

DR. PRESTON COMMITTED ON CHARGE OF MURDER.

Sent Up for Trial in January Before Chief Justice Tuck—H. D. Camp Refuses to Give Incriminating Evidence.

The preliminary hearing of the case against Dr. Edward A. Preston, indicted for the murder of Edith E. Clarke, was concluded before Magistrate Ritchie in the police court Friday afternoon, and the prisoner committed for trial.

The case will be tried at the next sitting of the circuit court, which opens on the 2nd of January, before Chief Justice Tuck.

The solicitor general sprang a surprise yesterday morning by asking that Howard D. Camp, who was included in the verdict of the coroner's jury as having been a contributory party to the death of Miss Clarke, be called to testify in the case against Dr. Preston.

Dr. A. W. Macrae, who appeared on behalf of Camp, objected, that his client, who was under arrest charged with complicity in this case, could not be compelled to testify. He supported his position with authorities, but the magistrate ruled that as he was not indicted with Dr. Preston, he could properly be called as a witness.

Camp, however, refused to answer most of the questions put to him by the solicitor general, and he was ordered to give evidence on the next day, but he had been engaged to Miss Clarke, and said that he knew Dr. Preston, and had been in the office. Beyond these facts his testimony did not go.

The court room was crowded, as on the previous sessions. The solicitor general conducted the prosecution. The prisoner, Dr. Preston, was represented by Scott E. Scammell and B. L. Gerow. Dr. A. W. Macrae appeared on behalf of Howard D. Camp.

Dr. Robert and Dr. Scammell were recalled and when an attempt was made by the crown to place Howard Camp (a prisoner in the case) on the stand it was met with a strong objection by Dr. Macrae, Camp's counsel, who, in his remarks, intimated that Dr. Scammell and Dr. Robert were guilty of concealing a crime.

Dr. Robert was recalled and Mr. Gerow resumed the examination. The witness told of how he had prepared for the operation using the usual methods and precautions. He first found that septicaemia had set in on Saturday night, about eleven o'clock. The symptoms of pneumonia were similar to septicaemia. It was about twelve hours after this discovery that he performed the operation. He thought it safe to go for twelve hours after his discovery of pneumonia, as it was the time of performing the operation, as the patient had to be gotten ready for the operation. The preparatory work was going on all night. The operation could have been performed at once on the discovery of the blood poisoning, but not properly. During the day time it would take about eight hours to get ready. He did not leave town the night before the operation.

Mr. Gerow asked the witness about the death certificate and the solicitor general objected on the grounds that the paper was Doctor Robert's own paper and that the public has no right to it and that the counsel had no right to ask about it.

Mr. Morrill said that he agreed the death certificate is the property of Dr. Robert.

Solicitor General Jones said that he did not notice anything unfair in the reports of the papers up to the reading in the Sun to the effect that Dr. Robert had used an instrument and ergot might have led the public to a correct inference than what was brought out by the evidence. The evidence has been fairly reported, and the headlines of the Sun were misleading.

Dr. Scammell was recalled, and in answer to the solicitor general said that the conversation between the patient and himself was on Sunday, when she said Howard Camp was responsible for her condition, and that she had endeavored to perform an abortion, but was unsuccessful. He then wrote out the conversation on a piece of paper and read it to her, and she signed it. The paper was again put in evidence and Dr. Scammell recognized it, and also Edith E. Clarke's signature.

The next conversation was on Monday morning, the next day after the operation, when she said that she had been seen by another doctor, but did not want to get any person in trouble. When told that in case she lived she would not get any person in trouble she said it was Dr. Preston who had attended her, he had used an instrument on her and medicine had been brought to her by Dr. Preston. She also made a remark as to the serious nature of the operation.

Mr. Morrill objected to the way the question was being given, and said the witness should give the exact words.

Continuing the witness said the patient remarked that Dr. Preston had told her that the operation was a serious one. The operation Dr. Robert performed was horribly it is a difficult operation under any condition, but it depends greatly on the condition of the patient. The recognition of Dr. Robert and Dr. Scammell were then taken for their appearance at the supreme court on January 2nd.

The solicitor general then asked that the court give an order for Howard Camp to be brought from the jail to give evidence. Dr. Macrae was brought in he was given a seat near his counsel, A. W. Macrae.

Dr. Macrae addressed the court, and said on behalf of the prisoner he objected to his being called a witness. He was arrested on the same day as Dr. Preston. He claims he is not a competent witness while resting in prison as being connected with the death of Edith Clark, and is not a compelli-

"Yes, I have been in his office." "Do you remember how many times you have been in Dr. Preston's office during the past year?" "The witness—" "Do not." "Did you call on Miss Clarke when she was sick?" "Yes." "Was it the Sunday before she took to her bed?" "Yes." "The witness—" "Yes, I saw her on the Saturday evening previous and went over to her with a parcel from her at the Market Square. I do not know where she went after I left her. I did not watch her at all after she left me. It was about nine o'clock, I went to her home and saw her there. I did not see her again that evening. I do not know how far it is from Market Square to Dr. Preston's office." "Dr. Macrae said he could not see the relevancy of the question asked." "I turned to the right after I left Germaln street." "I saw the deceased on Friday night and talked with her for a few moments." "Did you make arrangements to meet her the next night?" "Dr. Macrae objected to the question. Objection overruled." "On Saturday night I met the deceased outside her home by appointment, and walked over to King street and left her at Market Square." "Prior to this, Saturday night were you ever in Dr. Preston's office?" "The witness—" "Yes." "How long before?" "The witness—" "I do not remember." "I saw the deceased on Monday, the 13th." "Where you in Dr. Preston's office on that day?" "Dr. Macrae objected on the ground that the question was not relevant." "The witness—" "Yes, it was relevant and would concern Dr. Preston with the death of Miss Clarke, as the deceased had said to the nurse, 'why do the doctors bother me, Howard would help me.'"

Dr. Macrae thought the conclusion that the deceased referred to an instrument being used on her when she said Howard would tell them all, was very far-fetched.

Dr. Macrae said the doctors had given evidence at the preliminary examination which differed from their statement at the coroner's inquest.

Dr. Robert said that he had given the deceased had told him that her friend had brought her the bottle which other evidence had been given to show was ergot, but said that the name of the friend was not mentioned. At this examination the same witness had stated that the deceased said it was her "friend, Howard Camp," who had brought the medicine to her.

"This," said Dr. Scammell, "is a marvelous recollection of memory. The testimony of Dr. Robert and Dr. Scammell also differed on some points. Thus again, Mrs. Clarke's memory had undergone a wonderful transformation for witnesses to remember circumstances at one time they could not recall at others. He did not think the instructions made against the doctors were justified. It was not unusual for witnesses to remember more details at one trial than another. If they came into court with a parrot story every time they would think their evidence more open to suspicion.

"As the case is still very fresh in your honor's mind, I will not go into the evidence at any greater length," said the solicitor general, who again stated that he thought the prisoner should be sent up for trial.

Mr. Morrill said he reiterated that Dr. Robert's name had been introduced so frequently, as he had the greatest respect for him, and that there was not the slightest evidence to justify the committal of Dr. Preston on the charge of murder.

The magistrate said that all he had to do was keep the secrets of the witnesses, and that he had ruled that the giving of declarations was admissible, and saw no reason for changing his mind at this time. He had to have to commit the prisoner for trial.

Dr. Preston was then requested to stand up. "Do you wish to say anything in your own behalf?" asked the magistrate.

"Not guilty, your honor," was the prisoner's reply. Beyond this he did not go.

Dr. Preston was then taken back to jail. The trial will take place on the second of January before Chief Justice Tuck.

Dear Mother

Your little ones are a constant care in Fall and Winter weather. They will catch cold, cough, croup, whooping cough, consumption, and what it has done for so many? It is said to be the only reliable remedy for all ailments that has passed in children. It is absolutely harmless and pleasant. It is guaranteed to cure or your money is returned. The price is 25c. per bottle, and all dealers in medicine sell.

SHILOH

This remedy should be in every household.

Mr. Gerow also commented on the fact that although Dr. Robert had been treating the deceased for several days he did not know her true condition until told about it. The doctor should have had a thorough examination of the patient when he was first called in.

The magistrate at this juncture interrupted Mr. Gerow to say that Dr. Robert had no reason to suspect that an abortion had been produced, and the leading part in the life saving, deceased was unmarred and respectably connected. He was inclined to think that the doctor had done all that could reasonably be asked of him, and his diagnosis had been produced, and the post-mortem to be correct as far as the condition of the girl's lungs was concerned.

Mr. Gerow also thought if the girl's condition was as grave as the doctors had made it out to be, it would have been performed just as soon as it was found that she was suffering from blood poisoning. In conclusion he submitted that the crown had not made out a case against the prisoner, and he requested the court to discharge the prisoner on trial. It was shown by evidence which your honor has admitted as legal that the accused used an instrument on her for the purpose of bringing on an abortion, and also that the accused had prescribed ergot.

With reference to Mr. Gerow's argument as to the admissibility of the dying declarations, the solicitor general said that since they had been admitted in evidence by the court they would have to be considered by your honor in deciding the case. He thought that Dr. Robert had acted in a very painful manner throughout. Physicians have peculiar circumstances to meet sometimes. The doctors maintained that they were justifying the secrets of the respective vessels. He said it was not unusual for witnesses to remember circumstances at one time they could not recall at others. He did not think the instructions made against the doctors were justified. It was not unusual for witnesses to remember more details at one trial than another. If they came into court with a parrot story every time they would think their evidence more open to suspicion.

"As the case is still very fresh in your honor's mind, I will not go into the evidence at any greater length," said the solicitor general, who again stated that he thought the prisoner should be sent up for trial.

Mr. Morrill said he reiterated that Dr. Robert's name had been introduced so frequently, as he had the greatest respect for him, and that there was not the slightest evidence to justify the committal of Dr. Preston on the charge of murder.

The magistrate said that all he had to do was keep the secrets of the witnesses, and that he had ruled that the giving of declarations was admissible, and saw no reason for changing his mind at this time. He had to have to commit the prisoner for trial.

Dr. Preston was then requested to stand up. "Do you wish to say anything in your own behalf?" asked the magistrate.

"Not guilty, your honor," was the prisoner's reply. Beyond this he did not go.

Dr. Preston was then taken back to jail. The trial will take place on the second of January before Chief Justice Tuck.

THE DROWNING OF CAPT LEVI ATKINS

Norfolk Paper Gives Particulars of the Tragedy.

Launch Was Sunk by Collision With a Steamer—The Search for the Body.

The following account taken from the Norfolk Public Ledger, gives the particulars of the sad drowning of Capt. Levi Atkins of the Parrsboro schooner Dorothy.

Capt. Levi Atkins, commander of the British wh. Myrtle Leaf, was drowned last night in collision with the Bay Line dock, foot of Main street, between the Old Dominion Line str. Mobjack and the leading part in the life saving, deceased was unmarred and respectably connected. He was inclined to think that the doctor had done all that could reasonably be asked of him, and his diagnosis had been produced, and the post-mortem to be correct as far as the condition of the girl's lungs was concerned.

The following account taken from the Norfolk Public Ledger, gives the particulars of the sad drowning of Capt. Levi Atkins of the Parrsboro schooner Dorothy.

Capt. Levi Atkins, commander of the British wh. Myrtle Leaf, was drowned last night in collision with the Bay Line dock, foot of Main street, between the Old Dominion Line str. Mobjack and the leading part in the life saving, deceased was unmarred and respectably connected. He was inclined to think that the doctor had done all that could reasonably be asked of him, and his diagnosis had been produced, and the post-mortem to be correct as far as the condition of the girl's lungs was concerned.

The following account taken from the Norfolk Public Ledger, gives the particulars of the sad drowning of Capt. Levi Atkins of the Parrsboro schooner Dorothy.

Capt. Levi Atkins, commander of the British wh. Myrtle Leaf, was drowned last night in collision with the Bay Line dock, foot of Main street, between the Old Dominion Line str. Mobjack and the leading part in the life saving, deceased was unmarred and respectably connected. He was inclined to think that the doctor had done all that could reasonably be asked of him, and his diagnosis had been produced, and the post-mortem to be correct as far as the condition of the girl's lungs was concerned.



Says He Had Not Smallpox, But Was Placed in Quarantine

Waterborough Man Put to Great Inconvenience During the Recent Scare—He Complains of Unfair Treatment.

WATERBOROUGH, Dec. 14, 1905. —About the last of October I was in St. John and caught a heavy cold and a bad cough. I took some patent medicines to try to stop the cough, but it got worse, and about the 15th of November I took a bad pain in my side. On the 17th my son went for Dr. McDonald of Cambridge and he came on the 18th of November and examined me and said I was suffering with pleurisy and a light attack of influenza. He cupped me where the pain was and gave me medicine for the cough, which gave me relief in a short time.

On the next Tuesday a man came in to see me and said, "Baldy is going to have you quarantined. He says you have smallpox."

I answered it would be better for the public if Baldy would mind his own business, and I said, "I suppose he is trying to help Dr. Hay out."

On November 23rd Dr. G. W. Fleming of Pettodiac came to Young's Cove to the funeral of his brother-in-law, W. J. Irons, who had died of smallpox, and he came to see me. As I had been thinking about what my neighbors said about the quarantine, I told Dr. Fleming about it, and he looked over and said, "You have no more appearance of smallpox than I have."

But Dr. Fleming did not know that Dr. McDonald would have to bear a part of the blame. Next morning he found the danger was so great for two or three days, how it passed over so quiet a couple of days the quarantine was lifted and travellers could go and come as they wished, and the agent's life was spared. Some unbeliever might ask how the danger was so great for two or three days, how it passed over so quiet a couple of days the quarantine was lifted and travellers could go and come as they wished, and the agent's life was spared.

Some unbeliever might ask how the danger was so great for two or three days, how it passed over so quiet a couple of days the quarantine was lifted and travellers could go and come as they wished, and the agent's life was spared.

OUR NEW CATALOGUE For 1904-5

In just out. It gives our terms, courses of study and general information regarding the college. Send name and address today for free copy.

S. KERR & SON
Oddfellows' Hall

NOTICE

The Canvassers and Collectors for the SEMI-WEEKLY SUN are now making their rounds as mentioned below. The Manager hopes that all subscribers in arrears will pay when called on.

EDGAR CANNING in Albert and Westmorland Counties, N. B.
J. S. CHAPMAN in Kings Co N. B.
F. E. AUSTIN in Sanbury & Queens

MEN WANTED

Reliable men in every trade to receive orders, taking up shoe orders, and all other business, must be reliable and capable of doing a day's work, steady employment to take it down. We pay you what you want for your work. Write full particulars.

W. G. KENNEDY,
Young's Cove P. O., Queens Co., N. B.

HE CAN ATTEND TO HIS WORK NOW.

MANITOBA MAN CURED BY DODD'S KIDNEY PILLS.

He Echoes a Statement Made by Thousands of the People of the Prairie.

GIRoux, Man., Dec. 15.—(Special.)—Mr. Philias Normand, a well-known resident of this place, is one of thousands of Manitobans who have found relief from the pains and aches of Kidney Disease in Dodd's Kidney Pills. Mr. Normand, who is always ready to say a good word for a remedy that brought back his health.

"Yes, I can tell you Dodd's Kidney Pills made a cure of me," he says. "I had Kidney Disease for three years. At times I got so bad, I could hardly attend to my work. I took just a few boxes of Dodd's Kidney Pills and my pains and aches are all gone, and I can work as well as anybody. To anybody who has trouble with their Kidneys all I can say is 'use Dodd's Kidney Pills.'"

Dodd's Kidney Pills always cure sick kidneys. With well Kidneys you can't have Bright's Disease, Diabetes, Dropsy, Rheumatism, or any of those other fearful and fatal diseases that spring from sick Kidneys.

JUSTICE COURTNEY DEAD.

NEW YORK, Dec. 14.—Justice John Courtney, one of the judges of the court of special sessions for the boroughs of Brooklyn, Queens and Richmond, died today at his home in Brooklyn.

LONDON, Dec. 14.—The new cabinet had its first meeting at noon today to discuss the immediate programme of the government, and particularly to fix a date in January for the dissolution of parliament preparatory to a general election.

There is reason to believe that January 18 will be the date selected.

WHOOPIING COUGH.

My three youngest boys had whooping cough this winter and we could get nothing to help them until I sent for Dr. Chase's Syrup of Limesed and Turpentine. It arrested the cough at once and they kept right on improving until they were cured at the cost of one dollar. That was not a large bill for so dangerous and distressing an ailment.—Mrs. Wm. Ball, Bracebridge, Ont.

DOGGBREL

Johnie—"What does that notice say over there, mother?"
Mother—"It says, 'No dogs admitted.'"

Johnie—"But the dogs can't read, can they? How are they to know?"

As kings of the old and young pretend to be better than they are, and these Georges, Bonies, Prince Charlies, do not wear well, and become a heavy drinker early in life, and finished as a downright sot, with whom his wife could never get along, the Stuart dynasty never rooted strongly in England. In the person of Queen Mary's son James it was accepted as a necessary evil, in 1603, and in 1688 it was expelled in the person of James II.