SEMI-WEEKLY SUN, ST. JOHN, N. B., OCTOBER 10 1906.

Iseac Erb, photographer, the next witness, was called to prove that the photographs offered in evidence by the crown were photographs of the place which was pointed out to the witness as the place where the assault or Fithel which was pointed out to the witness as the place where the assault on Ethel Train took place. This mode of offer-ing evidence as to the locality was ob-jected to by Mr. Baxter, and the point was not pressed by the attorney gen-AGAIN ON TWO COUNTS

Jenny Adams, sworn, said she was 15 rears of age and lived with her father After Six Hours' Deliberation the Prisoner Was Acquitted on the Comon Millidgeville avenue. Witness heard of Grace Tuttle being assaulted. She w the Tuttle girl after the assault mon Assault Charge But the Jury Disagreed on the Crimina had been committed. Witness said she knew the prisoner. On the afternoon of the alleged assault witness saw the Assault and Attempted Rape Counts; Standing 10 to 2 For prisoner on one of the hills out the Millidgeville road. Witness identified the prisoner as the man she saw on the

To Mr. Baxter:-Witness said she had not talked about the assault to anyone since the day of the occurrence. On that day she had talked with Mrs. case of the King v. Clarke was ing near that road. The children who Baxter Sergt. Kilpatrick, the next witness

were with them started for home, and Grace went along a little piece with them. This was about five o'clock. old of seeing Ethel Train in the north The witness said that she and Mrs. Baxter went to get a dish when she heard her daughter, Grace, coming and crying, "Oh mamma! Oh mamma!" She asked her daughter what the matter was and she said a tramp had hurt ult on the former. Witness in no her. They then went and told the m way aided them to identify the pris-

who were haying about the assault and oner. To Mr. Baxter, Chief Clark said he did not think the prisoner was the only one in plain clothes at the time the men to do in the afternoon. Between men to do in the afternoon. Between The court then adjourned until 2.15. DR. CORBETT'S EVIDENCE. At the afternoon session Dr. Geo. C. three or four other men present in the

Corbett was the first witness called. guard room. Witness could not say Dr. Corbett said he was a registered wherther they were all in uniform or physician. He examined Ethel Train not one Saturday evening in August last. He found no external marks of violence The evidence in the case of the King but found blood on her clothing.

was adjourned until this morning at 10 torn. Climbing over a fence might have produced the conditions found. o'clock when the counsel will address the jury, after which His Honor Judge th Landry will deliver his charge. It is isoner and gave it as his opinion that

it would be probably impossi le for the prisoner to have produced the conditions found on the Train child. Re-examined by Dr. Pugsley, witness said he believed external violence had been used and that the injuries on the

They were picking violets not very far Train girl might have been produced Sheriff Ritchie, the next with a sworn, said that in compliance with instructions from the attorney general the attorney general the attorney general. The prisoner manifested considerable interest in the manifested considerable interest in the diagonal throughout the day and lis-

witnesses called for the defense. evidence of Mrs. Clarke was heard in

Ans.-"I could not say." Q.-"Were you instructed to notify on the 2nd of August, but me that this excursion was about to in looking for the man. take place "

man, but saw nothing of him.

MR. BAXTER OUTLINES DEFENSE. Mr. Baxter then briefl yaddressed the

brated the evidence given by Miss Väughan. She said she had never seen he man before and never saw him that on the afternoon that Grace Tutwas a tle was alleged to have been assaulted the man before and never saw him again until she was called to Chief the man before and never saw him the was alleged to flave been assaulted again until she was called to Chief he saw a man whom he took to be again until she was called to Chief he saw a man whom he took to be after the prisover was pointed out full solution for a man to be prisover was pointed out for the prisover was pointed additional evidence and go view of the intervent at dinner. After the prisover was with them on the Howe road. The road when he met some men with

saw him Friday working on Rodney ldren picking cranberries. Witne wharf. I was not working there my-self, but went over to see what the men were doing. This was in the fore-noon. I do not know whether there was a gang of men working there on aid he returned to his home about 4 o'clock. He told his wife he was not feeling well and went into a bedroom and went to sleep. His wife woke him up shortly before 5 o'clock and told him there was no milk for tea. In the evening witness and his Friday night or not. On Saturday I learned that Mr. Miller, the track foretea. In the evening witness and his wife spent the evening at Mrs. Thompman, wanted a couple of carpenters. He was on the west side. I sent Clarke son's.

and Hazlett over to him. This was at Sunday morning witness took a walk noon. Hazelett came back late in the afternoon. He reported they were not out the Millidgeville road and picked a basket of berries, which he took home with him. He then related the circumdoing any work. I told him to go back. He said he would go out and stances of the arrest, which were praperhaps he would meet Clarke. I re tically the same as given by the officers, member meeting Clarke near the depot. with the exception that the with I went over and asked him how the said he did not run and never used the made out and he told me. We walked expression, "it it all right ?" along together as far as Metcalf street Witness said he never saw the Train girl before he saw her in the guard Clarke went right along and turned to go out Adelaide street to my home.

room, and never saw the Sho either. He never saw the Vaughan girl The time we separated was not earlier until he saw her in the jail. than a quarter past five. The witness said that it was upo STICKS TO HIS STORY return of time that a man was paid for

his work. Two time books were the shown the witness and he recognized Cross-examined by the attorney gen one of them as his time book. He said eral the prisoner told the same facts as in his direct examination. He adthat these books contained the time as in his direct examination. He ad-mitted that he sometimes walked out the Millidgeville road. He said he waxed his moustache, but did not know that it made it darker. He did not do To Dr. Pugsley-This time book shows the time a man is on duty but not necessarily the time he is at work. I am a cousin of the prisoner's. On Thursday, 2nd of August I supposed the prisoner was working. On the it to alter his appearance. John A. Miller, the last witness called, the prisoner was working. On morning of that day I sent Hazlett and said he remembered telling the prisoner on Thursday the and of August to in-form Mr. Ritchie that he would not

the prisoner down to the Bay Shore to need the carpenters until Friday morn ing.

To the attorney general witness said he first knew he would not need the eleven and twelve o'clock the prison came over to the denot where I was men until Friday morning about the middle of the forenoon Thursday and and said that Mr. Miller wanted did not remember seeing the prisoner after that time on Thursday. to work on the west side. As far as I know the prisoner did not do any

To Mr. Baxter witness said he would not say he did not see the prisone again on that day.

GOES TO JURY THIS MORNING

This closed the case for the defense, and court was adjourned until this morning, when Mr. Baxter, for the de fense, and the attorney general will address the jury, and his honor will debefore August 4th her husband came liver his charge. very late. On the morning of August

William E. Clarke, who was collect ively tried on the charge of common assault on Miss Amelia Vaughan, criminal assault on Grace Tuttle and attempted rape on Ethel Train, was acquitted of the first offence, while on the two more serious counts the jury, after deliberating for about six hours, disagreed, standing ten for conviction and two for acquittal. The prisoner's application for bail was refused, and he will again be put on his trial on the 23rd inst.

On Saturday morning J. B. M. Bax

ter, counsel for the accused, and At-torney General Pugsley, on behalf of asked if Mr. Clarke lived there, I re plied that he lived there but was out the crown, delivered their addresses at that time." The witness then gave the both of which were very able efforts. His Honor Judge Landry in his charge articulars of Clarke's arrest. She said that when she was informed of the crime her husband was charged with complimented Mr. Baxter very highly on his defence, saying that it could not she fainted. She had not seen her hushave been improved upon. Dr. Pugs-ley also congratulated Mr. Baxter, re-To Dr. Pugsley-We usually had our ferring to him as one of the ablest dinner about twelve-thirty o'clock and young men practising at the bar in our supper about six o'clock. Once in New Brunswick.

great while my husband would get The case went to the jury at halfhome a little earlier than usual and we would have supper earlier. On past one on Saturday, and at 5.20, after having been out three hours and fifty minutes, returned. The oppressive Thursday, 2nd of August, my hus-band got home about six o'clock. He nce of the court room was broken sile was not home on Thursday to dinner. by the voice of the foreman, R. Steeves.



The Kind You Have Always Bought, and which has been in use for over 30 years, has borne the signature of

and has been made under his per-Chart H. Flitchers, sonal supervision since its infancy. Allow no one to deceive you in this. All Counterfeits, Imitations and "Just-as-good" are but Experiments that trifle with and endanger the health of Infants and Children-Experience against Experiment.

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MONCTON, N. B., Oct. 7.—Battered and bruised from contact with stones and floating debris of the Petitcodiac River, bloated beyond recognition by two weeks in the water and clothes MONCTON, N. B., Oct. 7 .- Battered | greatly roughened by the heavy gale, veighted with many pounds of mud, quantities. When examined it was the body of Albert J. Gorham lost two found that the watch Gorham carried weeks ago Saturday was recovered this afternoon. George Hoar, residing the charm still remained. The key to about eight miles up river, on the the store which he carried was also missing. On the body were found and Stewart A. Steeves recovered it cuff links, a few small papers, a couple from the water as it drifted ashore. Walking across the marshes to drive small perfume bottle, memorandum nome the cows, about four o'clock, and order books.

Hoar saw a dark object floating up river which he believed at once to be a says the flesh was quite white and he

to this agreen maintained that est contributor population to th try, and that i entitled to a la sidy, but it clai less help toward than the other Mr. Whitney wa increase provide bec resolutions ed to reserve more. He was both his share retain his griev abandoned this said that he can the control of de the other provin taken the opini The federal gove divided jurisdict fisheries along t dary. Premier McBri

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OTTAWA, Oc that as the res sitting of the

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Though he has Nief is that Pren cede the point compensation the willing to conce mier McBride is ing as the easter his claim to a s the coast fishe another point w concede British Columb Edward Island up their tax on which the feder dikes and fences Steeves followed. It that on one side the collar stood up, and as it was a habit of Gorham's to cated will be need expect increases was first sighted and for half an hour the body remained stationary then it this at the time strengthened the be-Each of the pr to Ottawa with started down stream and at spot about lief that it was his body which had crease of the They found the This afternoon at low tide on the on this point an it away out of the water and then go-ing home got a team. He then left for Moncton arriving here about nine found partially buried in the mud, giving expression oremiers, however carefully prepar which is believed to be that of the dehis province The body was taken to Tuttle's un-dertaking rooms and Coroner Purdy summoned. The following jury was empanelled: W. O. Schwartz (fore-man), James McD. Cooke, B. E. Smith, Dr. B. Breadd, E. W. Gimen English consideration, a attempted to con bers of the con should have the the members. Dr. B. F. Reade, F. W. Givan, Ezekiel saw it disappear. The inquest will steeves and J. Pierce Delahunt. general recogni Steeves and J. Pierce Delahunt. High tides and heavy sea today are supposed to be responsible for bring-ing the body to the surface. The tide was very high and ran swiftly, being they must agree the Dominion g must not ask reasonably gra must be give an the preparation This is what BIG ATTENDANCE AT MT. ALLISON | MYSTERY IS STILL for the better j task has not Prince Edward to have its subs sent proportion other provinces UNSOLVED proportion Brunswi It is claimed the

the fourth her husband went off to work as usual. "On that day we had dinner as usual. Mr. Hazlett and Mrs. Price were to dinner with us. My husband had dinner with us." She stated that her husband was all ways very good to her and never left house without kissing her. He generally used the back door when The ning in the house. "He has always provided well for the house and has been a good husband to me. About 12 o'clock Sunday morning there was a ring at the door bell and some person

August the 3rd.

PRISONER'S WIFE TESTIFIES

band since his arrest.

Mrs. Clarke, wife of the prisoner

vas next called. She was in a very ner-

vous state and seemed much affected. The witness stated that on the night

FORENOON SESSION

Mr. Morgan said that on the same day he saw some people running and yelling. Witness said he looked for the This

jury on behalf of the He said that the case behalf of the prisoner.

nervous condition when she related the circumstances of the assault to wit-John Green, called and sworn,

have instructed them without your knowledge.' Ans.-"No."

they started to find the man.

Witness said he had examined

by a man using violence

Cross-examined by Mr. Baxter: Q.-"Did you see anyone in the jail

who slightly resembled the prisoner?".

Ans-"No." Mrs. Tuttle was next called and con-

tinued her testimony. She said her daughter appeared to be in a very

a clump of frees. "He then placed his recognized the prisoner simultaneous hand on my shoulder. I knocked him ly. The prisoner was with other in-

mates of the jail at the time. Q .- "Was anyone present who could the morning.

v. Clarke was concluded yesterday af-ternoon at four o'clock, and the court August 4th. He did work on Friday. To Mr. Baxter-Her clothing was not

ected that the jury will return not expe a verdict before four o'clock this af-

The prisoner took the stand in his own half in the afternoon. He appeared slightly nervous at first, but soon gain-ed control of himself. He told a

straightforward story of his doings on the days he is alleged to have commit-

tened eagerly to the evidence of the

At the forenoon session two witness were examined by the crown. Robert E. Baxter, the first witness, said he

heard of the assault on Grace Tuttle on the 2nd of August, but took no part

closed the case for the crown.

end police station shortly after the assault was committed. Chief Clark, who was next called, said he was present when Ethel Train and May Short identified the prisoner as the man who had committed the as-

To Mr. Baxter witness said that she the road when he met some men with was told when she went to Mr. Clark's whom he had some conversation. One office that she was going to see the was John Baxter and another Wm. man who assoulted Miss Vaughan. Morgan. This would be about a quar-

They then brought a man into the To Mr. Baxter witness said as far as guard room whom she identified as the man in question. The prisoner, she said, is the man who was brought in said, is the man who was brought in that day. To Dr. Pugsley-"I knew the man Clarke was connected with the alleged who was brought in the guard room to assaults.

be the same man we saw on the Howe | George P. Anderson swore that or be the same man we saw out the way him the afternoon of the alleged assault on Ethel Train he was keeping house for his mother and was told to make a

EIGIT

CLARKE MUST STAND TRIAL

Conviction—Prisoner Remanded Until Oct. 23rd.

begun in the supreme court Thursday before his honor, Judge Landry. At-

torney General Pugsley appeared for the crown and J. B. M. Baxter for the

defendant. The case was continued throughout the whole day and a large

er of witnesses were examin

while Ethel Train was being examin

d the prisoner apparently took little

nteres. in 'the proceedings and kept

foot of the counsel's table, manifested no outward signs of uneasiness during

the day and smiled several times when identified by different witnesses.

On the opening of the court in the

afternoon he stepped quickly into his seat, and after smoothing his mous-

MORNING PROCEEDINGS

At the morning session Miss Amelia

vas accompanied by Miss Muriel Knox.

from the road, when a man came along

and asked them if they were gathering earth. She replied no, that they were

picking violets. He told them that he

nore violets. He led them in back of

away, and told Muriel to run. We

Vaughan stated that the man who as-

On cross-examination Miss Vaughan stated that she was twenty-four years

of age. She remembered her assallant as having a sandy moustache; other-

Muriel Knox the next witness said

bered being out on the Howe road with

Miss Vaughan during the latter part

of May or the first part of June. It

was about three o'clock when they got

out there. They got home around five o'clock. It was near Lily Lake where

they were picking violets. She corrol

was eleven years old. She remem-

was clean shaven.

both ran to a nearby house."

ilted her was the prisoner.

show them where there were

Attorney General Miss

Vaughan was first called. She told of being out on the Howe road

of May or the first part of June.

could

To the

orated the

with an easy air of indifference

looked around the court room

time during the latter part

She

looking in the opposite direction. Clarke, who occupied a seat at

At the morning session several little

were examined, and gave their

nce in a straightforward manner

7.000

May Short, of Erin street, was then called. She said she was twelve years cld and knew the nature of an oath. She knew Ethel Train, and told of be-ing blueberries on August 4th with Ethel Train. She described in detail the assault as outlined in the preliminary To Mr. Baxier witness.

examination. A coat and pair of shoes To Mr. Baxter witness said he had examination. A coat and pair of snoes 10 all. Batter witness said he nad were brought into the court, and the no conversation with Clarke. No conversation with Clarke. Deputy Chief Jenkins, the next wit-as the ones worn by the man ness called, testified that he received she saw on the Millidgeville road.

When the prisoner was pointed out that an assault had been committed to the witness she stated that she had that day on Ethel Train. He immedito the witness she stated that she had seen him before and that he was the man who took Ethel Train into the woods on August 4th. Mrs. Vaughan, mother of Amelia Vaughan, said she remembered the af-ternoon that her daughter was out to the clothing worn by her when assaulted. The clothes were pro-duced in syldence. Witness had re-ceived no information of Clarke's description other than that given by Ethel the Howe road. Her daughter came Train and May Short. On the following Saturday Clarke was arrested. The with her dress torn and was in

very nervous state. To Mr. Baxter.—"I do not remember vinat day of the month it was." A. O. Skinner gaave the same evi-ence as in the preliminary examina-ion, about seeing the 'girls' on ' the next day witness went with Ethel Train and May Short out the Millidge-

wille road, and they pointed out where the assault took place. Witness was not cross-examined. Sergt. Caples gave evidence about the arrest of Clarke by himself and Officer Greer. They first went to the Clarke bause shorthy the start of the Clarke thel Train was then called. She said she would be fourteen years old on the 4th December. She told of going out to the Millidgeville Road with May Short on August 4th. They were pick-ing berries along the road. The wit-ness remembered a man coming along and told of his actions towards her. house shortly after twelve o'clock and were told by a lady who came to the door that Clarke was not in. They re-turned shortly after two o'clock. Witness went to the front door and Officer Greer to the rear door. He saw Clarke in the back part of the house and ask said that he told them that there betti berries back farther from road. They went back farther.

ed him to come into a room, as he wanted to have a talk with him. The witness, sobbing, gave a minute description of the assault. When ask-ed if she saw the man in court who assaulted her, the witness pointed out Witness asked him if he had The prisoner as the man, Grace Tuttle, a thirteen-year-old-girl of Kings Co., told of visiting in the city during August. She said on Aug-ust ind she was berrying on the Mil-dire and Mrs. Baxter. In some manner she got separated from them. While alone a man came alone and asked her it to come with him. Clarke asked parmission to change his shift, which was granted. While doing so Clarke asked him what he was being arrest-ed for and witness informed him. Continuing, witness more about the same version of the prisoner's story of his whereabouts on the afternoon the Train girl was assaulted as given at the preliminary examination. Buintes then told of this man assault-which Gorden and asked her witness then told of this man assault-stop crying he would keep me there all might.

sion crying he would keep me there all might. "I managed to get away, and ran and found my mother." When asked if the man who assult-ed her was now in the court, the little witness looked around the room, and seeing the prisoner pointed her finger at him and said, "that is the man." Mis. Tuttle, mother of Grace Tuttle, was the next witness called, and toil the told Mra. Clarke that he of visiting in the day in question they went the told that to Mrs. Clarke in order out to be Milling wille Road to take the told that to Mrs. Clarke in order and and to wait his turn as there are the next witness. "The next witness that and four men who were hay-buildings to the clarke sound, when he made the told that to Mrs. Clarke in order the told that to

quarters of an hour at dinner. After whom he had some conversation. One mentioned in most of the charges. He went out. This was after one o'clock, would prove that Clarke never lost a My husband got ten cents to go out prove where Clarke was for the time dinner Mrs. Prince, who was with us, quarter of a day from 24th of May until 24th of June, and consequently time he came back. When I called him that the prisoner could not have been at the place where Miss Vaughan was five. Previous to this afternoon through

assaulted. As regards the Tuttle charge he said he would show clearly he did not lose more than one afterevery movement of the prisoner from 4.80 o'clock until six o'clock, and as it was shown by the evidence that the I know Pearl Anderson. He lives in the flat below us. He has seen my hus

assault was committeed at about five o'clock consequently the prisoner could not have been at the place where the assault took place. As regards the band came home early I would have Train case he would put the prisoner on the stand himself to show what he did that day. Ralph Hazlett, an empolye of the C. the attorney general, to whom he

P. R., was the first witness for the de- stated that it was abou five o'clock, fence. He said I heard of the arrest of possibly two or three minutes befor Clarke on Monday morning, the 6th of five, when he haw the prisoner on the August. On the Saturday before this date we were working in Carleton. I depot.

saw Clarke working there on that morning. On Friday Clarke worked be a few minutes after five o'clock there all day and most of the night. when he and the prisoner started for On Thursday, August 2nd, I came over home. to the city and went to the news room

in the I. C. R., Mr. Ritchie, my fore- CLARKE ON THE STAND man, told me I had better go back to

Carleton. After dinner I did so, and stayed around for a while and came then called to the stand. The prisoner stayed around for a while and came back to Carleton and met Clarke at the ferry floats. This was somewhere about 430 o'clock. I spoke to him and we walked along Prince William street. and King to Germain street. I left him at the foot of the market. It was about the numbers of we when I we department. In the afternoon he about the prisoner back of the went to the Bay Shore. In used after and we want to the argent went to the Bay Shore. In the afternoon he about the prisoner he remembered dor

supper early.

afternoon Mr. Ritchie was recalled by

In talking to the Sun reporter be to the Bay Shore. Thursday he again went to the Bay Shore. Thursday he again went to Bay Shore. In the af-ternoon the witness and Haslett went to Rodney whanf to go to work. They were not ready there, and witness went back to the Bay Shore and completed the jury came in the prisoner said that he wanted no sympathy from the court or jury, all he wished for was a fair trial. "It was a strange thing that no If I was the man who committed the assault, particularly as there were boat races that day and there would naturany day in July as I kept no record of the job he was at the day before. Witany day in July as I kept no record of time. I do not know where I was working en August 2nd, nor who was with me. Oh! do you mean Thursday? Clarke and I worked together all day in Clarke knocked off work at twelve Clarke and set for set for work at twelve Clarke knocked off work at twelve Clarke and set for set for work at twelve Clarke knocked off work at twelve Clarke hot for work at twelve to the market. Later he came down ally be many people on the road." He considered it absurd that the girls were able to describe their assailant o minutely. o'clock, and as far as I know he did Union street and in passing the depo When offered an evening paper th

not work any more that day. The time he had some conversation with Mr. book would be no actual evidence as to whether Clarke was actually work-gether. It was about five o'clock then. ing or not. Mr. Ritchie, the foreman. He reached home about six o'clock. was not over to Carleton on the Thurs- Prisoner said he was not near the rifle day in question. I did not see Clarke range that day and never saw the Tutuntil the Saturday afternoon of August the girl until after his arrest. 4th. Friday he worked all day on Rodney

To Mr. Baxter-On Thursday mornwharf and worked until 12 o'clock at ing we were doing some work out at night Saturday, the 4th of August, he Thomas A. Black said he was a worked until noon. He met the fore-

man at the ferry and told him he was not able to work that afternoon. Witbarber with a place of business on Main street, opposite the car sheds. He knew the prisoner. He rememberd ness then said he went home and had shaving the prisoner on Saturday, Aug. his dinner. A young man by the name 4th. He had to wait his turn as there of Haslett was at his home and also

and the second s

Bay Shore.

Wm. Ewing, appearing for the crown in the absence of the attorney general, asked that the sheriff be directed to summon thirty new jurors for October

sault.

party, to walk from the barber shop on Main street to the place where the as-sault was committed, and also some to notify Stewart Steeves, who went routes that might have been taken. Mr. Baxter thought that the best thing for them to do was to read Mr. Black's evidence and also any other that bore on the question. The Attorney General said there was wide and so along the marshes, over drowned from the wharf. They said that bore on the question.

ome evidence that it was about two miles from Scott's corner to the place where the assault was committed. The judge then addressed a few words to the jury pointing out that if a mile below where it was first seen it drifted on the bank. Steeves rolled This afternoon at lov they were convinced that the prisoner was the man they should not be inluenced too much by the question of On the opening of the court in the

ti me. Mr. Steeves, the foreman, announced that within fitteen minutes they would know whether or not they could agree on a verdict, and they retired. o'clock.

Attorney General Pugsley who had to leave on the six o'clock train for

Ottawa left the court house at twenty minutes to six and instructed Wm. A. Ewing, of the firm of Barnhill, Sanord & Ewing, to look after the interest of the crown as there was no further word from the jury. At six o'clock His Honor Judge Landry remanded the prisoner and informed the cour

that he would not return again until seven o'clock unless telephoned for. A few minutes after seven Judge for. Landry took his seat and a few minutes later the prisoner was brought in. While he appeared outwardly calm it was apparent that the strain was tell-

SACKVILLE, N. B., Oct. 7 .- The atendance at Mount Allison University this year exceeds all former records The figures are as follows: Number of new students is fifty-four, including four post graduate, one jumor, four soph mores, twenty-three one saw me on the road that Saturday freshmen in arts, seventeen in science

and five theology. There are 104 boarders in residence, while the total registration is 134. This umber does not include special stu dents from the ladies' college and aca demy.

MRS. MARY MCDONALD.

prisoner after glancing at it said, "I'd like to be able to purchase one tonight," then looking through the win-dows of the court foom through which the sun was brightly shining said in The death of Mrs. Mary McDonald wife of Daniel McDonald, took place at an early hour Friday morning. De ceased had been in failing health for faltering tones, "I wish I could have a reath of God's air tonight." At 7.80 o'clock the jury filed in again some months. Besides her husband. Mrs. McDonald is survived by two sons and Foreman Steeves announced that the prisoner had been found not guilty and three daughters. They are Miss Sarah and Louis and Fred J. McDonald and Mrs. C. W. Robinson of Pitts-burg, and Mrs. E. W. Deveny of San on the first count, that of common as-Francisco. Many friends will sympa thize with the family in their bereave ment. The funeral took place on Sun-

> 23rd, and the prisoner be given a new trial.

ing read Clarke showed no signs of nervousness, but seemed rather pleased when it was announced that no agree ment could be reached on the two counts. He was remanded to jail.

CASTORIA. Char H. Fletchers Sears the Bignature



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submitted to the

Abiel Edgett, a well known resident, and who was in charge of various schooners running out of this city for a number of years, has been missing since the first of July, but as he was in the habit of going into the woods on prolonged hunting trips, his relatives here are not especially alarmed about his safety. The finding of a skeleton in the woods near here a couple of days ago aroused fears that it might be Captain Edgett, but the identification to day of these remains as those pt 'Paddy'' Donohue, set these fears at rest. Donohue was an aged man, and belonged to Richibueto, but claimed to have been born in Dublin, Ireland. He did odd jobs for farmers in the vicin-ity and was a solution of solutions a good ity, and was capable of doing a good day's work in anite of his advanced age. He was not in the best of health in recent years, being sick every few days and the state of the state of the state of the state age. He was not in the best of health

Nothing Heard of Capt. Edgett Since

First of July-Property

MONCTON, N. B., Oct. 7 .- Captain

days, and it is believed that while walking through the woods he was overcome by sick a spell, and lying down, died. The C. E. Knapp homestead at Dor-

chester was sold by auction here today and purchased, after some lively bid-ding, by R. W. Hewson of this city. the purchase price being \$1,005.

dict on the charges of criminal assault and attempted rape. Mr. Steeves said that he was positive that the While the report of the jury was be and, Steeves said that he was positive that the jury could not agree on the two counts, and it would be useless to again retire. That being the case his honor said he would not insist upon their again retiring. He then discharg-ed them until October 23rd.

Sault. On the other two charges they dis-gread, the vote stinding 10 for con-viction and two for acquittal. His Honor Judge Lendry addressed the jury for a few minutes, stating that in his country they should apply the day. aginal a sr. in his opinion they should again re-tire and endeavor to arrive at a ver-