character of the pannel, to show her mind and feelings, which I think it is of importance to place before you, as showing the progress of this attachment and the manner in which it was carried on. It is very curious that the first letter is written by her; and then he replied as you might expect a young man of his temperament to do. His Lordship then read one of the letters, remarking that it seemed that the girl's ill-regulated passions broke out months before any sensual intercourse had taken place; the expressions used in that and following letters were most singular as passing between two unmarried people. We heard, said his Lordship, a great deal said by the Dean of Faculty as to the character of this pannel; we have no evidence on the subject except what these letters exhibit, and no witness to character was brought; but certainly these letters show as extraordinary a frame of mind and of passion as perhaps ever appeared in a court of justice. Can you be surprised, after such letters as those of the 29th April and 3rd May, that on the 6th of May, three days afterwards, he got possession of her person? On the 7th of May she writes again, and in that letter is there the slightest appearance of grief or of remorse? None whatever. It is the letter of a girl rejoicing in what had passed, and alluding to it in one passage in particular in terms which I will not read, for perhaps they were never previously committed to paper as having passed between a man and a woman. What passed must have passed out of doors, not in the house, and she talks of it as hers as much as his. His Lordship here read the letter, and observed, this is a letter from a girl, written at 5 in the morning, just after she had submitted to his embraces; can you conceive or picture any worse state of mind than this letter exhibits? In other letters she uses the word "love" underscored, showing clearly what she meant by it; and in one letter she uses the most disgusting and revolting language, exhibiting a state of mind most lamentable to think of. After reading several other letters, his Lordship came to those of February, 1857, as to which he observed that it was plain she was then playing a part. She had been writing to "My dearest William"—referring to Mr. Minnoch—talking of the happiness of her expected marriage with him. As to the last letter, which brought L'Angelier from the Bridge of Allan, she said it was written to inform him of the engagement to Mr. Minnoch; but how strange that she should not say a word about it. He remarked on the fact that in the letter in which the prisoner said she would give him a loaf of bread the next time he came, she said she would give him it before he went "out"—showing thar it was intended he should be let into the house. His Lordship observed that there could be no doubt that it was the prisoner's letter which brought L'Angelier from the Bridge of Allan, and he then proceeded—In ordinary matters of life, after that, you could not have any hesitation in coming to the conclusion that they did meet accordingly. But that becomes a very serious question in a case where that meeting is supposed to end in the administration of poison, and death follows. That may be a very natural inference, that looking at the thing morally, no one can doubt that he went to see her, and would see her that night, for she had no difficulty in making arrangements to see him, and if she waited second night after the first letter it would not be surprising that she should look out for an interview on the second night after the second letter.

The Dean of Faculty.—She did not wait the second night after the first letter. She waited only one night.

The Lord Justice Clerk.—I am sure the jury understood what I meant.

The Dean.—It is the turning point of the case, because the slightest difference of expression may occasion a different meaning.

The Lord Justice Clerk.—She says:—"I shall wait again to-morrow night, same hour and arrangement." And I say there is no doubt, but it is a matter for the jury to consider, that after writing this letter she should wait another night—that is the observation I made. And therefore it was very

natural that he should go to see her that Sunday night. But, as I said to you, that is an inference only. If you think it seemed a just and satisfactory inference—that you can rest your verdict upon it—it is quite competent for you to draw such an inference from such letters as these, and from the conduct of the man coming to Glasgow for the purpose of seeing her—for it is plain that that was his object in coming to Glasgow. It is sufficiently proved that he went out immediately after he got tea, and had changed his coat. But then, gentlemen, in showing an inference, you must always look to the important character of the inference which you are asked to allow. If this had been an appointment about business, and you found that a man came to Glasgow for the purpose of seeing another upon business, and he went out for that purpose, having no other object in coming to Glasgow, you would probably scout the notion of a person saying I never saw or heard of him that day that he came; but what you are asked to draw is this—the inference that they met upon that night, where the fact of their meeting is the foundation of a charge of murder. You therefore must feel that the grounds of drawing an inference in the ordinary matters of civil business, or the actual intercourse of mutual friends, is one thing, and the inference from the fact that he came to Glasgow, that they did meet, and that therefore the poison was administered to him by her at that time, is another, and a most enormous jump in the category of inferences. Now, the question for you to put to yourselves is this—can you now, with satisfaction to your own minds, come to the conclusion that they did meet on that occasion, the result being, and the object of coming to that result being, to fix down upon her the administration of the arsenic by which he died? Now then, gentlemen, let us take the three charges in the indictment. The first charge is, that she administered poison on the 19th or 20th February, 1857. Can you come to the conclusion, on the evidence of Miss Perry and others, that he did see her on that occasion? She was not proved to have had arsenic or any other poison in her possession; and what I attach very great importance to is, that there is no medical testimony, by analysis of the matter vomited, that that illness did proceed from the administration of arsenic. If the doctor had examined the matter vomited, and said that there was certainly arsenic here, I am afraid the case would have been very strong against her as having given him coffee or something immediately before his illness on that occasion. But it is not proved that the illness arose from the administration of poison; arsenic she had not, and there is no proof of her having possessed anything deleterious. Therefore I have no hesitation in telling you that that charge has failed. He had twice before been seized with illnesses of this description, which were not alleged to have been caused by arsenic. And therefore I have no hesitation in telling you that I think that charge has failed. I think it my duty to tell you, as a Judge, that on that charge you find her not guilty. But we are in a very different situation as to the illness of the 22nd and 23rd of March. In one respect it is not proved to be from the administration of any deleterious substance, and perhaps you may think it safer not to hold in such a case as that, that it was the result of the administration of arsenic or any poisonous substance. But what would connect the prisoner with that is I think much stronger—that is to say, connect her with a meeting with him that night. If you should think you can acquit her of the first, and that there is too much doubt to find the second proved, why then you will observe how much that weakens all the theories that may be raised in the correspondence of a purpose and a desire of revenge or something rising from the change of tone, and a desire to allure him again to her embraces and fascinations, which cannot be accounted for excepting on the supposition. In that view undoubtedly the foundation of the case is very much shaken, and will not lead you to suppose that the purpose of murder was cherished on the 22nd. Then as to that charge of murder, gentlemen, the points for you to

consider are surrounded as the pannel is with grave suspicion, everything seems to militate against the notion of innocence upon any theory that has been propounded to you. Still, are you prepared to say that you find an interview proved against her with the deceased on the night of the 22nd March? She had arsenic before the illness of the 22nd February, and I think you will consider that all the excuses which she made about having arsenic are just as groundless as those which she stated to the apothecaries. She bought arsenic again on the 6th, and certainly it is a very odd thing that she should buy more arsenic after she came back to Glasgow on the 18th of March. For unless you are to take the account, to be sure, that she used it as a cosmetic, she has it before the 22nd, and that is a dreadful fact if you are quite satisfied that she did not get it and use it for the purpose of washing her hands and face. It may create the greatest reluctance in your mind to take this view of the matter, that she was guilty of administering it somehow, though the place where may not be made out, or the precise time of the interview. But on the other hand, you must keep in view that arsenic could only be administered by her if an interview took place with L'Angelier, and that view, though it may be the result of an inference that may satisfy you morally that it did take place, still rests upon an inference alone, and that inference is to be the ground, and must be the ground, on which a verdict of guilty is to rest. Gentlemen, you will see, therefore, the necessity of great caution and jealousy in dealing with any inference which you may draw from this. You may be perfectly satisfied that L'Angelier did not commit suicide; and of course it is necessary for you to be satisfied of that before you could find that anybody administered to him. Probably, though none of you may think for a moment that he did go out that night, and that without seeing her and without knowing what she wanted to see him about, if they had met, that he was to swallow above 200 grains of arsenic on the street, and that he was carrying it about with him—probably you will discard that altogether, though it is very important, no doubt, if you come to the conclusion that he did not swallow arsenic; yet, on the other hand, gentlemen, keep in view that that will not of itself establish that the prisoner administered it. The matter may have remained most mysterious—wholly unexplained. You may not be able to account for it on any other supposition, but still that supposition or inference may not be a ground on which you can safely and satisfactorily rest your verdict against the pannel. Now, then, gentlemen, I leave you to consider the case with reference to the views that are raised upon this correspondence. I don't think you will consider it so unlikely as was supposed, that this girl after writing such letters, may have been capable of cherishing such a purpose. But still, although you may take such a view of her character, it is but a supposition that she cherished this murderous purpose —the last conclusion of course that you ought to come to merely on supposition, and inference, and observation upon this varying and wavering correspondence of a girl in the circumstances in which she was placed. It receives more importance, no doubt, when you find the purchase of arsenic just before she expected, or just at the time she expected L'Angelier. But still these are but suppositions—these are but suspicions. Now, the great and invaluable use of a jury, after they direct their attention seriously to the case with the attention you have done, is to separate firmly—firmly and clearly in your own minds, suspicions from evidence. I don't say that inferences may not competently be drawn; but I have already warned you about inferences in the ordinary matters of civil life, and such a case as this; and therefore if you can't say we satisfactorily find here evidence of this meeting, and that the poison must have been administered by her at any meeting, whatever may be your suspicion, however heavy the weight and load of suspicion is against her, and however you may have to struggle to get rid of it, you perform your best and bounden duty as a jury to separate suspicion from truth, and to proceed upon nothing that you

don't find established in evidence against her. I am quite satisfied that whatever verdict you may give, after the attention which you have bestowed upon this case, will be the best approximation to truth at which we could arrive. But let me say, also, on the other hand, as I said at the outset, that of the evidence you are the best judges, not only in point of law, but in point of fact, and you may be perfectly confident that if you return a verdict, you need not fear any consequences from any future, or imagined, or fancied discovery. You have done your duty under your oaths under God, and to your country, and may feel satisfied that remorse you never can have.

Throughout the Lord Justice Clerk's address the prisoner appeared to preserve her usual demeanour.

The jury retired about ten minutes after one o'clock, immediately upon which the audience in Court fell into keen excitement and discussion. About five minutes after the retirement a bell rung, which was at first thought to be the signal from the jury that they were ready with their verdict, and a deep thrill of anxiety was visible throughout the Court—although the prisoner only slightly turned her head for a moment. During the whole of the remaining period for which the jury were absent she showed no particular symptoms of agitation—although, about thirty-five minutes past one, a second bell, which proved to be that of the judges, caused a repetition of the same scenes.

At thirty-two minutes past one the jury bell rung, and they entered the box three minutes afterwards. The prisoner still gave no symptoms of emotion.

The Lord Justice Clerk intimated that it must be understood that there must be no expression of feeling by the audience, whatever the verdict.

Even at this momentous hour Miss Smith's composure appeared to be but slightly affected; occasionally she compressed her lips firmly together, and a slight tremor which crept over her, was scarcely perceptible to those close beside her.

The names of the jury having been called, Mr. Moffat of the High School was announced as Chancellor, and read the verdict as follows:—

In regard to the first charge, the jury, by a majority, find a verdict of Not Guilty.

In regard to the second charge, the jury find, by a majority, a verdict of Not Proven.

In regard to the third charge (the charge of murder), the jury, by a majority, find a verdict of Not Proven.

Whilst the Chancellor was reading the verdict, the prisoner gazed at the jury steadily, but with no signs of agitation, and when the verdict of Not Proven on the third charge was pronounced, her head slightly fell, her face broke into a bright but somewhat agitated smile, and her hand was warmly grasped by her agent, Mr. Ranken, on one side, and the jail matron on the other—expressions of sympathy which seemed to affect her more deeply than any incident of the nine days' trial.

This announcement, notwithstanding the warning of the bench, elicited loud and prolonged cheering from the crowded Court, and the news being immediately passed on to the concourse outside in Parliament Square, the cheering was echoed back. The scene inside the Court was almost amusing. In vain the judges scowled—in vain the macers and officers of the Court shouted silence, with all the pompous austerity of petty officialism, still the pent-up feelings of the crowd continued to find relief in noisy applause; and it was not until the Lord Justice Clerk had ordered an unlucky individual who had caught his eye to be taken into custody that order was restored. The nature of the verdict appeared to produce little or no effect on the accused. She merely shifted her position slightly, re-arranged her cloak, which appeared to have partly fallen unheeded from her shoulders in the suspense of the moment, and settled herself more comfortably in the seat which she had occupied during the previous days of the trial.

The Lord Justice Clerk, addressing the jury, said he had to thank them, not only on the part of the Court, but on that of the country, for the great patience and deliberate attention which they had bestowed upon the case; and expressed his own concurrence and that of the Court in the verdict at which they had arrived. He was glad to say that the Court were of opinion that they could, in consequence of the long service the jury had undergone on this trial, relieve them from serving as jurors for five years. This course had been followed in the trial of the cotton spinners, which had lasted for nearly as long a period; and this had been one of so anxious a character, that the Court thought it right to repeat the exemption. His Lordship also expressed his satisfaction at having been associated with them in this case, for he had never seen greater patience or intelligence displayed by any jury.

The prisoner was then dismissed from the bar, and was cheered as she descended the stair leading to the cells beneath the court.

A bewildered individual, who had been taken into custody for cheering in the galleries, was then brought before the Court.

The Lord Justice Clerk said that, for the very indecent exhibition of which he had been guilty, under the very eye of the Court, they had intended to send him at once to prison; but he seemed to be such a foolish-looking person, and as he had been joined in his indecent behaviour by so many others, the Court did not think him fit to be dealt so with, and he was accordingly dismissed, amid the loud laughter of the whole assemblage, in which their Lordships could not help joining.—The Court then adjourned.

Extracted from the "Times."

If romance and mystery can insure remembrance, the terrrible case which was yesterday concluded at Edinburgh will have an abiding place in the annals of criminal justice. Madeleine Smith has, after nine days' trial, been acquitted, and goes forth again free into the world. On the first charge of attempt to poison she has been found "Not Guilty," while the second charge to the same effect and the actual murder have been declared "Not Proven." The death of Pierre Emile L'Angelier is pronounced by the jury to be a mystery, which the evidence brought before them was unable to solve. Thus ends the case! Human justice acknowledges itself baffled, and ceases its attempt to unveil what perhaps is for ever destined to be hidden.

The last few years have certainly been a period full of startling crimes. The old times of want and discontent in these islands were, no doubt, prolific of much murdering and riot, arson and forgery; but the offences of our own day seem to have no connexion with any public disorder. They are isolated tragedies, in which the hunger after gain or the thirst of blood has alone prompted the murderer. There was nothing in the example of the world about them which should urge Rush to his vengeance and the Mannings to their treacherous design, which should tempt Palmer and his miserable imitator Dove to destroy those most closely connected with them by blood and friendship.

Similarly unaccountable have been the crimes committed of late by women. While it is admitted on all hands that never at any former period were domestic manners so unexceptionable, we are shocked with the continual recurrence of attempts by women against the lives of husbands, paramours, and children. Poisoning especially has become almost a domestic institution. The friendly arsenic has always been ready in the cottage of the peasant or in the lodging of the mechanic, to rid the impatient wife of a tiresome husband, or the thrifty housewife of parents, or relations, who have become a burden. So, when it was announced that in a higher rank of life a similar crime had been committed, there was interest and excitement, but without surprise. Scotland has been for nearly four months occupied with Miss Madeleine Smith and her lover, and, though there is still sufficient distinction between the two countries to give a Scotch case some difficulty in achieving an English reputation, yet since the commencement of the actual trial the interest of the South has not been less than that which prevailed beyond the Tweed. And well it might be so, for never were the chances of condemnation and escape so evenly balanced. A Scottish jury decides by a majority, and the majority has declared that the evidence is not sufficient to prove the prisoner guilty. But to the last there were many who believed that the opinion held by the minority would prevail, and that the unhappy girl would suffer the penalty of the crime alleged against her.

The dead man L'Angelier is not one whose fate there is any need to commiserate. His conduct to one who had been his victim was base and unmanly in the last degree, and can only be excused on the ground stated by the Lord Advocate—that, by the law of Scotland, an irregular marriage might be held to have taken place, and that L'Angelier had a right to consider Madeleine Smith as his wife, and to prohibit her union with another man. It appears that the prisoner left her Clapton boarding-school in 1853, when she was only 17 years old, and that within two years of that time she met the deceased, said to be a native of Jersey, and at that time in the employment of a Glasgow warehouseman, at a salary of 8*s*. or 10*s*. a-week with his board and lodging. L'Angelier paid his addresses, which were well received by the young lady but forbidden by her parents, who doubtless thought his position and prospects not such as would entitle him to ask their daughter's hand. Months passed, however, and the intimacy of the pair continued. Madeleine slept on the ground floor, and used to receive the visits of her lover first at the window, and then in the room itself. In the spring of 1856 we find from her letters that she had been seduced by L'Angelier, and from that time to the close of the year she writes to him almost daily in the wild style with which the readers of the trial are familiar. By the beginning of the present year, however, her passion had cooled. A Mr. Minnoch had proposed in all innocence to her, and in spite of stolen interviews and boarding-school heroics, she thought it better to have a solid Glasgow man of business than a French clerk on 30*l*. a year, who boasted to everybody of his successes with women in general, and herself in particular.

But L'Angelier had no notion of giving her up. He did not, it appears,

insist on her marrying him, but he would not allow her to marry any one else. It was in vain that she wrote to him that their love had mutually grown cold, and that they had better forget each other. Emile would show her letters to her father and to Mr. Minnoch if the match were not at once broken off. This was the motive for the crime alleged by the prosecution. Under the threats of the Frenchman, Madeleine is obliged to write back that the affair with Mr. Minnoch is a false report. She seems desirous to get L'Angelier away, so that her marriage might take place before he could prevent it. L'Angelier, however, remains, and persists in his threats. On the 9th of February she is distracted with terror. She implores him not to bring her to open shame, and solemnly declares that she has no other engagement—having, however, promised her hand to Mr. Minnoch on the 28th of the previous month. Dates now become of importance. The prisoner for some reason or other, feigns a renewal of her attachment for L'Angelier. She wishes to bring him back to her ; the prosecution say, that she may poison him—she says that she might coax him to give back the letters. On February 17th he dines with Miss Perry. He tells her that he is to see Miss Smith on the 19th. We know not if he did see her on that day, but we know from the testimony of his landlady, that on that night he was seized with sudden illness—as men are ill from arsenic. That the prisoner administered poison on this 19th of February, is the first charge of which she was found Not Guilty. Every Glasgow chemist's books were searched, and no purchase of arsenic was proved prior to the 19th, so that with respect to this first day there was sufficient doubt to justify a verdict of full acquittal. But on the 21st Madeleine purchases arsenic at the shop of Mr. Murdoch. She signs her name as required by the Act of Parliament, and not only gives her real address, but has the dose, value sixpence only, put down to her father's account. Miss Smith explains the purchase by stating that she used arsenic as a cosmetic, by dissolving it in the water with which she washed, a process respecting which scientific opinions are divided. However, L'Angelier is ill again on the night of the 22nd, but recovers a second time. Time passes on, and we must conclude there are more negotiations for the surrender of the letters, for Miss Smith still keeps on her engagement with Mr. Minnoch. On March 6th she again buys arsenic—to poison rats or improve her complexion, according to her various accounts—and this time it is in company with Miss Buchanan, a young lady from the Clapton school. L'Angelier goes to Bridge of Allan to recruit his health, and not to the Isle of Wight, 500 miles off, as his mistress advises him. There he writes her a letter, saying he believes that she is going to marry Mr. Minnoch, and demands direct answers to several questions on the subject. He is proved to be anxious for a letter in answer to this last missive; when he receives it he returns in perfect health. He comes home in the highest spirits, and says the letter has brought him back. On the 22nd of March he goes out a little before 9 o'clock. He is seen sauntering along in the neighbourhood of Blythswood-square about 20 minutes past 9. About half past 9 he makes a call on a friend, who is not at home. Then we lose sight of him for two or three hours. He had gone out to see the prisoner, having come back all the way

from Bridge of Allan for the interview; he had reached the neighbourhood of the prisoner's residence—the question is,—Did they meet? The prisoner says no; that the interview was for Saturday, not Sunday. The prosecution asserts that they did. At all events L'Angelier is found four hours afterwards in agonies at his own door. He is doubled up speechless, and has not strength to turn the latchkey. He dies—and dies of arsenic. The prosecution aver that he is poisoned by the prisoner; she declares her innocence, and suggests that he must have done it himself in a fit of jealousy. Evidence is adduced that he was vain, foolish, and extravagant, always talking of love affairs, and threatening suicide when he was disappointed.

This is all the light that can be thrown on the terrible occurrence. That the jury should declare the crime Not Proven is hardly surprising; for the circumstances are as mysterious as any that have ever been related in a court of justice. If, on the one hand, the prisoner purchases arsenic, and thinks of her complexion for the first time when she is distracted with terror respecting her good name, on the other hand she buys it so openly that a juryman might well think her conduct incompatible with a murderous intention. In her first letter, after the purchase of arsenic in February, she tells her lover that "I am taking some stuff to bring back the colour." Of course, the prosecution look upon this as a proof of consummate cunning; the defence declare it to be a corroboration of the prisoner's statement. If L'Angelier indeed poisoned himself he must have been the most extraordinary of men; for he not only makes two unsuccessful attempts, and goes to the country for his health afterwards, but he relates how he was made ill by his paramour's chocolate, says jokingly he would forgive her if even she were to poison him, and a month afterwards, just before he is supposed to poison himself, he tells his friends he is going to Blythswood-square, and actually loiters in the neighbourhood for the purpose of making the world believe he is poisoned there. Was L'Angelier likely to commit self-murder, and in such a manner as wilfully to bring on Madeleine Smith the suspicion of the deed? These questions are now beyond human investigation. The jury by their verdict have declared their inability to decide. In this verdict we must concur; yet we see no reason for the cheering and the manifestation of joy which greeted it. Madeleine Smith goes forth free from the penalties of the law—and that is all.