

EVELYN WALLACE TELLS STORY OF THE BEECHWOOD MURDER

Several Witnesses Examined at Preliminary Hearing of the Italian Monacelli Charged With the Murder of a Compatriot—The Evidence is Now Practically All In and the Prisoner Will Probably Be Committed for Trial Tomorrow.

(Continued from Page 1.)

Evelyn Wallace was the first witness called this morning. She testified as follows: "I live in Beechwood, I have known the prisoner since August 1. I knew Nicholas Legany; saw him first two years ago at Beechwood. He came back to Beechwood a short time before the 8th of August. He stopped at my house at night. I gave him a stop for the night, and I gave him a room. This was a week before the shooting. I had seen him before he first came to my house. He did not stay at my house on Friday night. Sometimes his companion would spend the evening with him at my house. Prisoner was there two evenings. Saturday evening he was there and played on the accordion.

On Friendly Terms. "Nicholas and the prisoner seemed to be on friendly terms. I did not know of any trouble between the prisoner and Nicholas. Nicholas was at my house on August 6, morning, afternoon and evening. I think the prisoner was there also. The prisoner came at 8 o'clock, accompanied by Louis Disregard. Nicholas was not there when they came. There were no other Italians there after the shooting. They were standing in the front door, and I came in the kitchen door. They came in. My husband was there. Nicholas arrived about 9 o'clock. There were no other persons there on that evening except the members of our family. June Ketch was not there. I was in the kitchen when Nicholas arrived, and Sandy and Louis were in the dining room. Monicelli walked into the dining room. That was about 9 o'clock. I was in and out of the room. I did not see anything. I heard them talking in Italian, and I could not understand them. They seemed to be talking in a friendly way. Prisoner and Disregard were sitting together in the northwest end of the room.

In Southwest Part. "Nicholas was sitting in the southwest part of the room. The room is about 7x10. There was a table in the room. Angelo, a cousin of the murdered man, stayed with him three nights. They were in the room talking. I did not see any sign of a bed. Nicholas said he was going to bed, and I left the room to lock the back door and then locked the kitchen door. When I came back to see in the dining room door the prisoner was standing firing at Nicholas. I had only been away about a minute or two. Everything was peaceful as far as I could see previous to the shooting. The shooting was with a revolver. I do not know how many shots he fired. I was in the kitchen when the shooting took place.

PLAYGROUNDS CLOSING AT CENTENNIAL SCHOOL

Pleasant Programme Carried Out Yesterday Afternoon—Miss Nina Robertson Submits Report of Season's Operations.

The public playgrounds which have been conducted at the Centennial school, closed yesterday afternoon with a pleasant programme of music and addresses.

Miss Nina Robertson, who has been supervising the work on the grounds, submitted a report showing a most successful season.

Every fine afternoon there being from 300 to 400 children enjoying the swings, teeters, sand banks, etc., and showing by their happiness and pleasure the need of a place where they can play to their hearts' content.

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Prisoner Standing.

"Prisoner was standing and Nicholas was sitting in the chair near the door leading to the kitchen. I jumped sideways, and do not remember any more until I saw Nicholas falling. He was about eight or nine feet from the shooting took place. Nicholas said, 'Oh, he has shot me.' I took hold of Nicholas and held his head up. His coat was on fire. He was still alive when I came up to him. I went to the telephone, and notified Mr. Kearney. When I came back to the murdered man did not have any weapons. Disregard and another Italian came in shortly afterwards and spoke to Nicholas. He was taken out of the room. When Dr. Ross came in, he held a light, and found wounds in the neck, arm and abdomen. Nicholas was taken to the Woodstock Hospital the next morning. The prisoner left the kitchen floor after the shooting.

Robert Wallace Sworn.

Robert Wallace, sworn: "I am the husband of the previous witness. I was present all the afternoon, but do not remember when the Italians came to my house. I was in bed in the rear of the dining room sleeping. I never heard a shot fired. My wife made me. Nicholas was lying on the floor. I did not see any sign of a bed. There were two Italians there. I do not know the prisoner. I had been away, and came home on the 7th, and do not know anything about the shooting. Saw the murdered man after the doctor came in. He was wounded in three places. Did not have the revolver in my hands.

Louis Disregard, sworn: "I was born in Urano, Italy. I have been in this country three months. I have known Monicelli three years. Have known Nicholas two years and six months. I slept at night in the café at Beechwood and Sandy did not sleep in the same car. Did not know where Nicholas slept. Was not very well acquainted with Mrs. Wallace. Was in her house on Sunday, 8th August; came to the house that night. Nicholas was in the room together thirty minutes or more. Sandy asked Nicholas to have a drink out of a bottle he had with him. Nicholas didn't want a drink; said he didn't want it. Nicholas and Sandy started to talk English. Nicholas asked the mistress of the house to give him a kiss. He did not understand the English that was being spoken that evening. Mrs. Wallace was sitting in the room with the three Italians. Nicholas got up when Sandy got on his feet and drew his revolver and fired. He was about three or four feet away from Nicholas (Disregard) at the time of the shooting. He did not see Nicholas fall. Have talked with Sandy since the shooting. Adjudged.

ing cards, weaving mats, making chains and trap books, baskets, articles in raffia and crocheted work. Examples of the work will be found on exhibition in the building and all are invited to inspect them.

Thursday has been flower day with us and many people generously sent could only see the children's delight should never be forgotten. Mrs. Powell and Miss McLeod have most kindly come to us on Thursday morning and attended to the tending and distilling of the flowers. Mrs. Chisholm has spent her mornings with us as our planter when we have our games and drills.

The summer has been a pleasant one—had only two days in which it was necessary to work within doors. Our attendance has ranged from about 100 to 385, according to weather and outside attractions, and children that the morning session.

Scarcely a day has passed without bringing us a number of visitors, and we are always glad to see them.

respectfully submitted, MISS NINA A. ROBERTSON, August 20, 1909.

CONTRIBUTIONS STILL COMING IN FOR BAND STAND

The City Cornet Band are again able to report a successful canvass of the citizens to meet the deficit on the bandstand in King Square. During the last two days \$42 have been amounts to \$348.35. It is hoped this will be out before the end of August.

The subscriptions not previously acknowledged are as follows:

- Hon. R. J. Ritchie . . . \$ 5.00
Hall and Fairweather . . . 5.00
A. Friend . . . 5.00
Dr. J. J. Bradley . . . 5.00
R. P. Pierce . . . 5.00
D. J. O'Neill . . . 2.00
J. J. Bradley . . . 2.00
T. B. Inches . . . 2.00
T. Kilford . . . 2.00
John O'Neil, 318 Brussels St. . . 1.00
Edward Evans . . . 1.00
John Henderson . . . 1.00
Tidy Store, 10 Brussels St. . . 1.00
M. J. McGrath . . . 1.00
E. J. Wallace . . . 1.00
A. Friend (2nd time) . . . 1.00
James Huey . . . 1.00
E. M. W. H. . . . 1.00
F. J. McCaffrey . . . 1.00
Music, King Square . . . 1.00
Hebus Keith . . . 1.00
D. Killoran . . . 1.00
Total . . . \$42.00

MR. J. C. SHERREN WILL BE COUNSEL FOR M'DOUGALL

Moncton Lawyer Arrived in City Last Evening—Formal Evidence Taken Yesterday—Hearing Today At 10 A.M.

Great interest was shown yesterday in the case of C. Bruce McDougall, publisher of the Free Speech, which was taken up before Judge Ritchie in the police court at 11 o'clock. The hearing was delayed for over an hour by the inability of the prisoner to secure counsel. Mr. J. C. Sherren, of Moncton, arrived in the city last evening and it is understood will appear for McDougall.

At the opening of the police court yesterday it was stated that Mr. H. A. Powell, K. C., or Dr. D. Mullin, K. C., would appear on behalf of the defendant, but it developed that both of these gentlemen had declined. Attempts were made to secure the services of other lawyers in the city, but these were unsuccessful. Two brothers of the prisoner came down from Moncton and endeavored in vain to secure some one to act.

The court room was packed with spectators, all eager to get a glimpse of the man who is alleged to have published Free Speech. Some snapshots were also on hand, and succeeded in getting different poses of the prisoner, who was quite cool.



C. BRUCE M'DOUGALL.

After waiting an hour, Mr. J. B. M. Baxter, K.C., and Dr. A. W. MacRae, who are prosecuting, had the complaint read by the defendant by George A. Henderson, clerk of the court.

After the reading of the complaint Police Constable Scott was called as the first witness. He stated that he was a policeman in the city of St. John, and on August 2 assisted in the arrest of two wretches, George Nerrius and Nicholas Alletto, proprietors of a shoe shining and newspaper stand on Union street, on a warrant charging them with selling and exposing for sale copies of "Free Speech."

Witness also stated that he found copies of this publication dated July 10, 17, 24, and 31. The witness produced the copies which he had found and which the prosecution offered as evidence. Upon each copy a stamp of "Nerrius and Alletto" was printed.

Magistrate Ritchie marked each copy for identification. The proceedings were interrupted at this point, as Mr. E. S. Ritchie, accompanied by a brother of the prisoner, entered the court room and asked the magistrate to postpone the case until the afternoon of Saturday morning, as counsel had been secured in Moncton and would be here as soon as possible.

Mr. Ritchie told the court that as a member of the profession he made the request on behalf of the prisoner, as the case was an important one, a chance should be given to the counsel secured for the defence.

Mr. Baxter and Dr. MacRae having waived the objection, the case was postponed until this morning at 10 o'clock.

POT OF POLITICS BOILS WARMLY

Mexico City, Aug. 20.—Special news from various parts of Northern Mexico agree that the situation throughout that region is one of much political unrest. General Trevino, newly appointed commander of the third military zone, is acting with vigor and decision and during the last two days troops have been moved quietly and swiftly to places where they will be most needed in case of serious disturbances. The government has the situation well in hand.

The trouble centers about the personality of General Barnado Reyes, minister of Nuevo Leon, and formerly minister of war, who has been nominated by the administration party.

Some time ago Reyes left Monterey for the summer resort of Galeana, in the mountains. Yesterday he left Galeana for the ranch of Trinidad. Simultaneously troops were sent to the mountains and the latest detachment is that Reyes is surrounded by federal forces. This is believed to be but a precautionary movement on the part of the government.

EDMUNDSTON TO HAVE NEW CITY

Edmundston, N. B., Aug. 20.—Arrangements are being made to build a town hall and opera house. The building will be 110 feet long by 55 feet wide. Architect Wm. Minnet, of Presque Isle, has been asked to prepare a plan.

CONCERNED OVERS FOR PEPPER REPORT

Hassam Company's Tender Discussed at Length in General Committee Yesterday With No Result—Motion to Accept and Two Amendments for Further Reports Defeated—Council Subsequently Orders City Engineer to Prepare Specifications for Different Streets.

After discussing the permanent pavement question at considerable length and criticizing the report of the City engineer as too indefinite, the general committee of the common council yesterday afternoon passed down a motion to accept the Hassam company's tender and two amendments for further reports and would have been adopted. Subsequently the motion was defeated. The City engineer was ordered to draw up detailed specifications for the different streets to be paved.

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Advertisement for Thorne Bros. Hatters & Furriers, featuring text about the quality of furs and the services provided.

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