

# COLLINS SENTENCED TO BE HANGED NOVEMBER 15

## The Prisoner Remained Absolutely Unmoved

Jury in the Third Trial in New Ireland Murder Case Found a Verdict of Guilty—Judge Hanington's Impressive Charge.



THOMAS F. COLLINS

HOPEWELL LAPE, via Albert, Sept. 24.—At four o'clock this afternoon Thomas F. Collins was for the second time sentenced to death for the murder of Mary Ann McAuley at New Ireland on the 20th of August last.

Pale but with marvellous composure, and motionless and erect of figure, the youthful prisoner stood in the dock and watched Judge Hanington as the fearful words were uttered never once giving the slightest trace of emotion during the terrible ordeal. The trial, which has lasted seven days, has been carried through in a manner that has been creditable to all concerned, and the result would appear to be the only one that could reasonably be expected.

Judge Hanington's charge to the jury was most favorably commented upon, and was certainly a model of impartiality. The counsel for the defense considered it absolutely fair and satisfactory.

After the opening of court, Judge Hanington began his charge to the jury, speaking for one hour and a quarter. He first impressed the twelve men in whose hands the prisoner's fate rested with the very grave responsibility that lay on their shoulders, stating that they must decide as to the guilt or innocence of the prisoner at the bar who was charged with the awful crime of murder. As it was for the judge to decide as to the law, it was for the jury to determine on the facts which had been presented in the case before them by the Hon. Solicitor General in a most thorough and capable manner. His honor complimented Mr. McKewen, senior counsel for the defense, and thought it did him and his associate, Mr. Sherren, credit to undertake and carry out the defence of the prisoner, unremunerative as the post had been. He believed nothing further could be done for their client, than they had done. In proceeding, his honor urged that nothing that they had heard at or concerning the former trials, or any other information, whatever should be considered by the jury, but that they should give their verdict entirely on the evidence presented to them. The blood of the victim of this terrible crime cries for vengeance, and they must put out of their minds anything that would tend to prevent them from giving an honest, sincere verdict on the evidence heard. His honor dwelt on the matter of capital punishment, saying it was not only the law of the British Empire but that of Almighty God, and he wished to impress them that so far as the penalty was concerned they had nothing whatever to do with it. His Honor dwelt quite lengthily on the question of circumstantial evidence, claiming that as with direct evidence, its value depended on the credibility of the witness. The law requires that there shall be no reasonable doubt before the conviction is made, this not meaning any fanciful or fictitious doubt, but there were any reasonable doubt in their minds as to the guilt of the prisoner at the bar he should get the benefit of it, but if as practical men they considered there was no reasonable doubt they must find him guilty.

The judge referred to the famous Munroe trial, where a chain of circumstantial evidence had proved sufficient to convict. Instances also were cited where direct evidence had failed owing to the fact of the witnesses being discredited. His honor went briefly into the details of the murder and said the jury must draw their own conclusions. In connection with Collins' movements on the morning of the murder his honor impressively asked the question, "Where did the prisoner pack his goods which were found in the valises in his possession?"

"Would he pack them at the house of the priest?" if Miss McAuley, a strong, active woman, were there at the time alive and well, and he knew it? Was this reasonable? It was also for them (the jury) to say, not for him. It was also for them to say whether the prisoner, who certainly committed theft, was also the person who had the bloody axe and broke in the doors. They should inquire of themselves if there were any other reasonable hypothesis than that set up by the crown. If there were they might reasonably acquit the prisoner, but if on the other hand they saw no other rational conclusion, they should find the prisoner guilty.

His honor also told the jury the prisoner's movements and told the jury to ask themselves whether they considered the prisoner was at the priest's house when the murder was committed, referring in this connection to the evidence of the medical man, who stated that in their opinion the victim had been dead 48 hours when the body was viewed on Wednesday morning. His honor in conclusion, admonished the jury to do what was right in their own consciences, and he prayed God would enable them to do their duty.

For absolute fairness and impartiality, his honor's address was beyond criticism. At the conclusion of the judge's charge, at ten minutes to eleven the

jury retired to the jury room and at one o'clock court was adjourned to meet at 2.30. At this hour his honor resumed his seat and at once instructed Sheriff Lynds to inquire of the jury if they had arrived at a verdict.

The sheriff in a few moments returned to the room and reported that the jury had reached a verdict and were ready to come out. The prisoner was ordered to be brought into court, and the jury, in charge of the constables, filed into the court room and took their places in the box, while intense silence fell on the throng of people that filled the building. All eyes were turned on the prisoner, who stepped lightly into the dock, laid down his cap and took his seat. He showed a consciousness of the presence of a supreme moment, but in the trying hour when the tick of the clock would tell his fate, his wonderful nerve did not forsake him. With a composure that was simply marvellous he watched the jury as Clerk of the Court Dixon asked the momentous question: "Gentlemen of the jury, have you agreed on a verdict?"

Not a muscle of the prisoner's face moved as he listened to the words of Foreman Newman Berryman, "Yes, Guilty."

His honor on hearing the verdict at once remanded the prisoner until four o'clock, when sentence would be pronounced. At that hour the prisoner again took his place in the dock, when his honor in a low voice, with evident emotion, proceeded to pronounce the terrible words that condemn the youthful prisoner to death on the gallows.

Before the judge began his address the prisoner was asked if he had anything to say, and he replied that he had not. His honor, addressing Collins, told the prisoner that he had been indicted for the murder of Mary Ann McAuley, and after a fair trial by an independent jury had been found guilty, a verdict in which the judge, entirely agreed, as any reasonable person must.

The result was that the prisoner's life was forfeited for the awful crime. He had had astute and able counsel and had found that in this country there was honest and efficient administration of justice that did not fail. "You were taken," his honor said, "into the service of Father McAuley, a warm hearted and kind clergyman, and there in the quiet hours of morning while the priest waited you were absent from his home you betrayed your trust and took an innocent life, striking down most ruthlessly a lone and defenceless woman. I do not know how you could be believed in the morning of the murder his honor impressively asked the question, "Where did the prisoner pack his goods which were found in the valises in his possession?"

"Would he pack them at the house of the priest?" if Miss McAuley, a strong, active woman, were there at the time alive and well, and he knew it? Was this reasonable? It was also for them (the jury) to say, not for him. It was also for them to say whether the prisoner, who certainly committed theft, was also the person who had the bloody axe and broke in the doors. They should inquire of themselves if there were any other reasonable hypothesis than that set up by the crown. If there were they might reasonably acquit the prisoner, but if on the other hand they saw no other rational conclusion, they should find the prisoner guilty.

His honor also told the jury the prisoner's movements and told the jury to ask themselves whether they considered the prisoner was at the priest's house when the murder was committed, referring in this connection to the evidence of the medical man, who stated that in their opinion the victim had been dead 48 hours when the body was viewed on Wednesday morning. His honor in conclusion, admonished the jury to do what was right in their own consciences, and he prayed God would enable them to do their duty.

For absolute fairness and impartiality, his honor's address was beyond criticism. At the conclusion of the judge's charge, at ten minutes to eleven the

jury retired to the jury room and at one o'clock court was adjourned to meet at 2.30. At this hour his honor resumed his seat and at once instructed Sheriff Lynds to inquire of the jury if they had arrived at a verdict.

The sheriff in a few moments returned to the room and reported that the jury had reached a verdict and were ready to come out. The prisoner was ordered to be brought into court, and the jury, in charge of the constables, filed into the court room and took their places in the box, while intense silence fell on the throng of people that filled the building. All eyes were turned on the prisoner, who stepped lightly into the dock, laid down his cap and took his seat. He showed a consciousness of the presence of a supreme moment, but in the trying hour when the tick of the clock would tell his fate, his wonderful nerve did not forsake him. With a composure that was simply marvellous he watched the jury as Clerk of the Court Dixon asked the momentous question: "Gentlemen of the jury, have you agreed on a verdict?"

Not a muscle of the prisoner's face moved as he listened to the words of Foreman Newman Berryman, "Yes, Guilty."

His honor on hearing the verdict at once remanded the prisoner until four o'clock, when sentence would be pronounced. At that hour the prisoner again took his place in the dock, when his honor in a low voice, with evident emotion, proceeded to pronounce the terrible words that condemn the youthful prisoner to death on the gallows.

Before the judge began his address the prisoner was asked if he had anything to say, and he replied that he had not. His honor, addressing Collins, told the prisoner that he had been indicted for the murder of Mary Ann McAuley, and after a fair trial by an independent jury had been found guilty, a verdict in which the judge, entirely agreed, as any reasonable person must.

The result was that the prisoner's life was forfeited for the awful crime. He had had astute and able counsel and had found that in this country there was honest and efficient administration of justice that did not fail. "You were taken," his honor said, "into the service of Father McAuley, a warm hearted and kind clergyman, and there in the quiet hours of morning while the priest waited you were absent from his home you betrayed your trust and took an innocent life, striking down most ruthlessly a lone and defenceless woman. I do not know how you could be believed in the morning of the murder his honor impressively asked the question, "Where did the prisoner pack his goods which were found in the valises in his possession?"

"Would he pack them at the house of the priest?" if Miss McAuley, a strong, active woman, were there at the time alive and well, and he knew it? Was this reasonable? It was also for them (the jury) to say, not for him. It was also for them to say whether the prisoner, who certainly committed theft, was also the person who had the bloody axe and broke in the doors. They should inquire of themselves if there were any other reasonable hypothesis than that set up by the crown. If there were they might reasonably acquit the prisoner, but if on the other hand they saw no other rational conclusion, they should find the prisoner guilty.

His honor also told the jury the prisoner's movements and told the jury to ask themselves whether they considered the prisoner was at the priest's house when the murder was committed, referring in this connection to the evidence of the medical man, who stated that in their opinion the victim had been dead 48 hours when the body was viewed on Wednesday morning. His honor in conclusion, admonished the jury to do what was right in their own consciences, and he prayed God would enable them to do their duty.

For absolute fairness and impartiality, his honor's address was beyond criticism. At the conclusion of the judge's charge, at ten minutes to eleven the

## FAIRVILLE MAN WAS BROWNED AT ST. STEPHEN

ST. STEPHEN, N. B., Sept. 24.—A tragedy enacted here at an early hour this morning is traceable directly to the drink evil. William P. Cowie, employed during the past two years as engineer on the steamer Viking, has been drinking heavily of late, so much so that his engagement, with the steamer, was terminated, and he was to have left for his home in Fairville today. Soon after midnight Officer McCleure found him on Water street in a dejected condition, and took him to the lockup where the services of a physician were secured. Cowie pleaded earnestly for permission to go aboard the steamer and refused to take the physician's medicine unless this permission was granted. Officer McCleure escorted him to the boat, where the crew was at work loading freight, and he was placed in his bunk and soon appeared to be asleep. The crew watched his room as well as possible but on a trip to his dock at about two o'clock discovered that his berth was empty. Nobody had heard a splash, but Capt. Richardson ran to the stern of the boat and soon heard a cry from Cowie and saw him drifting rapidly down stream. A strong current was running at the time. A boat was quickly lowered, the search commenced but before he could be reached the unfortunate fellow had disappeared beneath the waves. The body was recovered about eight o'clock this morning within a few hundred yards of the steamer. Corporal Lawson viewed the remains, but considered an inquest unnecessary. The body was placed in charge of J. K. Sedgwick, undertaker, to await instructions from relatives. Mr. Cowie was twenty-six years of age and unmarried.

## What Many Men Need DR. HAMILTON HAS A PRESCRIPTION THAT "SETS" YOU RIGHT UP.

When a man has lost ambition to "dig in" and stay at things—when he complains of headache, fullness in the right side, pains in the shoulder blade—it's purely a case of "Liver". These symptoms invariably indicate a clogged inactive liver. The body can get rid of its waste, and the whole system is half paralyzed. Dr. Hamilton's Pills stimulate the liver into activity in one night. Being a mild vegetable laxative, they produce results in a few hours. The bilious headaches and constipation are cured, the spirits rise, complexion clears, animation returns. Nothing in the calendar so efficient for that tired, lazy feeling as Dr. Hamilton's Pills. Very mild, don't interfere with work. Invariably do lots of good. Try a 25c. box, all dealers.



SIR THOMAS LIPTON.

He has again challenged for the cup, notwithstanding that he has been defeated three times. The next host will most probably be called Shamrock, as its three predecessors have been called.

**Dr. J. Collis Browne's Chlorodyne**

The ORIGINAL and ONLY GENUINE

Acts like a charm in DIARRHŒA and is the only Specific in CHOLERA and DYSENTERY.

Check and relief in FEVER, CHOLERA, COUGHS, COLIC, ASTHMA, BRONCHITIS, NEURALGIA, GOUT, RHEUMATISM.

Celebrated Medical testimony accompanies each Bottle.

Sole Manufacturers: T. DAVENPORT, Ltd., London, S.E.

Wholesale Agents: LYMAN BROS. & CO. LTD., TORONTO.

## WEDDING AND GOLDEN WEDDING WERE OBSERVED ON THE SAME DAY

ANNAPOLIS ROYAL, N. S., Sept. 24.—On Thursday last an interesting event took place at Digby, when the marriage was solemnized of Clara Clyde Robbins, youngest son of Mr. and Mrs. Jacob Robbins of Rossway, to Miss Janet Augusta Cowan of Digby. The ceremony was performed in Trinity church at noon. Rev. H. A. Hanley officiating. The bride was attired in white silk and was given away by her brother, J. Leigh Cowan of Boston. Miss Helen Cowan, cousin of the bride, was bridesmaid, and was attired in pale blue. The wedding march was played by Miss Kathleen Vieta. About 3.30 the bridal party and a large number of guests left for the home of the groom at Rossway, where the groom's parents celebrated their golden wedding, the fiftieth anniversary of their wedding, which took place at Rossway, the knot which has remained so firm for half a century being tied by Rev. Mr. Claff, then rector of the Episcopal church at Rossway. Luncheon was served during the evening, more than fifty guests partaking of a sumptuous repast, Mr. and Mrs. Robbins showing that kind hospitality for which they have been noted all through life, and which has won them hundreds of friends. Appropriate remarks were made by Rev. H. A. Hanley. He spoke about the faithful work of the aged couple in church circles, referred to the good connection with the church, how the bride had assisted in the work in Digby and elsewhere, and how regularly she had been in Holy Trinity choir when in town, and how she would be missed. Jacob Corvill Robbins, who is a son of the late John Robbins of Yarmouth, was born in Waterford, Digby county, August 25th, 1829. His wife, Mrs. Clara Victoria Robbins, is a daughter of the late Robert K. Timpany, and was born in Rossway February 26th, 1836.

## NEWFOUNDLAND KICKING AGAIN OVER FISHERIES ARRANGEMENT

ST. JOHN'S, N. B., Sept. 24.—A complaint has developed in connection with the recent agreement between Great Britain and the United States as to the conduct of the fisheries on the west coast during the coming season. Tonight the Royal Gazette published an interior order in council, made under the authority of an imperial act of 1819, following the treaty between the two countries the year previously. The order in council in effect suspends several sections of the foreign fishing vessels' act passed by the Newfoundland government in 1905 and touches upon the bait act passed by the government in the same year. The St. John's Telegram, the newspaper organ of Sir Robert Bond's government, describes the order in council as "outrageous" and declares that the colonial cabinet refused to participate in publishing this order. The Telegram says that any explanation for the order in council is that last year's modus vivendi nullified by the American government lacks legal sense.

## GIVES DAMAGES TO LORD ASHTOWN THE PROPER APPLICATION FOR ALIEN LABOR LAW

Court Awards Seven Hundred Dollars and Costs for Alleged Outrage With a Bomb. Judge Choquette Decides Against Unions in the Case Against the Car Company.

WATERFORD, Ireland, Sept. 24.—Lord Ashtown has been allowed \$700 and costs in a suit for compensation growing out of the explosion of a bomb at his hunting lodge near Clonmel the night of August 13. Lord Ashtown is one of the landlords whose activity in the cattle grazing war has aroused bitter animosity. He was asleep in the lodge at the time of the explosion. He has characterized the outrage as an attempt to kill him, and declared that it was the work of persons from the west of Ireland. The trend of the defense was in support of thinly veiled allegations that Lord Ashtown himself planned the explosion of the bomb, and this with the police report suggesting that the alleged bomb had been prepared within his Lordship's own residence, drew great attention to the case from all over the United Kingdom. Much of the evidence was contradictory, and there was stubborn swearing to alleged facts by both sides. Judge Fitzgerald declared the outrage to be malicious and said there was no foundation for allegations against Lord Ashtown. The defense was conducted by Timothy Healey, nationalist member of parliament for the North of Ireland, and Lord and brilliant counsel were engaged on both sides.

HALIFAX, N. S., Sept. 25.—After days of rain the weather turned out beautiful for the opening of the Exhibition. Attendance for the openings exceeds previous years. "My wife," began Hicks, "dropped in to see me at the office today and—" "Sorry, old man," interrupted Hicks, "but my wife told me up before I left home and I can't lend you a cent."

WHOLESALE LIQUORS WM. L. WILLIAMS, Successor to M. A. Finn, Wholesale and Retail Wine and Spirit Merchant, 110 and 112 Prince William St. Established 1870. Write for family price list. 25-11-17

## Veterinary Experience.

Infallible guide to horse health. 100 page book, free. Symptoms of all diseases and their treatment, by eminent veterinary, one pound of

**TUTTLE'S ELLIXIR.** Sure cure for colic, cold, splint, recent shoe boils, most horse ailments. \$100 reward for failure where we say it will cure.

Write for book. TUTTLE'S ELLIXIR CO., 73 Beverly St., Boston, Mass. Sole Agents for the Dominion of New Brunswick, C. M. E. Brooker, 2501 Commercial, N. S.