THE TORONTO WORLD: IFRIDAY MORNING NOVEMBER 29 1895

THE TRIAL OF THE TWINS

than that there was no change in the character of the business from long before Wells and Aylesworth came there until long after they left? Speak-ing as a man of common sense and of some experience in business, to men of common sense and business kuowl-edge, can I put it more strongly than that there was no change in the char-acter_of the business from 1891 down to the spring or summer of 1893, after the occurrence took place? There is no point marking the line which di-vides honesty of intention and villainy or crime.

or crime. "Admitting that the prisoners bor-

THE TRIAL OF THE TWHNS Ontinued from First Pags. Muced here; which, as the Crown say, were a sham and a cloak. The Bons Fides of the Business. "And yet a year before the Wells people came in sight these men had been pursuing the same sham business; no difference, no break, marking the time when honesty ended and crime began. "With a list of nine names, and having seven seven, he says, "I cannot give the hame of a single man I saw. Do you believe it? With this suspicions aroused a day or two after the funeral do you believe it? Is it not the very thing that would be impresed upon his mind? Why was he sent out? To get rid of him, and at once his intention would ask, "Where did I go?" Was to a mare ficticious errand? "I went to the warlous places, I will enquire of them and see what I was sent for." Is not that the first thing that would occur to a man having suspicions of him? Having gone out on Monday with a list of nine names, and having

The same share making the brain of boom node, was it during the same share in the same share brains are interested and the same share brains are interested as a same share brain are interested as a same share are interested as a same share

of corroborating McCarthy, and that alone. Where the Responsibility Weighs. Our duty in a case of this kind must be performed according to the facts. If we try these prisoners upon a preconceived notion of their guilt, and if the finding is not sufficient to warrant guilt, we are guilty of legal murder, just as much as the prisoners are guilty of moral murder. It is a terrible responsibility, a responsi-

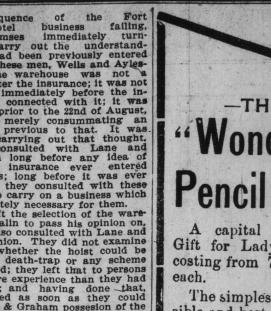
"Admitting that the prisoners bor-rowed money at high rates of interest, that was no crime. Other people had to do that. "These men had \$4000 a year income to do that. "These men had \$4000 a year income to do that. "These men had \$4000 a year income to do that. "These men had \$4000 a year income to do that. "These men had \$4000 a year income to do that. "These men had \$4000 a year income to do that. "These men had \$4000 a year income that this long river of evidence that shoulders of the coursel associated of any sense at all, having a com-petency at the rate of \$4000 assured to him would take the chance of comto him would take the chance of same mitting a murder for an uncertainty, even had het inclination ? Men who are in needy straits. A man may com-mit forgery, he may commit murder unless there are few men who commit murder unless there are few mother; give him a sumptuously fur-nishe preconclusion will be a legal mur-stabe his neighbor to the heart with is he likely to plot for months to com-mit a murder with no certainty at the end of his getting the \$30,000 ?" Why Was the Elevator Tinkered With ? In dealing with the state or the is a trial upon forther is that a trial upon forther is that a upon with the state or there is a trial upon forther is that murder with no certainty at the end of his getting the \$30,000 ?"

<text><text><text><text><text><text><text> this matter, and the answer to all that investigation was absolute innocence, no cause of suspicion, no idea of wrong-doing; these prisoners remained here in this city without the slightest at-tempt at leaving; they lived as they had lived, they acted as they had act-ed, they remained in their business, they remained in their homes, they did not fiee from any suspicion of guilt within themselves, but they were here until February of this year, when the arrest took place. Now, I ask you

the arrest took place. Now, I ask you with confidence to assume that when with confidence to assume that when these men were asked to go and in-form the uncle, it being said there was something the people talked of, by the fact that Mr. Cuddy was making care-ful enquiry regarding the insurance, that their staying here, facing all chances, running all risks, is one of the strongest indications of innocence that you can possibly have especially

strongest indications of innocence that you can possibly have, especially where you have men like these, that were bound under no obligation to re-main in this country; men who had, according to the Crown, within a very short period after the death of Wells, obtained a large proportion of this money; who were largely in debt, as the Crown alleges, and who, if dis-honest persons, were at liberty to go, taking the fruits of their fraud with them.

taking the fruits of their fraud with them. "Innocence will stand and face the ac-cuser or face danger, but guilt will al-ways, more or less, seek some escape. The very guilty soul itself would drive the guilty man to flee from the place of danger to a place of safety. We have to take the proposition of the Crown; it is for you to see how far we meet it. meet it.



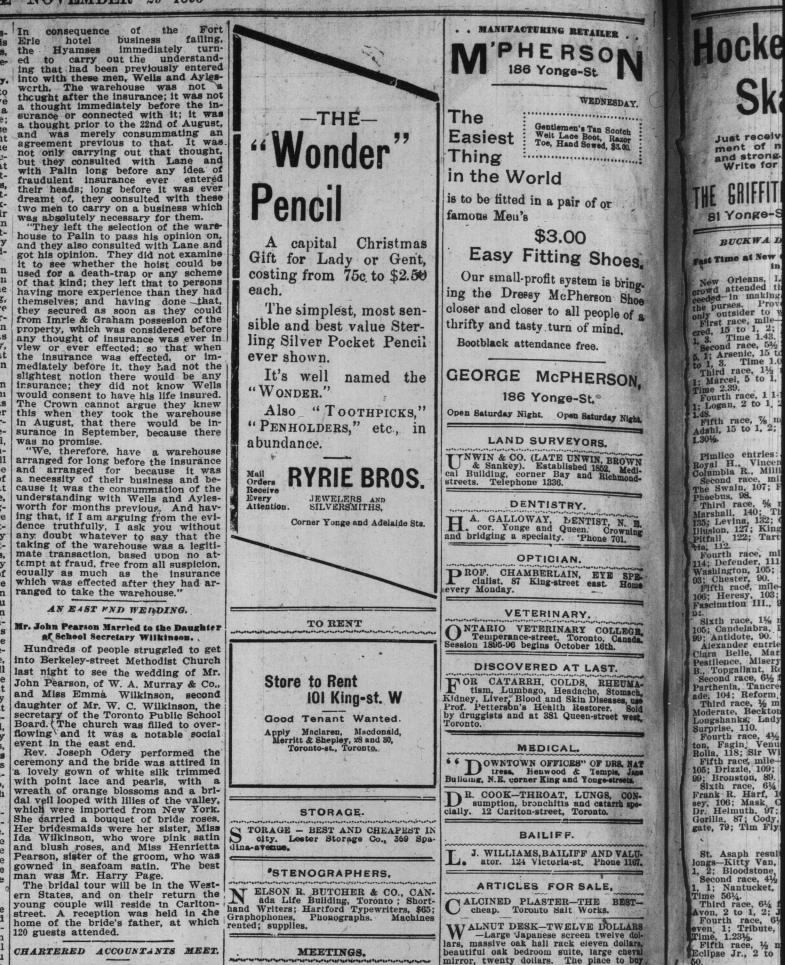
equally as much as the insurance which was effected after they had ar-

ranged to take the warehous AN EAST FND WEDDING. Mr. John Pearson Married to the Daughter

of School Secretary Wilkinson. Hundreds of people struggled to get into Berkeley-street Methodist Church last night to see the wedding of Mr. John Pearson, of W. A. Murray & Co., and Miss Emma Wilkinson, second daughter of Mr. W. C. Wilkinson, second secretary of the Toronto Public School Board. The church was filled to over-flowing and it was a notable social

event in the east end. Rev. Joseph Odery performed the ceremony and the bride was attired in

Mail Orders Receive Every Attentio



In dealing with the elevator, Mr. Johnston said, if the Crown theory Johnston said, if the Crown theory was correct the warehouse must have been taken to kill Wells. "The defence had shown," he said, "that the ware-house was taken by the prisoners at the instance of Palm and Lane. The evidence of Crown witnesses alone was dealt with. On Nov. 27th, 1892, the warehouse was taken. Fox tells us that the condition of the weight box was the same when they went in as it was on Jan. 16th, 1893. Roberts another Crown witness, says that on Dec. 9, 1892, he sheeted the box in Dec. 9, 1892, he sneeted the box in which the weight rata. Thompson spliced the rope, and Fox says that he must have taken off the face of that shaft in order to do the splicing.

not have chosen their men, had they this murderous scheme in their hearts? Would they not have chosen the hook—a hook that might reason-ably have been expected to come out? Would they have left it to the discre-tion of a man who says he put in the best hook that could be got and who swears that he made it safe? That is the great beacon light that has shone out on the great sea of haze and maze which has been surging up against us for the past three weeks." It was pointed out that the platform which the Crown claimed was a neces-sary part of the machine of death was found out that they plat of ut her the parisoners had found out that they had no further use for it. The exisence of the ob-struction, it was urged, was clearly in the the death occurred on the lifth of January, about \$8000 of that hat for and raze whole has been surging up against us for the past three weeks."

struction, it was urged, was clearly established by the testinaony of Fox established by the testimiony of Fox and of Wright, who say they saw it there, and of Hackney, who sawed it off

off. The evidence of Lane, that he had arranged to loan the prisoners \$1000 disposed, he claimed, of the contention of the Crown that they were unable to pay Wells on Monday, January 16, the money they promised him. The the money they promised him. disposed, he claimed, of the contractor of the Crown that they were unable to pay Wells on Monday, January 16, the money they promised him. The sending away of the clerks on errands was not remarkable. Miss Lattimer have traced it to the Hyamses, but there is no evidence that these securi-

Sending away of the clerks on errands was not remarkable. Miss Lattimer had received similar instructions on the Friday before. Harry Hyams and Martha Wells and Will'ie were to 'so to Pickering at noon. "It was necessary that what was to be done should be done before that hour. Do you believe. Ay lesworth went out on the errands he says he was on? Is it not another trick of his memory? He says he had a list of hine names of one man he saw. With his suspicions aroused the day of the tra-gedy, yet he says he cannot give you the names of one of these men. Do you believe him? Ts not, that the vey thing which would be impressed upon you believe him ? Is not, that the very thing which would be impressed upon his memory ? He was sent on an er-rand, he says, to get him out of the way. Would not the first thing that occurred to him have been : Was that

is dagger. There are no hair mea-surger in this case; there are no hair way stopping places, where a man can say I unload a portion of my respon-sibility and go on with the balance. There is a trial upon facts, and facts alone. It is not a trial on any opin-ions you or I may have formed of the case; it is not a trial on any opin-the doctors may have formed of the the doctors may have formed upon this case; We may think a man guilty -as guilty as Cain, who slew his bro-ther; we may be prejudiced; we may be strongly inflamed by reason of the circumstances against a man who stands on trial for his life in the prisoners' dock, but, if we try him up-ceived opinione, we may have the vio-thwith the consequences. You cannot try a man upon suspicion; you cannot

Thompson try a man upon suspicion; you cannot for says that off the face of do the splicing: to consider the theory of the that shaft in order to do the splicing. The jury were asked to consider the effect of this on the theory of the Crown. There is the testimony of Crown witnesses, who show that the prisoners were not responsible for the changes that were made. "The prisoners sent for half a dozen men, all liable to be called against them, for the purpose of making the repairs to the elevator. Would they have not called in friends; would they this murderous scheme, in their the state of facts and the scheme of price of the skull. "You can not hope to reach a conclusion perfect in all its bearings because you have not the perfect evidence to go upon; you can only do the best you can; you can only reach out with all the human power you have within you; casting aside other than that which of the witnesses, and then look at the facts, taking the opinions as a mere thes more or facts and the you all that state of facts and the obligation that, when yop determined

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I was completely

after the death occurred on the 16th of January, about \$8000 of that had FOR SCROFULA afflicted with scrofulous boils and sores, which caused me terrible

suffering. Physicians were unable to help me, and I only grew worse

or pimple on any part of my body for the last twelve years. I can cordially recommend Ayer's Sarsaparilla as the very best blood-purifier in existence." - G. T. REINHART, Myersville, Texas.

an honest errand or a sham? Would he not have gone to these people and found out the facts? In Aylesworth to be Believed? In a Arleaworth to be Believed? In Arleaworth to be Believed? Here is a case in which he says I believe these mene had something to do with the death of young Wells. When he had an oportunity of cast-ing back two or three days and re-membering every obviound that the value of the offences. Judging trom the vigor in which this case was pushed from the Police Court on to the present trial, if there is anything else against these prisoners the Crown will take care the court offences of the says of the court offences of the says of the court of did he not do it? One of the suspicions advanced by the Crown is that they got rid of the elerks. Is Aylesworth correct when he said they got rid of

that there had been an unhawith death before they dare impeach his client with the guilt of murder. "Where is the evidence upon which any man in that box can say that an unlawful death has taken place" At the close of the Crown's case, Mr. Lount cliamed there had been no such case made out, and clearly explaining the several stages of progress which have culminated in the present scheme of life insurance, the benefits of which present time and clearly explaining the several stages of progress which have culminated in the present scheme of life insurance, the benefits of which and the way to judge a good policy were clearly pointed out. In propor-tion to money invested frauds were

the defence. The theory of the Crown as to the scheming of the prisoners for the plac-ing of the insurance upon the life of Wells for the purpose of slaying him, and the succesful consummation of these plans in the death of Wells on Jan. 16, 1893, was reviewed by Mr. Lount, who said that if these circum-tronce could be activitiently or the set of the transmission of the recent examinations, the suc-cessful candidates being as follows: Primary—F. E. Osborne of Belleville. Intermediate—H. C. Gordon of Toron-to L. W. Marsh A. C. Baker and A.

Lount, who said that if these circum-stances could be satisfactorily ex-plained by the defence, the whole po-sition of the Crown would be swept to, L. W. Marsh, A. C. Baker and A L. Matheson of Belleville, and M. St G. Anderson of Woodstock. The diplo-G. Anderson of Woodstock. The high ma of the Institute (F.C.A.) was awarded to Harry Vigeon of Toronto. @Messrs Osborne, Marsh, Baker, Math-eson and Anderson are graduates of the Ontario Business College of Belle-ville in affiliation. away.

The employment of Wells and Aylesworth by the prisoners, the agree-ment entered into between them, the proposed hotel at Fort Erie, the offer by the prisoners to return the money to Wells and Ayesworth, and the placing of the insurance on Wells were referred to by Mr. Lount, who urged that every circumstance and detail bore the stamp of innocence. The re-ceipt of the monthly allowance from New York and New Orleans, with the occasional extra remittence of larger occasional extra remittance of larger sums, was held up as evidence of the easy financial circumstances of the prisoners, who, in addition to this, were sharing the profits of the sales conducted by Palin & Langdon. The pleting the administration of the es-

evidence showed that Harry Hyams tate. was not a fit subject for insurance, and surely, as the intended husband of Martha Wells, there could be nothing criminal in the proposal of the prison-er to take out an insurance policy through Wells, made out in favor of the sister, whom he expected and intended to marry. The evidence of Aylesworth in regard

to the placing of the insurance was stigmatized as unworthy of bellef, coming as it did from a shrewd, sharp, cunning trickster, who had written his

character with his own evidence, who had played detective in the pursuit of

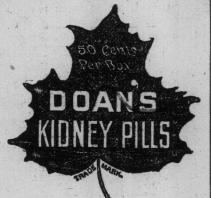
the prisoners around whose neck he was trying to place the hangman's noose. The alleged promise of the \$2, 500 to be given to Wells by Hyams was reverted to, and the attention of the sum down to the determine

of the jury drawn to the statements of Aylesworth and his wife, the only witnesses who spoke on this point, that the best they could say was that

Willie was to profit to the extent of \$2500 at the end of five years, by the

heavy endowment policy was

policy



The neavy endowment pointy was held up as a good investment, pre-venting a man from squandering the money which he paid as premiums, and providing for the cares and neces-This is the trade mark on every box Kidney Pills. It is a national emblem, but it has a continental fame. Be sure that every box you purchase bears this trade mark, because it as guarantee of genuineness. Doan's Kidney Pills cure Back ache, Lame Back, Headache, Paleness, Weakness, Dropsy, Feverishness am disorders from whatever cause arising. The following is an example of what Doan's Kidney Pills do :--Pills do :--Stewart Vaughan, of Cottam, Ontario, ble, he takes this ble, he takes this ble, he takes this the status the the status the status the status the sities of old age, when a man had a wife and family depending upon him and perhaps unable to work. The and perhaps unable to work. The ability of the prisoners to met the premiums as they fell due was shown by the fact that, in addition to the proits accruing from their business, they ad that constant, never-failing stream

of financial supply which brought them thousands of dollars every year. Mr. Lount did not deny that the life of Wells was insured at the instance of Harry Hyams, but asked if it was not reasonable when Harry Hyams ex-

pected to be the husband of Martha Wells, for him to ask Wells to allow an insurance to be taken out on his life with the sister named the benefi-ciary. He was a believer in the beneinterview with the size is the bene-fits of insurance, and unable to secure insurance on his own life, he asked, and asked reasonably, that Wells should insure in favor of the prospec-tive wife of the man who agreed to

dividers from whatever cause arisin. The full subscription of the subscripti pay the premiums. The Warehouse Not an Afterthought. The Warehouse set an Alternought. "The Hyamses were losing money centinually from February, 1892, to December of the same year; were los-ing half the profits to the men they were doing a sort of co-partnership business with. They were, therefore, business out the arrangements merely carrying out the arrangements they had previously made with Ayles-worth, that as soon as he was trained to the business so that he could buy and sell and look after the ware-house, he could discharge those duties.

Wellington-street east, Nov. 27th, 1895—The annual meeting of the share-holders for the election of directors will take place on Monday, the 9th of Decem-ber, at 8 p.m. S. Welchert, Secretary. Last evening at Association Hall, there was held the regular monthly meeting of the Institute of Chartered Accountants. President George Ed-wards occupied the chair. Mr. L. Goldman read a paper on the history of life and marine insurance, attiction of the state of the varia

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The widow of the late Lauchlin Mc-Eachren, who died at 155 Sully, in No-vember last, leaving an estate valued at \$2813, has applied for letters of administration. Andrew Mullin wants to probate the

A RNOLD'S EXCLUSIVE GLOVE store-of every description, sold at manufa Jurcis' prices; gioves to or-der a specialty. 256 Yonge. \$855 estate of his deceased brother, Henry J. Mullin, who died Jan. 29, 1890, the executrix, Sarah E. Kehoe, W. J. WILLS & CO., PLUMBERS, GAS and steam fitters, 668 Queen west; jobbing a specialty. Telephone 5220.

Two Small Estates.

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London for Glasgow, to repair her ma chinery, sailed for Glasgow to-day. THE MISSES FORBER, FRENCH, manship; very moderate terms. 124 Jarvis. Cutting by the U.S. system.

R NGLISH RIDING SCHOOL-RIDING taught in all its branches; special lessons in jumping; habits not required in school. Telephone 4371. THE TORONTO SUNDAY WORLD IS for sale at the Royal Hotel news-stand, Hamilton. OAKVILLE DAIRY-473 YONGE-ST.plied, retail only. Fred Sole, proprietor. HOTELS. G BAND UNION HOTEL, ORILLIA, Ont., close to G.T.R. Station. Terms 1 per day. W. W. Robinson, proprietor.

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Sixth race, % Time 1.30% WINES, WHISKIES AND BRAND Lexington result Ida Wagner 1, C Time 1.06. Second race, % n baugh 2, Amy T, Third race, 4% Bramble Leaf 2, M Fourth race, % Annie M. 3. Time Fifth race, 3 m 2, Jennie Mills 3. VV for medicinal purposes, at F. P. zil & Co.'s, 152 King east. 'Phone 678. COPPER TANK 5 x 41/2, 3 FEET deen: one lat. Sculleter's plougn, ches and tables. 82 Richmond east. V ERMILYEA MANUFACTURING CO., 489 Queen-street west-Corsets made order; Abdominal and Long-Waisted rsets a Specialty; Comfort and Fit Guar-teed. W ILSON'S SCALES, REFRIGERAT-ORS, dough mixers and sausage machinery. All makes of scales repaired or exchanged for new ones. C. Wilson & Son, 67 Esplanade-street, Toronto. Pimilco results: Florrie, 5 to 2, 1 Heresy, 2 to 1, 3. Second race, % 1 1; Diabolus, 2 to Time 1.36. Third race. 1 mi 1; Fatal, 6 to 5, 2 Time 1.53%. Fourth race, mi Levina, 2 to 1, 2; 449%. A THERMOMETER WITH YOUR A announcement printed thereon is the best and most permanent advertisement. Write for prices to Toronto Type Foun-dry, 44 Bay-street. Engraving, Electro-and Stereotyping. General depot for all kinds of printing machinery and mate-rials Levina, 2 to 1, 2; 1.49%. Fifth race, 34 mi , 1; Whippany, 7 3. Time 1.10%. Sixth race, 1 1-1 ; Phoebus, 3 to 1. Hme 1.53. EDUCATIONAL. BARKER'S SHORTHAND SCHOOL, cor. Yonge and Bloor, the place for Stenographers. Circulars free. **Bald's Cleve** Santa' Anna, Cal. meeting of the N here yesterday to a und W. A. Taylor The Buffalo fiyer of the mile handicap. The mile handicap. ENTRAL BUSINESS COLLEGE, TO-onto-Canada's Greatest Commercial chool. Shaw & Elliott, Principals. NTERNATIONAL BUSINESS Col-lege, corner College and Spadina. No better place in Canada for acquiring a real genuine business or shorthan I education. Terms moderate. Live and let live. able margin. In class A, Taylor, Cal., established : 1-5. A strong br C. M. Murphy w, notice of his sus Gideon. All priz St. Louis fake w marles: A HUNDRED AND TWO SUCCESSFUL A of hundred and five entered for pub-lic examinations; backward pupils coached; n oderate terms. O'Connor, 9 Ann, near Ycnge, Carlton, College. Maries: One-third mile. 2. Time 34 3:5. Half mile open. Downing 2. Tim One mile, han Schatch; Kiser 2. Two-mile handle LEGAL CARDS.

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bey, Barristers, Solicitors, etc., Janes Building, 75 Yonge-street. J. B. Clarke, Q.C., R. H. Bowes, F. A. Hilton, Charles Swabey, E. Scott Griffin, H. L. Watt. The Secretary Kings ing additional sup Path fund : The Hysiop, Son & Me erbocker Club, \$21 John Griffithg Cy tario Paving Brie Co., \$55; Westman & Son, \$55; E. C. erican Rattan Co. \$55; Gendron Mfg. Sons, \$5; The R. G. Cox, \$2; R. B. Harton Walker, \$ themen \$1 each: bottle, H. J. Gra Arthur Haggerty, Ross, E. J. B. Du G. Scott, Wm. Lo Walker, H. Sylv Horton, G. B. Fo Hurndell, A. A. W. J. Bickell, F. subscriptions of 23 WILLIAM M. HALL (LATE HALL & Kilmer, Toronto). isw and real es-tate, Canadian patents handled in U.S. Bank Building, LOBB & BAIRD, BARRISTERS, Soll-citors, Patent Attorneys, etc., 9 Que-bec Bank Chambers, King-street east, cor. Toronto-street, Toronto; money to loan Arthur F. Lobb, James Baird.

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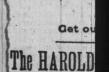
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