

# Verdict Returned

## Jury Place Responsibility of Maltby Child's Death on Father and Elder Brooks.

### Both Were Immediately Arrested and Bail Was Refused—Yesterday's Evidence.

After deliberating for about half an hour yesterday afternoon, the coroner's jury empaneled to ascertain the cause of the death of Claude Maltby returned the following verdict, the principal part of which is:

"That the said Claude Oliver Maltby did die upon the 21st day of November, 1900, at Victoria; and that the said Eugene Brooks and Willie W. Maltby, did unlawfully kill and slay the said Claude Oliver Maltby, against the peace of Our Sovereign Lady the Queen, her peace and dignity." etc. The verdict was signed by J. M. Hughes (foreman), S. Sea, Jr., J. J. Shadé, F. Shadé, P. H. Shadé and C. Shadé.

When this was read by the foreman an ill-suppressed murmur of approval was heard in the courtroom, and there was a decided inclination to applaud on the part of those present. Just before the reading of the verdict Coroner Hart handed copies to the chief of police in order that he might take precautionary measures against the escape of either Mr. Brooks or Mr. Maltby, if they were desirous of doing so. Detectives Palmer and Parsons, however, were in possession of warrants and they were immediately arrested at once.

This caused quite a sensation in the courtroom, while the friends of the accused were eagerly asking the chief the amount required to bail the Elder and the accused. The coroner, who had taken a great interest in all the proceedings, advised the retention of counsel. His advice was acted upon, J. S. Yates being secured for the defense, but the effort to obtain the release of the accused on bail was fruitless, and both spent the night at the police station.

The Elder or Mr. Maltby did not appear very dejected upon being incarcerated, and to the members of his congregation who came to cheer him, the former gave the injunction to "continue fighting the devil."

When the proceedings commenced yesterday afternoon the courtroom was crowded. Not only was the audience a large one, but it was proportionately attentive. Every word uttered by coroner, witness or jurymen was listened to with the greatest interest.

Among those present were a number of members of the Christian Catholic church, who sat within the rail. They did not appear to be at all disconcerted with the local notoriety into which their denomination was brought through the case. In fact at times they evinced some amusement at the answers given by the various witnesses, notably those as to the ability of physicians to alleviate physical suffering.

During the entire proceedings, commencing on Thursday last, there were five witnesses examined, Dr. Ernest Hall, Eugene Brooks, Dr. Fagan, Mr. and Mrs. Maltby.

There were a couple of discrepancies in the evidence of the parents and the parents. The former said that Mrs. Maltby had been a member of the Catholic church for about four years, while in her evidence yesterday the latter stated that she had been a member a little over a year. The Elder also said the age of the child was between two and three years of age, while, according to the parents he was six.

Ernest Hall, on Wednesday afternoon. He did so because he found it was necessary to obtain a certificate of the cause of death. The doctor refused to give him the certificate. He did not notify any of the city authorities of the death of his child, but inquired at the city hall what was necessary in order to obtain a burial permit.

Juror Randolph—Did you know what the child was suffering from at any time? Answer. Yes, we had a positive idea that it was croup.

Juror Randolph—Did you not think it necessary to call in a physician? Witness—No, sir.

Juror Shadé—Have you at any time called in doctors to attend to members of your family who were ill? Answer. I have buried four children under the change of doctors. During the past five years I have done better. Thank God I know the truth.

Juror Shadé—If you knew your child was going to die would you call in a doctor? Answer. Why should I call in a doctor if I knew my child was going to die? It would be of no use.

Juror Randolph—Did you know that a doctor could have saved your child? Answer. I don't believe the doctor could have saved the child under any circumstances. The mortality in the world has been greater with the physicians than it would be without them.

Coroner—Had you heard that there were any cases of diphtheria in the vicinity of the house? Answer. I had heard that the doctors had said there were.

Coroner—You are a member of his church? Answer. I am.

Coroner—For how long? Answer. A year ago last August.

Coroner—Previous to that were you a member of any church? Answer. I was a member of the Salvation Army.

Coroner—And it was since you became acquainted with Mr. Brooks that you joined? Answer. I joined since he came here. He was preaching here previous to my joining.

Juror Shadé—When you saw the child becoming worse did you not think it necessary to resort to other means than prayer? Answer. No, sir.

Juror Shadé—Had you thought the child was dying would you call in a doctor? Answer. No; what good could the doctors have done?

Juror Hughes—You had good diphtheria in your home previous to this? Answer. Yes.

Juror Hughes—Did the child have the same symptoms as this case? Answer. No, sir; not one.

# Wanted—A Leader

## Conservatives Squabbling Among Themselves as to Who Shall Lead the Party.

### Sir Mackenzie Bowell Will Probably Refuse to Aid Mr. G. E. Foster.

(Special Correspondence of the Times.) Ottawa, Nov. 20.—The late Sir John Macdonald had a favorite expression when any reference was made to the "conservative" party, "I am the leader."

On another occasion, when addressing the House on the merits of the Canadian Pacific railway, and picturing the great advantages it was going to bring to the country, the Premier said that if he did not live to see all these things happen he would "look down" upon the "little" Sir Richard Cartwright, with that same old readiness that is his gift in interjecting a remark upon them from above. If the spirit of one of Canada's greatest statesmen—if indeed not the greatest—has been roaming in the clouds during the past few days, he must have witnessed a state of affairs such as could never have imagined in his life time.

It is not only the leaderless, but all the best material in the Conservative party is being squabbling among themselves as to who will fill the shoes of the old leader, for it must be remembered that since the death of Sir John Macdonald no Conservative has been given the sanction of the people.

Mr. G. E. Foster is a man of good political views, but he is not a man of good political action. He is a man of good political action, but he is not a man of good political views.

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have had dearly bought experience of it already in Ontario. It was the Catholic cry, raised against Sir Oliver Mowat, that has kept the Ontario Liberals in power ever since. The cry sent the solid vote to Sir Oliver, and it has remained voting that way since. The very same thing will happen in this case, and unless the present tactics cease, the next general election is as good as won by Sir Wilfrid Laurier.

Witness admitted that he sent for Dr.

Answer. No, sir.

Answer. No, sir.

Answer. No, sir.