

IN THE MURPHY ASSAULT CASE

The Jury Could Not Agree on a Verdict.

A Burglar's "Bully" Figures in the Proceedings—Accused Bailed to Appear at Next Court.

WEDNESDAY AFTERNOON.

The June county sessions of the peace resumed in the afternoon at 1:45, Judge William Elliot presiding. The assault case against Scott and Castle occupied the whole afternoon.

The grand jury brought in no bill against John Stanfield, an East End youth charged with having assaulted a special constable in the employ of the street railway company.

James Murphy, complainant in the case against John Scott and Charles Castle, swore that he went to the car stables on the day the assault is alleged to have taken place, May 24. Murphy said he was walking down Lyle street, in company with three other men, when the defendants, who were standing in the doorway of Maker's livery stable, called him "scab," and other names. He left the other three men at the corner of Dundas and Adelaide, when Castle came up behind him and struck him a nasty blow on the back of the head. Castle again hit complainant on the face and also on the body. Complainant had a headache for some days from the effect of the blows. Somebody called "Police!" and the defendants started off at a lively clip, north, on Adelaide street. Policemen Johnston and Eggleton went after them.

Mr. Judd, cross-examining—How many times have you been up at police court?

Mr. Murphy—I cannot tell you.

Mr. Judd—What charges have you been up for?

Mr. Murphy—For hanging around the streets.

Mr. Judd—Why were you laid off from the street railway company for a month at New Year's?

Murphy refused to answer this question.

Mr. Judd—You were a member of the union at last strike?

Mr. Murphy—Yes, sir.

Mr. Judd—Did you ever give these men any cause to trouble you?

Mr. Murphy—No, sir.

Mr. Judd—Do you ever use foul language?

Mr. Murphy—Not very often.

Mr. Judd, at this point, produced a "bully" loaded with lead and a ball on the end, and showed it to the court.

Mr. Judd—Murphy, did you have this burglar's instrument with you on the morning of the assault?

Mr. Murphy—Yes, sir.

Mr. Judd—Did you flourish it in your hand?

Mr. Murphy—Yes, sir.

Mr. Judd—Why did you have this "bully"?

Mr. Murphy—To protect myself.

Oliver Pannell sworn, said that both men had called "scab" after he and Murphy, in company with two non-union men named Dawson and Reeder passed. Witness saw Castle and Scott following Murphy down Adelaide street, and then lost sight of them.

Cross-examined, witness said there were four or five men in front of Maker's livery, but he only took notice to Castle and Scott.

John Reeder swore to about the same story as the previous witness.

Cross-examined, witness said he saw the men running, and thought they were after Murphy.

Mr. Judd—Didn't you go to Murphy's assistance?

Mr. Reeder—Had no reason to do so.

Detective Eggleton sworn, stated that he saw the defendants on Lyle street. Constable Johnston and he were standing on the corner of Elizabeth and Dundas streets, and Castle and Scott were standing close by. He heard defendants call "scab" after the four non-union men. When Scott and Castle disappeared on Adelaide street, he, in company with P. C. Johnston, started to run in that direction. He saw Murphy standing at the edge of the sidewalk. Castle and Scott were standing facing Murphy. When they saw him (Eggleton) coming the defendants took to their heels. Policeman Johnston jumped on a wheel and

went after Castle, and captured him at the corner of Princess avenue and William street. Scott was arrested the following day.

Cross-examined, witness said he did not see the alleged assault. He heard no actual threats made.

Constable Johnston, sworn, saw the defendants on the morning of May 24, at about 9:40. He was in company with Detective Eggleton. He had chased and captured Castle, who offered no resistance.

Cross-examined, witness said all he heard of the defendants say was, "I have no use for these—scabs."

Mr. Meredith—How far were you from the men when this remark was made?

P. C. Johnston—About twelve feet.

Mr. Meredith—Could you swear that one of these men made this remark?

P. C. Johnston—I cannot.

Mr. Meredith—Did you take any notice of persons who saw the alleged assault?

P. C. Johnston—I did not.

Mr. Meredith—And why not?

P. C. Johnston—I did not think it necessary.

This closed the case for the crown.

THE DEFENSE.

George Castle, one of the defendants, sworn, said he had lived in London for over twenty years. He was employed by the M. C. R. as a teamster. He had never been charged with any crime, and had one child. He was married and had one child. He was in company with Scott, had gone to Dreaney's livery to hire a horse, but all the horses were out, so they proceeded to try and procure a rig. He saw the complainant Murphy pass, but said nothing whatever to him.

Mr. Judd—Did anyone cry "scab" after Murphy?

Mr. Castle—I believe the crowd did.

Mr. Judd—Did you go up Adelaide street with the intention of following Murphy?

Mr. Castle—No, sir.

Mr. Judd—Were you in any way connected with the street railway company?

Mr. Castle—No, sir, in no way.

Mr. Judd—Did you strike Murphy?

Mr. Castle—I never raised a hand to him.

Mr. Judd—What did Murphy do when you got up to him?

Mr. Castle—He drew a loaded bully, and smashed at Scott and hit him over the head.

Mr. Judd—What did Scott do?

Mr. Castle—He struck at Murphy, who continued to flourish this leaden bully.

Cross-examined, defendant told the same story in every particular. The reason he ran was that numerous other persons had scattered and ran.

John Scott, the other defendant, sworn, stated that he worked on the M. C. R. He had lived in London three years. Previous to that he had been a farmer in Westminster township. He corroborated Castle's statement. He (Scott) was a married man with one child, and lived on Dufferin avenue. He had only used the word "scab" once that day, and did not assault Murphy.

Cross-examined, defendant swore he had used no obscene language to Murphy. His evidence was corroborated by Charles Eggleton, an East End youth, employed at Leonard's boiler shop, swore he saw Castle and Scott on Dundas. Did not hear them call "scab."

Mr. Judd—Did you see Murphy turn down Adelaide street?

Witness—Yes, sir.

Mr. Judd—Did you see Scott and Castle come up with Murphy?

Witness—Yes, sir.

Mr. Judd—Did either of defendants strike Murphy?

Mr. Castle—No, sir.

Mr. Judd—You can positively swear to this?

Witness—Yes, sir.

Mr. Judd—Did you see Murphy strike Scott?

Witness—I did, sir.

Cross-examined, witness said there were about 15 or 20 people present when the police arrived. The reason he had gone to Adelaide street was that he had been standing with a number of others at Dreaney's livery, when Mr. Dreaney told them to take a walk, as too large a crowd was congregating. He had seen the two defendants go into Dreaney's livery and enter the office. He had never been up at the police court. He did not know the defendants personally.

Frederick Smith was with Eggleton, and saw the defendants overtake Murphy. He saw Murphy draw his "bully" and hit at Scott. Smith corroborated the evidence of the previous witness.

Cross-examined, he stated that he had not cried "scab," or in any way interfered with the non-union men. He saw defendants, and did not hear them cry anything after Murphy.

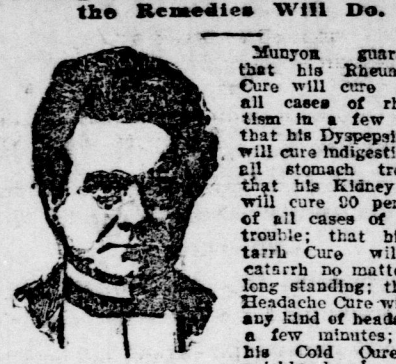
Wm. McRoberts was with Eggleton and Smith. His story was practically the same as that of the two previous witnesses.

This closed the defense.

Mr. Meredith, in addressing the jury, said the defendants were respectable citizens and were in respectable positions. If the men were convicted they would lose their positions, and their wives and children would suffer. How could a body of men convict a man on the evidence of a miscreant like Murphy? "Could it," he said, asked Mr. Meredith, "that an honest man would carry such a weapon as this loaded 'bully'?" It is from the evidence of such a man that you would convict honest citizens? God help any man if he is convicted because he runs away. I admit it was not a prudent thing to do, but most people would do the same thing under the circumstances. The fact that the defendants had run away was the strongest kind of evidence that they were guilty. It was a cowardly and sheepish act. The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

MUNYON'S GUARANTEE.

Strong Assertions as to Just What the Remedies Will Do.



form of cold and so on through the remedies. At all druggists, 25 cents a trial. If you need medical advice write Prof. Munyon, 1555 Arch St., Phila. It is absolutely free.

same as that of the two previous witnesses.

This closed the defense.

Mr. Meredith, in addressing the jury, said the defendants were respectable citizens and were in respectable positions. If the men were convicted they would lose their positions, and their wives and children would suffer. How could a body of men convict a man on the evidence of a miscreant like Murphy? "Could it," he said, asked Mr. Meredith, "that an honest man would carry such a weapon as this loaded 'bully'?" It is from the evidence of such a man that you would convict honest citizens? God help any man if he is convicted because he runs away. I admit it was not a prudent thing to do, but most people would do the same thing under the circumstances. The fact that the defendants had run away was the strongest kind of evidence that they were guilty. It was a cowardly and sheepish act. The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

County Crown Attorney Magee said Murphy was a British subject, and was earning his honest day's pay. No one had a right to interfere with him. He thought Murphy was justified in carrying the loaded "bully," as he was afraid of bodily harm from strike sympathizers.

Judge Elliot, in charging the jury, said that people had no right to interfere with others who wanted to work. It was a piece of tyranny that men should prevent others from working because they refused to work themselves. The fact that the defendants had run away was the strongest kind of evidence that they were guilty. It was a cowardly and sheepish act. The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

The jury then retired to consider the evidence, and after an hour's deliberation failed to agree. They stood nine for acquittal and three for conviction. The jury was discharged, and the accused were bailed to appear at the next court of competent jurisdiction.

THE TRIAL IS ENDED

West Huron Election Case Adjourned to Toronto

For the Testimony of a Witness Named Linklater.

Voters Who Claim to Have Received Money—A Number of Charges Abandoned and Dismissed.

Goderich, June 15.—The third day of the West Huron trial began yesterday at 9:30, and William Young, of the township of Colborne was the first witness. He was examined as to organization in his township, and gave the names of persons who went from there to be present at the nominating convention. At Smith's Hill he introduced one John Wilson to a stranger named Brown, who said he was working up the P. P. A.'s to vote for Garrow.

Charles Stuart, of Colborne, and Thomas Elliott, said they had a drink of whisky with Brown in the latter's room. Both witnesses were Conservatives, and had voted before the drink.

John Wilson, of Colborne, also had a Brown drink on election day, but was promised nothing for his vote.

Nathaniel Boggs, the hotelkeeper at Smith's Hill, was the next witness. He remembered Brown staying at the hotel. Brown got no liquor on polling day, but some days before he did. He got a bottle one time, and he treated over the bar.

Mr. McPherson contended that an offense against section 170 of the election act had been established, viz., the giving of intoxicating liquor in a tavern on polling day, and asked to have charge 33 amended by adding the name of Brown to that of Young.

Mr. Watson opposed this.

When the court resumed after lunch there was some further argument, and the court then allowed the amendment asked for by Mr. McPherson, with leave to the respondent to give further evidence.

Mr. Garrow was then called as a witness on his own behalf, and denied any personal knowledge of Brown. He said he understood now that Brown was simply to canvass P. P. A. votes.

Judgment was reserved upon the question of the effect of the evidence as establishing an offense against section 170 subject to the right of respondent to give further evidence.

NOT PROVEN.

George Jardine, of Goderich, said he voted at the election. Proudfoot asked him to vote for Garrow. Witness said he did not know. Proudfoot asked him to go over to the British Exchange Hotel in Goderich and wait, which witness did. Proudfoot came in presently with a stranger. Witness went into a room with the stranger, who handed him \$2 and asked him to vote for Garrow. Witness afterwards voted.

Mr. Proudfoot was called in answer to the evidence. His account of the matter was that Jardine spoke to him and asked for money for his vote. Mr. Proudfoot said: "We have no money, but we will give you a drink of whisky."

Mr. Jardine said he did not see Jardine at the hotel; did not see a stranger speak to Jardine at the hotel; it was not true that, directly or indirectly, he had to do with buying Jardine's vote.

The court held that this charge was not proven.

Four more charges were dismissed in quick succession, no corruption being proven.

Mr. M. C. Cameron, barrister, Goderich, said he spoke in the riding at Mr. Garrow's request. He was introduced to Capt. Sullivan, whose photograph he recognized. Witness had never contributed to "Club Blazes" or the "Sons of Rest," and was never in their rooms. He went to the club on polling day, without going inside, and asked some of the members to vote for Garrow.

Peter Wylie, Joseph McMillan, Murdoch McGuire and Donald McPhail, members of the club, all denied having received any inducements to vote.

The charge was therefore dismissed, charge 34 was also dismissed, and charges 35, 36, 37, 38, 39, 40, and 41 were abandoned. Charges 42, 43 and 44 were likewise thrown out.

Alfred Marriott, of Wingham, voted

at the election. Before the election a man knocked at witness' door about 2 o'clock in the morning. The man showed something in his hand when he opened the door and told him to vote for Garrow. Never saw the man before or since. It was a \$2 bill he left. Someone was standing out in the street. Witness kept the money.

Cross-examined, witness said he made no promise, and this did not influence his vote.

John Rogers, a Wingham voter, was at the Queen's Hotel at Wingham on the night of the 6th of December, and met John T. Linklater, who told him to stand at the back door. He went there, and a stranger stepped up, with whom he went out to the shed. The stranger gave him a \$2 bill, and told him not to forget Garrow. Did not know the man at all, but gave a description of him and recognized a photograph.

Cross-examined, witness said that Linklater said nothing about the election.

Thomas E. Gray, of Wingham, an engine driver, said that on the night of the 6th of December, about 9 o'clock, he met Walter Vanstone on the street. Vanstone asked which way he would vote. Witness said he would vote for Beck unless he got money. Vanstone said he would meet witness between 1 and 2 o'clock at his own house and satisfy him, but he did not do so.

Cross-examined, witness said he was joking. He would not have taken the money. He did not get any money in the election.

John McLeod, of Wingham, met Linklater before the election about 9 o'clock in the evening. Linklater said nothing about the election, but told him to meet a man in the street at a certain place, which witness did. The man gave witness \$2 and told him to vote for Garrow. He did not see the man well, and could not recognize a picture.

Cross-examined, witness admitted that he was sworn at the poll. He said he did not receive the \$2 for his vote, for "it never changed his vote any."

A number of charges were then dismissed or abandoned.

Mr. McPherson contended that the payment of Mr. Garrow's expenses was a legal practice, which would affect the result. Judgment reserved as to this.

The evidence was then concluded, with the exception of that of Linklater, who was taken in Toronto next Saturday at 10 a.m. The court will then hear any application that may be made.

JOTTINGS FROM NEAR-BY PLACES

LAKE SHORE.

Lake Shore, Bosanquet, June 13.—The hospitality of the Baptists of Forest and vicinity during the Middlesex and Lambton Association, held there this past week, is beyond praise. The utmost goodwill prevailed. Friends of other denominations seemed to enjoy the services, and refreshments were served in the curling rink. We noticed several Methodists