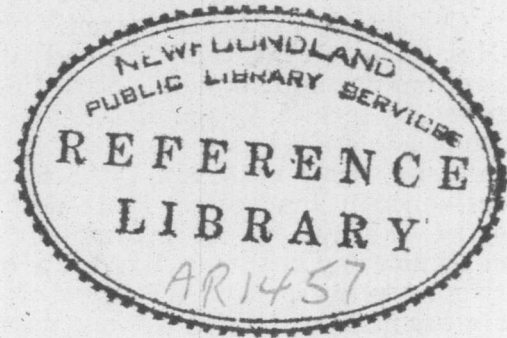


# The Star,



AND CONCEPTION BAY SEMI-WEEKLY ADVERTISER.

Volume I.

Harbor Grace, Newfoundland, Friday, June 7, 1872.

Number 7.

## JUNE.

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## MOON'S PHASES.

NEW MOON..... 6th, 11.53 A. M.  
FIRST QUARTER.... 14th, 3.48 A. M.  
FULL MOON..... 21st, 3.27 A. M.  
LAST QUARTER.... 27th, 5.57 P. M.

## NOTICES.

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Harbor Grace, May 14, 1872. tff

## NOTHING TO SAY—A LETTER.

My friend, I would willingly write to you, if I had anything to tell; I'd scorn to indulge in words untrue, Though they may answer as well, But you know I'm averse to all but truth; I hold affection at bay; So you must excuse my sleeping muse, For I have nothing to say.

If I were a woman I might contrive To invent a page or two; Their dear little tongues are ever alive, With something sweet and new. Their talk is pleasant, but they must own There's much of it thrown away; I'd like to dilate on the female trait, But I have nothing to say.

Of words I was never so much bereft, I think I'll steal a few, And let no one else know of the theft, As many good writers do. But fame, though great, thus falsely gained, I fancy would soon decay; I'm sorry, indeed, that I can't proceed, But I have nothing to say.

There are many things that would suit me well To write about if I could; But whatever I write seems to be wrong, Be the subject bad or good. Why is it so? I would like to know; Tell me somebody, I pray, 'Tis a source of thought that comes unsought, When I have nothing to say.

I'll have to remain in silent pain, Till something bids me speak, And my sleeping muse wakes up again On some sky-kissing peak. But my mind is all astray; And, with woe imbued, I must conclude, For I have nothing to say.

## Supreme Court.

Trial of Patrick Geehan and Johanna Hamilton for the Murder of Garrett Sears.

(From the St. John's Morning Chronicle.)

THURSDAY, May 30.

[CONTINUED.]

Mary Foley, sworn—Live South Side Harbor Grace—know Daniel Shougharoo—am a servant of his; was his servant last November. I knew Garrett Sears—he lived with Geehan. Know prisoners at the bar. Remember the Thursday when Mrs. Geehan's body was found. Recollect the Monday evening previous Geehan was over to my master's premises—didn't hear their conversation. Recollect the Sunday before. I went to Spaniards Bay after dinner and returned about 6 or 7. On the Monday evening I saw Geehan at my master's stable, and saw a scratch on his face. I was at Geehan's house on that evening, and saw both the prisoners there. I asked Hamilton where was her mistress. She said in Harbor Grace, and that Sears had gone to meet her. Saw Geehan at my master's on Tuesday—he was there most all day, killing a pig with my master. He went home and came back again after night. Geehan said Sears and his sister had gone to Brigus, and that Sears was going on to St. John's; Hamilton was there at the time. I passed Geehan's house on Tuesday, and saw Geehan in the yard and Hamilton was standing at the back door. They remained in my master's house that night till about 10. My master asked them to come over—never saw them there together before. I told her to come over that evening. Saw Sears on Monday about 10 or 11 o'clock; he was walking through Geehan's field, going towards back cellar house and pit. I know the pit on Geehan's land. He had on a canvas trousers, something dark on his back and a sou'wester—carried nothing in his hand. Never saw him dead or alive after. On that day, when at dinner, I heard report of a gun. The clothes he wore were something like those produced. The report was very loud and shook the windows. Remember being in Geehan's house on the Monday after Mrs. G. was buried. Heard Geehan say he fired at a hawk. Geehan had been at Harbor Grace, and on his return Hamilton told him a hawk had been after the hens that day. He said he had fired at one before that. I was at Geehan's that day washing the sheets that had been taken from Mrs. G.'s corpse. On Wednesday night I was at Geehan's house, and asked Hamilton what time they expected Mrs. G. She said they didn't expect her that night. On Wednesday I saw Geehan's horse in the field. Have seen Geehan use a box cart and a dray cart. One of his carts was on wheels on Tuesday—think the dray cart. On the day Mrs.

G.'s body was found Hamilton came to our house and said a woman was dead in Spaniards Bay road. She said the police had said it was her mistress; she seemed excited and was crying. My master asked her what was the matter, and she told him. He asked her if the mistress had any money about her. She said she did not know, but had heard her master say he had given her £5. Last saw Mrs. G. alive on Sunday in her own yard. Nothing was said that evening about her going up the Bay—had heard nothing from Mrs. G. or Sears about it. On Monday evening before the body was found Hamilton told me Geehan fell down from hayloft on some boughs, and scratched his face.

Cross-examined by Mr. Emerson—Hamilton was crying when she came to our house. I have known her these two years; she bears a good character; have heard her mistress give her a good name. Before Hamilton came home from the Labrador her mistress used to speak favorably of her.

Cross-examined by Mr. Rafus—Knew Mrs. G. and Sears pretty well—occasionally went to their house on business—was there during the week before the gun was fired. They appeared to be living amicably—never heard any quarrelling. Mrs. Geehan and Hamilton were good friends. Heard Sears had frost-bitten toes—he had a lame step. Never heard him say he was going to the Hospital—heard Geehan say it. My master never lost any hens by a hawk. Never knew Geehan and Sears to quarrel. Was at the wake the first night—was up and down stairs all night—the place was crowded. Mary Mansfield was there one night—never knew Mary Mansfield till last summer—saw her then pretty often. Never saw Mrs. Geehan in bad health; she worked all summer. The family were on good terms.

By the Court—I saw no hawk the day I was at Geehan's—was there from ten o'clock to four, washing in the kitchen. Mrs. G.'s body was washed in the kitchen—the people had refreshments up stairs.

John Hearn, sworn—Live at Bryant's Cove, and am a farmer and fisherman—know the prisoners; live three miles from them. They live at River Head of Harbor Grace, South side. I was at Nowlan's Harbor on the Labrador last summer. Knew Geehan's fishing room, and saw Hamilton there; she was in Geehan's employ. Our room is 130 or 140 yards from theirs. My wife was with me at the Labrador. I had a conversation with Hamilton at our house there. The Counsel for prisoners objected to evidence about to be produced on the ground of irrelevancy. It had application solely to Mrs. Geehan, the circumstances of whose death were not matter of enquiry. Mr. Emerson contended that the statement sought to be put in evidence by the Crown carried no malice on the part of Hamilton towards Sears, and could not be construed as a threat against him. If showing malice at all it would only show it as against Mrs. Geehan; and such malice on the part of Hamilton towards her ought not to be received in a trial on an indictment for the murder of Sears. Mr. Rafus contended that, as Geehan was no party to the statement of Hamilton, and not present when it was made, it could in no way effect him, and should not be received in evidence against him.

The Counsel for the Crown, contra, contended that the evidence was admissible inasmuch as there was a common design and conspiracy on the part of prisoners against Mrs. Geehan and Sears; that the threats against the former were part of the common plan, and were fulfilled afterwards by her death. The murder of the two deceased were parts of one complete conspiracy, and in the carrying out of that conspiracy certain threats were uttered against one of the deceased, which were now sought to be established. In order that the evil desires of the prisoners might be realised, it was necessary for them to put both of the deceased out of the way. The deceased had been connected together throughout. They were brother and sister, and lived in the same house. Having made away with the sister, it became necessary to make away with the brother in order to prevent him from instituting inquiries as to whereabouts of his sister. Moreover, the prisoners have connected the deceased throughout, not only by their deaths, but by the statements, often repeated, of their having gone up the Bay together. If therefore submitted that the evidence was receivable.

It being eight o'clock, and the objections taken of considerable importance, their Lordships thought it advisable to adjourn till to-morrow morning at ten o'clock, when they would be prepared with a decision upon the point.

The Court then adjourned.

FRIDAY, May 31.  
Court opened at ten o'clock.  
The Chief Justice said just before the

Court adjourned last evening a point had been raised as to the reception of evidence which the defence objected to as irrelevant, as it had only to do with the death of the wife of the male prisoner. I have carefully considered the question, and am of opinion the evidence is relevant and should be received. The case of the Crown is that it was the object of these parties to get rid of Mrs. Geehan, in order to the complete carrying out of their criminal intimacy; and having done that, then to get rid of Sears to prevent him from instituting enquiries and bringing them to justice, which was, they contend, the motive which influenced the killing of Sears. If this motive can be shown for the commission of the crime charged in the indictment, the evidence against the prisoners becomes clearer, more pointed and more conclusive. It is competent for the Crown to show that such was the motive. His Lordship cited from Archbold showing that evidence going to establish the motive for the crime was receivable evidence. He was also of opinion that it was admissible on the ground of there being a common conspiracy against both the deceased, the combination being shown by the deceased parties being coupled together subsequently. It was competent for the Crown to show that such a conspiracy existed, and was carried out as far as Mrs. Geehan was concerned. It is true the evidence may only show malice on the part of Hamilton as yet towards Mrs. Geehan, but Geehan himself may be ultimately coupled with it. Judge Robinson cited Regina vs. Clews, where evidence in precisely similar case was allowed to go to the Jury for what they might consider it worth. Judge Hayward concurred with his brother Judges as to the admissibility of the evidence.

John Hearn, recalled—Hamilton came to my house, and my wife asked her if she received any news from home. She said she had a letter, and everything was well at home, only her mistress was sick all the summer, and it was a pity such a smart young man should be tied up to such a busy old body. I said her mistress was a smart young woman, and would live to bury her and Geehan. Hamilton said Mrs. G. wouldn't live to see Christmas day. I repeated that she was a smart woman, when Hamilton replied she was very old, and again repeated she wouldn't live to see Christmas. She turned to my wife and said—it was Uncle Pat and Aunt Jane now, but it would be Uncle Pat and Aunt Joanna then. I understood from these words that after Mrs. Geehan died she would be Aunt Joanna. By Uncle Pat she meant the prisoner Geehan. No other conversation took place and she then left the house. I knew Sears, and have heard him call Geehan Pat and Pats. Our room at Labrador is about 140 yards from theirs. Was at their room three or four times, but never inside the house, and don't know where Sears slept—was never in his room. I was always on good terms with prisoners. When the conversation took place my wife and servant were present. The gun now shown me is the one I saw. Our servant was engaged about her work when this conversation took place. My wife was a cousin of the late Mrs. Geehan. I heard Sears had sore toes, but did not know it myself. Did not hear Sears say he was going to St. John's. Garrett seemed willing to work—he was a shoreman.

Cross-examined by Mr. Emerson—The conversation took place last August—don't remember date or time of day. Never saw Hamilton in our house before, but was not surprised when she came in that day. She sat on the door step. My wife was in the house and seated near me. Hamilton's side was turned towards me. There are three rooms in my house at Nowlan's Harbor, kitchen and two bedrooms, all on same floor, but divided by board partitions closely nailed together. There are no seams in the partitions. The boards were new last summer, but very little shrunken. Any one in bedroom talking in an ordinary tone would be heard in kitchen. My servant took no part in the conversation. That was the only conversation I recollect having with Hamilton on the Labrador last summer, unless as I might pass her. Don't know what she came to our house on that day for. I have mentioned the conversation to different parties, before and after Mrs. Geehan's death, but don't recollect to whom I said it—before except my wife—we talked about it frequently. I didn't pay much attention to it at the time. I know nothing about what Hamilton can't recollect to whom she talked to. I don't know where she was when the conversation took place. Her body was found. I have stated the exact time she was arrested. Mentioned her name to the Attorney General.

Mr. Pin-

sent were not present. Didn't tell Mrs. Geehan of the conversation. Did not see her till after she was dead. I live about three miles from the Geehan's, but don't go often down that way. Never heard of any improper familiarity between Geehan and Hamilton at the Labrador.

Cross-examined by Mr. Greene—Have known Sears ten or fifteen years—never noticed him walk lame—never heard of there being a necessity for his going to St. John's to get his toes cured. Have known Geehan some years—never heard of there being a necessity for his going to St. John's to get his toes cured. Have known Geehan some years—never heard of his quarrelling with his wife or brother-in-law.

Re-examined by Attorney General—when I heard of the death of Mrs. Geehan the conversation came fresh to my mind—mentioned it several times after her death, and it came to the ears of the magistrate, and I was summoned to attend as a witness on the inquest.

By the Court—I returned from the Labrador in October, 1871.

Catherine Hearn, sworn—Am the wife of the late witness, John Hearn—know the prisoners at the bar. I was at Nowlan's Harbor, Labrador, last summer with my husband. The prisoners were there; Hamilton came to our house during the summer in the day-time—my husband and the servant were present. The latter was about her work, and did not hear the conversation that took place. I asked the girl what news from home. She said the old woman was sick all the summer, and that it was a pity to see a fine young man like him have away on an old hake. My husband said Mrs. Geehan was a fine smart woman and might bury both of them. She said—"You'll see that—she won't live until Christmas." She then looked round to me and said—"It's Uncle Pat and Aunt Jane now, but it will be Uncle Pat and Aunt Joanna instead."

I lived with Geehan when young, and used to call his wife Aunt Jane. I understood her to mean that I would call her Aunt Joanna—unless she meant that I can't say what. I can't say what. I was at Geehan's wake and saw Hamilton there. I asked them if they sent or telegraphed for Garrett Sears. She said not. I asked why not—that he wouldn't be there to his sister's funeral unless sent for that day. She said Geehan did not want to see him and blamed him for his wife's death on account of their going to Brigus together. She said they expected when Garrett heard of his sister's death he would never come back. I said it was a dreadful affair. She said it was. I asked her what possessed Mrs. G. to go to Brigus. She said Mrs. Geehan would get black wool at Brigus, there was none there; and as Mrs. G. was going Sears would accompany her as far as that. She said that on the morning Mrs. Geehan was found she felt uneasy and could take no breakfast, and her master was the same. This was on Friday. Other conversation took place which I can scarcely remember. She said a St. John's gentleman was there that day, and she must have had a great memory to answer all his questions. She said her master went out to build a pig house, but he was not able to do it, and he came in and went to mend her mistress's bluchers. In the morning she was at the back-house doing her work, when the police came and asked Geehan if his wife was home night before. He said not. This occurred on Thursday. She said she ran in and took the policeman by the arm and asked him if he had any account of her dead or alive. He said—"I'm afraid I have too much. She said—"He asked me if my mistress had on a blue dress with white flowers. I said yes. He asked if she had high boots I said yes. The police then told Mr. Geehan to go with them," and then she said she ran over to Mr. Shougharoo's leaving all the doors open. I had no conversation with her after that. I saw Mrs. Geehan's body. Saw one mark on her forehead, but did not see any on her throat—it was bandaged up. After the finding of the body of Mrs. Geehan on the road I got a great shock and the words Johanna had said on the Labrador came to my memory that moment.

Cross-examined by Mr. Emerson—That is the reason I recollect these words—they are as exact as I can go of the conversation on the Labrador. Was not very well acquainted with Hamilton—she was recollect other conversations—this was a particular conversation. I thought it strange for her to say it at the time. I didn't speak at all after she had said these words. Never saw Mrs. Geehan alive after I came from Labrador. Don't remember telling the conversation to any one before her death. Never heard anything bad or good of Hamilton's character—never heard her use bad language. Think she used the word bloody that morning—wouldn't like to swear so. I heard my husband say she said "bloody old hake." Didn't talk much with my husband about the conversation till after