

UNITED STATES.

(Selected from the New Brunswick.)

Trial of Professor Webster. FOR THE MURDER OF DR. PARKMAN. (Continued.)

The Attorney General concluded his speech by saying that he sincerely hoped the prisoner would be able to produce such explanation as would satisfy every one of his innocent but he thought they would require something more than for him to say that the testimony on this point or that was not to be relied upon.

If it were proved that the remains found in Dr. W.'s room were those of Dr. Parkman, and it were also proved that they could not be found there except by Dr. Webster's agency; then the law fixed the act upon him.

And a voluntary killing was held to be murder, unless there was evidence that there was such provocation as would reduce it to manslaughter; and it was for the defence to show this.

In other words, he understood it to be the law of this Commonwealth, that, if a voluntary killing be proved, it was held to be murder, unless circumstances could be made to appear that would show the absence of malice. If they were satisfied beyond a reasonable doubt that Dr. Parkman came to his death by the hand of Dr. Webster, unless he could show to the contrary, they must bring him guilty of murder.

EVIDENCE FOR THE GOVERNMENT.

After a recess of ten minutes, the jury came in and the examination of witnesses for the prosecution was commenced—previous to which, however Mr. Clifford made a motion for the jury to visit the Medical College. The court decided that the visit be made to-morrow morning.

Charles M. Kingsley, first witness called and sworn. Have acted as the agent for Dr. Parkman since about May or June, 1846; I had the care of collecting his rents, &c. Saw him every day, and often three or four times a day; Dr. Parkman owned real estate around the Medical College; I live in Blossom street; my intercourse with the Doctor was upon business, and I would often call at his house. On the afternoon of the 25d, I wished to see him, and called at his house about three o'clock in the afternoon; the day previous I met him in Court street, but had no conversation with him.—When I called Friday, was informed he had not been to dinner; did not find him at home; he dined at 2 1/2 o'clock, and was very punctual in his habits. Called at his house at 1-4 before 3 in the morning, Saturday. Heard that he had an engagement the day previous, and I proposed to trace that engagement out. I commenced to trace him from his house, and finally traced him to the Medical College.

Mr. Trepholm, and some people in the neighbourhood, assisted me in the search. The search was continued Saturday until about twelve o'clock at night. The Police aided on Saturday, and continued to make the search. A great many houses were searched on Sunday. I went to East Cambridge on Monday forenoon; returned, and went to the Medical College. Mr. Starkweather, police officer, was with me. We went all over the building, dissecting rooms, attic, &c.; looked into the large vault where they throw the remains of dissecting bodies.

Went into Dr. Webster's apartments; it was about 10 o'clock Monday forenoon; knocked at Webster's door; it was locked; some time elapsed before we entered; Littlefield said the Professor was in there. After some minutes Prof. Webster unlocked the door; Mr. Littlefield said we came to look round, to see if we could learn anything of Dr. Parkman. It was the door, leading to the lecture room. We proceeded through the lecture room, and down into the laboratory. The Professor came down after us; he did not speak to either myself or Starkweather. He spoke to Littlefield. Next day (Tuesday) officers Clapp, Rice, and Fuller, accompanied me to the College. We knocked at the lecture room door as before, and the Professor opened it. We went into Littlefield's apartments and searched every room; Littlefield was out and in during the time; we made a thorough search; we thought we might find papers or something. Leaving Littlefield's apartment, we went through a trap door, beneath the College; Messrs. Fuller and Rice went down into the under apartment, and were absent about fifteen minutes. We were not kept waiting so long at the Professor's apartments, as the day previous; he came and unlocked the door; Mr. Clapp had some conversation with him; Mr. Clapp told him we came to search all parts of the college, and should search the houses in the neighbourhood.

Mr. Clapp spoke very politely to Webster, and said they did not suspect any one about

the college, but were obliged to go where they were sent. Mr. Webster said we could look. We walked through the next room, and then Mr. Clapp made a motion to enter the back private room, adjoining the laboratory; the principal laboratory is one story below; when Mr. Clapp started towards the private room, Prof. Webster said there were valuable and dangerous articles there. Mr. Clapp put his head in and then returned. I went to the south-west corner of the room, where there was considerable rubbish, a barrel or two, &c.; saw a tea chest with tea in it, also a lot of minerals. The officers had no suspicions of any one in the college, and said they came in to look round in order to say that they had searched the college. Wednesday and Thursday the search was not so active as it had been.

On Friday night I went to the Medical College in company with several others; previous, about four o'clock, I went with officer Starkweather, and called at Littlefield's apartments; had heard that Littlefield had borrowed tools to break through the walls. Soon after we called Littlefield came out from his apartments. There were marks of mortar on his overalls; I ascertained what Littlefield was about; before ringing the door bell I put my ear to the wall, and heard some one at work on the brick wall. I was not at the jail office when Professor Webster was arrested.

About 10 o'clock that (Friday) night, I went to the jail and saw Prof. Webster after his arrest. Mr. Parker, the County Attorney, Dr. Gray, officer Starkweather, and others were present. On entering the cell, under the jail office, Prof. Webster laid upon a bench with his face downwards. He said he was not able to get up; Dr. Gray talked with him, and tried to soothe and comfort him; he seemed under great excitement, so much so that I thought he would not live; on carrying him up into the jail office, he called for water, but could not drink it; I held the tumbler to his lips; he apparently had no control of his arms and hands, and gnashed his teeth at the tumbler, spilling the water over him. He was supported in a chair; he appeared in convulsions; never saw any one so before; never saw a person in delirium tremens.

Saturday afternoon (next day) officer Fuller found the thorax and thigh of the body in a chest; the thigh was crowded into the trunk, the intestines having been removed. It was the left thigh. The tea chest was rolled from a corner of the laboratory, and emptied in the middle of the floor; a large jack knife, I should call it, fell from the tea chest. Saw a string tied around one of the limbs; the remains were washed, and left in charge of officers. Was present Monday morning when Dr. Lewis put the limbs together; the body was proportioned like Dr. Parkman; he was quite tall and slim; suppose he was 5 feet 10 1/2 inches—heard him say so; was very small across the hips, and of light, perhaps sandy complexion; his under jaw prominent. Should not like to say that I recognized the body. Saw some bones taken from the furnace in the lower laboratory. I have never heard Dr. Parkman use profane language, but have heard him when excited use severe language.

Robert G. Shaw called and sworn. Was a brother-in-law of Dr. George Parkman; he was about 67; do not know how long he had known Prof. Webster; saw the doctor about 9 o'clock on the morning of the 25d, and walked down from my house to State street with him; he was in good health and spirits; I first knew of the discovery of the remains on Friday evening; I saw the remains.

A question by Mr. Bemis, as to whether the witness was of opinion that the remains were those of Dr. Parkman, was objected to by Mr. Sohier.

The court ruled that the question could be put, but in another form. Mr. Clifford argued that it was legal to ask the impression of witness as to the remains, and then the reasons upon which such impression was predicated.

Mr. Clifford. Did you see any appearances which led you to believe they were Dr. Parkman's remains?

Witness. I thought they were Dr. Parkman's remains by the hair on his breast, and by the peculiar appearance of one of his legs. He called at my house one cold morning, and I spoke to him about going so thinly clad, without an overcoat; he sat down, and pulling up his pantaloons, he wore no drawers, showed me his leg, and by my recollection of it in form and appearance, I judged it and the limb I saw at the College to be identical; I also saw the set of teeth found in the grate; but I am more certain of the identification of the body from the hair on his breast; I claimed and received the remains as those of my brother-in-law George Parkman.

About the 18th of April last, I received a note from Prof. Webster, requesting a private interview, and by appointment he called at my residence. He stated that he was

hard pressed for money, and expected the Sheriff would be in his house if he did not raise a certain sum of money immediately; he then proposed to sell me a cabinet of minerals. I replied that I did not want them. He pressed me very hard; spoke of his family, and his position in college, as dependent on obtaining the money, and offered to dispose of the minerals for \$1200, stating that they had cost him much more. He finally worked on my feelings and I consented to the purchase. He wanted \$600 for immediate relief; said I had not got the money, but if he could get my note on three months discounted, would give it to him. Next day he called and I gave him the note, which I think he got discounted at the Charles River Bank.

[The note was dated 20th of April, 1846, and was for \$600, running three months. It was read and put into the case by Mr. Clifford.]

Witness. Soon afterwards Professor W. brought me a bill of sale of the minerals with a catalogue embracing 500 specimens. On the 6th of June he called on me, and I paid him \$200 more on account; on the 7th of August he called again, and I paid him the balance of \$400. Sometime afterwards when I was walking with Dr. Parkman, we met Prof. Webster in the street, and bowed to him, I asked Dr. P. what salary Prof. Webster got at the College. He said \$1200 a year. I replied that it seemed rather small, and that he seemed hard pressed for money, remarking that he had applied to me, and I had purchased his cabinet of minerals. He said "that they were not his to sell?" and told me that he had a mortgage upon them. I was very much surprised, and went home with Dr. Parkman, who showed me his mortgage. He said: "It is a downright piece of dishonesty on the part of Dr. Webster, and he ought to be punished."

[The mortgage held by Dr. Parkman was here read to the court by Mr. Bemis. It was dated 23d Jan. 1847, and for the consideration of \$2400 made over to Dr. Parkman, all the personal property of Webster including his minerals, &c., made payable in four years from date. It was recorded at the Probate office in Cambridge in Feb. 1847.]

Witness continued.—At a subsequent period a subscription was brought to me to raise money to redeem the minerals, it being stated that in the event of their redemption, Prof. Webster would give them to the college. I consented to subscribe \$500 on paper to be deducted from the amount I had advanced to Prof. Webster to go for his relief. Some time afterwards I was paid the balance of \$700. Dr. Parkman's claim was not paid from the money raised for Prof. Webster; he said so to me; I have no other knowledge.

Cross examined by Sohier. He was a remarkably punctual man in all matters; when he left home he always stated at what hour he might be expected to return; if I had not known that Dr. Parkman was missing, I should not have supposed the body at the college to be his; the teeth, the general outline of the limbs, and the hair on the breast, are the marks by which I identified it.

The hour of 7 having arrived, the Court adjourned till 9 o'clock to-morrow (Wednesday) morning.

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Respected Friend.—Thy excellent medicine cured me of an Asthma which afflicted me for three years to such an extent that I was obliged to walk my room at night, and being suffocated if I went to bed and palpitate. Besides taking the Pills, I planted thy Ointment into my chest, and was cured. (Signed) BENJAMIN MACKIE.

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CURE OF DROPSY IN THE CHEST.

Extract of a Letter from J. S. Mandy, Esq. Kensington, near Oxford, December 20, 1846. To Professor Holloway.

Sir,—My Shepherd for some time was afflicted with Dropsy in the chest; when I heard of your Pills, I immediately sent him a box, and he was perfectly cured, and is now as well as he was in his life. As I myself was afflicted with Dropsy in the chest, I have ever since been my own advocate, and have ever since been my own advocate, and have ever since been my own advocate. (Signed) J. S. MANDY.

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Extract of a Letter from his Lordship, dated 21st February, 1847. To Professor Holloway.

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