

THE BEAMISH TRIAL.

A Heavy Sentence Dealt the Prisoners.

Two Terms of Twenty Years and one of Five.

The trial of the Beamishes for the killing of Wm. Mains lasted four days, and attracted much attention. The case was too lengthy to report in full.

THE STORY BY THE PROSECUTION.

The first witness, John Mains, son of the deceased, swore to the following facts:—Early on the morning of May 26th, Wm. Mains, the deceased, and his two sons, George and John, were walking down the Goderich road to Blyth, where John wished to take the early train to his home in Tuckersmith. On their way they met three of the Beamish family, James Beamish, the father, and Henry and Thomas Beamish, his two sons. The sons had been quarrelling openly for a couple of days previously, and the fathers stopped when they drew near each other and Mr. Beamish asked what the row had been about, and made overtures of peace. While they talked, according to the evidence of John Mains given this afternoon, Henry James Beamish, who, with his brother, had been standing some little distance off, came up, threw off his coat with an oath, and struck old Mr. Mains in the face, then clinched with him and threw him to the ground. The Mains boys mildly expostulated, but did not attempt to violently interfere, thinking their father was capable of attending to himself. Finally, however, Thomas Manasseh Beamish and George Mains got squabbling some little distance off, and during the dual fight, Wm. Beamish, a younger son, came up to the place, carrying a couple of clubs. One of these he gave to his father, who was standing by his son and old Mr. Mains. John Mains had gone to aid his brother, but when about half way there heard his father groaning in pain and returned to his side. Old Mr. Beamish was standing over the prostrate form with a heavy club in his hand and warned John Mains to stay away or he would dash his brains out. The other two stopped their squabble and undivided interest was given to the original conflict. The two Mains boys stood by to help their father, but the Beamishes prevented them, and all three of the Beamishes set upon old Mr. Mains. Henry James Beamish still keeping him down and doing the principal part of the slugging. When they left Mr. Mains was badly kicked and bruised and in an almost insensible condition, and he died at ten o'clock that night, though two doctors were in constant attendance.

THE POST-MORTEM.

After death a post-mortem examination revealed the fact that he had died of congestion of the brain, caused by a ruptured artery. The Crown claims that the artery was ruptured during the fight; that the Beamishes knew that the three Mains would pass that way that morning; that the clubs brought to the place by the younger son were made expressly for the purpose of injuring the Mains, and that the Beamishes had made frequent threats to kill old Mr. Mains a day or two previous. The Beamishes were arraigned and pleaded not guilty to the charge. They were defended by B. B. Osler, Q.C., of Toronto, and Mr. Garrow, of Goderich, Mr. Lount, Q.C., of Barrie, conducted the case for the Crown. Mr. Osler submitted the first witness to a long and tedious cross-examination this afternoon, but failed to break down his evidence in any important particular. It was late when his examination was concluded, and the court immediately adjourned. During the trial the three prisoners were very much agitated. Old Mr. Beamish in particular being unable to control his face or his feelings, and watched the proceedings with the closest interest.

THE JURY WERE LOCKED UP FOR THE NIGHT.

SECOND DAY OF THE TRIAL.

The trial was resumed on Friday morning and occupied the whole of the day. The evidence today was principally in corroboration of that given by the witness, John Mains, an account of which was given in yesterday's report. The evidence shows that the unfortunate occurrence was the result of a family quarrel, and that the fight between the prisoner, Henry James, and the deceased was the result of a challenge on the part of the deceased, which was taken up by the prisoner. The evidence shows the deceased to have been a man of violent temper. The evidence by some of the witnesses, given on the part of the Crown, was somewhat weakened by cross-examination, which elicited the fact that they entertain a feeling of hostility towards the prisoners, and left it open to the defence to urge that they had given a one-sided account of the quarrel. This view was strengthened by the fact that in a great many instances the witnesses gave much stronger evidence against the prisoners in the present trial than they did before the coroner's jury.

AGAIN THE JURORS WERE LOCKED UP FOR THE NIGHT.

THIRD DAY.

The case was resumed at the Assize court on Saturday morning and occupied the whole day. The defence endeavored to establish that the deceased came to his death by apoplexy. Dr. Holmes was examined, and was of the opinion that it was probable that death was so caused.

THE STORY BY THE DEFENCE.

Willie Beamish, a young son of the eldest prisoner, was called for the defence, and gave his version of what took place at the time of the quarrel. From the evidence given it would appear that the fight was to have taken place between the two sons of Beamish and two sons of Mr. Mains, the deceased. That on the morning of May 26th, when the Mains were at the place appointed for the fight, old Mr. Beamish, the prisoner, went down to see if the quarrel could not be peaceably settled. That he was sitting on the side of the road talking to Mr. Mains, who was also sitting down, when Henry James and Thomas Beamish arrived. It might be stated here that Thomas Beamish had to pass that way on his way to work. It is claimed on the

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We continue our Special Offer to parties at a distance, viz:—

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Brantford, Oct. 2nd, 1884.

part of the defence that Henry James went with his brother as far as the corner as he was afraid the Mains would give trouble. The witness Willie Beamish stated that as soon as Henry James and Thomas got to where the Mains were, Mr. Mains got up and went to his son John and urged him to attack the Beamish boys. That Mains' two boys did not appear willing to commence the fight, whereupon Mains swore that if his two boys could not whip the two Beamish boys he would drown them. Willie Beamish states that Mains then turned and rushed at Henry James. That they clenched and had a tussle, after which the other got into what might be styled a free fight. He also states that his father did not strike Mains with a stick, nor did Henry James. Mr. Osler made an eloquent appeal to the jury on behalf of the prisoners, and was followed by Mr. Lount on behalf of the Crown. His address was lengthy, going over the evidence in detail. At 6.30 the court adjourned until Monday morning.

A REVIEW OF THE CASE.

Sifting the evidence of the case, the actual facts appear to be as follows:—A quarrel occurred on Sunday, the 25th of May, between Wm. Mains, the deceased, and the prisoner, Thomas Manasseh Beamish; Thomas got rather the worst of it on that occasion and went home and informed his brother Henry of what had happened. Henry and Thomas went down the road to nearly opposite Mains' house, whereupon Mr. Mains rushed out of the house with a stick in his hand. He was followed by his son George, who also had a stick. Mr. Mains challenged Henry James Beamish to fight. Henry replied that he would not make a blackguard out of himself by fighting on Sunday. Mains then proposed that they should meet the next morning and fight it out at 7 o'clock. George Mains suggested that they should meet at 6.30 in the morning. Mr. Mains said, "All right; if my two boys can't whip you two I'll drown them." This it appears the fight was to have taken place between the boys instead of with Mr. Mains. On the following morning the Mains were on hand at the appointed place. Mr. Beamish, the father, went to them and asked Mr. Mains if the quarrel could not be settled. Mr. Mains replied it could, and they both sat by the roadside to talk it over. At this point Henry James and Thomas Manasseh Beamish came down the road, and it is here the conflict of evidence arises. The Mains boys say that Henry James, without the slightest provocation, rushed at Mr. Mains and struck him a violent blow with his fist, and that in this way the fight started. Willie Beamish, a younger son of the Beamishes, says that when Henry James came to where they were all upon the road, Mr. Mains urged his son John to attack Henry; that his son did not seem disposed to commence the affair, whereupon Mr. Mains became enraged at his son's apparent unwillingness to fight, and himself rushed at Henry, and that in this way the fight began.

The Crown alleges that old Mr. Beamish prevented any interference on the part of the Mains boys while the fight was going on between Henry and Mains, and that he struck Mains over the head with a stick. Willie Beamish says his father did not strike with a stick. The result of the trial was that Mr. Mains died the same evening from compression of the brain.

CONVICTED AND SENTENCED.

The trial of the Beamishes was resumed Monday morning. His lordship addressed the jury for 1 hour and 45 minutes in the Beamish case. The charge was against the prisoners from beginning to end. His lordship never once alluded to an extenuating feature in the case of the prisoners, neither did he impress upon the jurors to give the prisoners the benefit of any doubt that might be in their minds from conflicting testimony of witnesses. The judges' charge was the most prejudicial to the prisoners that we ever listened to.

After the jury had retired Mr. Garrow, for the prisoners, drew the attention of the learned judge to acts of omission prejudicial to the cause of the prisoners during the charge of the jury.

The jury was recalled, and his lordship proceeded to place certain phases of the case again before them; but he still bore against the prisoners. The jury retired, and at the end of an hour brought in a verdict of "guilty of manslaughter against Henry James Beamish, James Beamish and Thomas Manasseh Beamish," recommending the last named to the mercy of the court. His lordship then proceeded to pass sentence as follows: Henry James Beamish and James Beamish to 20 years in

the penitentiary; and Thomas Manasseh to five years in the penitentiary.

The prisoners when asked to state why the sentence of the court should not be passed upon them, replied as follows: Henry James Beamish—"I call God to witness that I am innocent of the crime laid to my charge. I had no intention of killing William Mains. I commit myself body and soul to Almighty God, who will acquit me on the great day of judgment."

Thomas Manasseh Beamish—"I had nothing to do with it. I did not touch William Mains; neither hindered anyone from helping him. I had only to do with George Mains on that Monday morning."

The father had to be supported by his son, Henry James, while he received his sentence. The conduct of the young man toward his sick father was of the kindest and most exemplary character, and he paid more attention to caring for the old man's condition than he did for his own fate.

PORT ALBERT.

A C Hawkins has returned from his visit to Ottawa. He likes the appearance of the capital.

Thos. Hawkins, sr., and F. F. Young paid a visit to London, last week.

A. J. Turner has purchased a half interest in a mill property, Wincham. He leaves to attend to business there, this week.

The horse and rig that came here, so mysteriously, has been claimed by a man from Port Egin. Some one hired the outfit there, and failed to return.

The improvements at the harbor have been satisfactorily completed.

PARAMOUNT.

Messrs. McMillan & Davis have been repairing their sawmill for the last two weeks, and now have everything in running order.

Inspector Campbell made an official visit to our school, on Wednesday last, and reported everything in a very satisfactory condition.

Miss Sarah McMillan has been visiting friends in Drummond during the past week. She reports a happy time while away.

Mr. Belcher, our much esteemed blacksmith, has sold his shop, and is removing to the 4th con. of Huron, and will shortly move there. We wish him every success in his new home.

Will Davis, our celebrated sportsman, is determined to free our guidewires from the hawk pest, if it be possible for powder and shot to accomplish such an end. On Tuesday morning last, a large specimen of the hawk kind, made its appearance in a neighbor's barn-yard, and with electric speed determined to breakfast off a plump young pullet. A moment later Will appeared on the scene, and with eagle eye followed up the chase. No time was to be lost. In a second the hawk was raised, the gun aimed, and away went the load, but imagine his indignation when, on instituting a search, that instead of shooting the hawk as he intended to do, he found a dead pullet; and the hawk was seen to sport away in the distance, as if nothing had ever happened.

GRAY.

On Tuesday morning of last week a bear was shot by Jas. Carscaden and Joseph Whitfield on Robert Bowen's farm, con. 14, near the Alma and Gray boundary. It would be about two years old and weighed 150 lbs. Mr. Carscaden reports that several bears have been seen lately in the same neighborhood.

Mrs. Robt. Leckie died on Monday, last week, after a brief illness, aged 72 years 7 months. She had been failing gradually, so that her death was not altogether unexpected. The deceased was a native of Campsie, Lanarkshire, Scotland. She was mother of John Leckie, ex-creeve of Brussels.

Donald McLaughlin, salesman for the Gray & Morris cheese factory, sold 350 cheeses to T. Ballantyne, of Stratford, at 11 and 16 cents per lb. They averaged 60 lbs.

ACCIDENT.—On Saturday Mr. John McKenna was threshing on the farm of Mr. John Stevens, Tuckersmith, and got caught in the machinery. He had several ribs broken and is otherwise seriously injured. The attending physician gives little hope of his recovery.

John Bates of Lucan, charged with an indecent assault on a little girl named Jane Wright, 12 years of age, was convicted and sentenced by Judge Davis Saturday, receiving five months in the Central.

EPHRAIM COCA.—GRATEFUL AND COMFORTING.—By a thorough knowledge of the natural laws which govern the operations of digestion and nutrition, and by a careful application of the fine properties of well-selected Cocoa, Mr. Eppe has provided our breakfast tables with a delicately flavored beverage which may save us many heavy doctors' bills. It is by the judicious use of such articles of diet that a constitution may be gradually built up until strong enough to resist every tendency to disease. Hundreds of subtle maladies are floating around us ready to attack wherever there is a weak point. We may escape many a fatal shaft by keeping ourselves well fortified with pure blood and a properly nourished frame. "Coca" is a rich, healthy, and delicious beverage of milk. Sold only in packets and tins (4lb. and 1lb. by Grocers. Labelled—JAMES EPPE & CO., Homoeopathic Chemists, London Eng.

DEATHS.

In Goderich, on Sept. 25th the wife of Wilmer McGregor, of a daughter.

IN COLBORNE TOWNSHIP, on the 1st inst., by the Rev. Dr. Ure, Mr. Samuel B. Potter, to Miss Ellen Morris, fifth daughter of the late Mr. James Morris.

DEATHS.

In Goderich, on Wednesday, Oct. 1st, 1884, John Grummett, aged 25 years and 1 month.

The funeral will take place from his late residence, Huron road, Goderich, on Friday, Oct. 3rd, 1884, at 2 o'clock p. m. Friends and acquaintances will please accept this intimation.

In Goderich, on Tuesday, Sept. 30th, 1884, Elizabeth, fifth daughter of Mr. J. W. M. Jardine, aged 20 years.

In Dunlop, on Thursday, Sept. 25th, 1884, Freddie, infant son of Mr. F. Horton, aged 1 year and 12 days.

In Goderich, on Thursday, Sept. 25th, 1884, Maud, daughter of Wilmer and Hannah McGregor, aged 3 years, 6 months and 3 days.

Goderich Markets.

Goderich, Oct. 2, 1884.

Wheat, (Fall) 9 bush. \$0.75 @ \$0.77
Wheat, (Spring) 9 bush. 0.75 @ 0.78
Flour, 9 barrels. 0.32 @ 0.33
Oats, 9 bush. 0.32 @ 0.33
Peas, 9 bush. 0.58 @ 0.60
Barley, 9 bush. 0.45 @ 0.46
Potatoes 9 bush. 0.35 @ 0.40
Hay, 9 ton. 2.50 @ 2.60
Butter, 9 lb. 0.15 @ 0.16
Eggs, 9 doz. (unpacked). 0.17 @ 0.18
Cheese, 9 lb. 0.12 @ 0.13
Shorts, 9 cwt. 0.90 @ 0.95
Beans, 9 cwt. 0.70 @ 0.80
Chop, 9 cwt. 0.60 @ 0.70
Wood, 9 cord. 3.50 @ 3.65
Sheds, 9 cord. 2.50 @ 2.65

ONE NIGHT ONLY.

Saturday Eve'g, Oct. 4th, '84.

Special engagement of the great and only

JAMES TAYLOR,

(Champion Comedian) and

MISS ADA ALEXANDRA,

Dutch Comedienne and Vocalist.

Supported by their own English Comedy Company, in a grand variety of new and original sketches.

"SIMON,"

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Having had an uninterrupted run of 3 years in all the principal cities of Great Britain, and five different theatres in London City.

PRICES, 25c. and 35c.

RESERVED SEATS, 50c.

Plan of Seats can be seen at Butler's Bookstore, Oct. 2, 1884.

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MISS PARSONS WILL RECEIVE

public on the 11th Aug., 1884. Instruction given in English, rudiments of music, and free hand drawing. Terms 30c. per week. Piano Forte, 24 lessons, 8c. Needle work and French conversation with Madame DePondy after 4 p. m. Young ladies will find this an excellent opportunity of improving their pronunciation and retaining their knowledge of French. Terms 30c. per week. 1885-1y

THE HURON HOTEL

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"The Huron Hotel," late the "Woodbine," has recently been refitted in every branch, and is capable of giving satisfaction in every particular to the travelling public. The stable in connection has been specially fitted up for the farmers' convenience, and is in charge of a first-class hostler. Rates for transient travellers, 25c. per day; special terms for weekly boarders.

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Twenty-Five per cent. Discount.

To Clear Out the Balance of this year's Stock of Wall Paper, I will give a Discount of Twenty-Five per cent. on

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From 5c. per Roll up to 75c.

JAMES IMRIE,

Moorhouse's Old Stand,

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Goderich, Sept. 25th, 1884.

1882-2a

MISS GRAHAM

begs to announce that she will hold

Her Fall Millinery Opening

on

Saturday, Oct. 11th.

She is precluded from doing so at an earlier date, owing to the quantity of imperative work which she has in hand at the present time.

Goderich, Oct. 2nd, 1884.

1883.

Millinery Opening!

MISS WILKINSON

Begs to announce that she has just returned from the American cities, bringing with her

The Very Latest Fall and Winter Fashions

And that she will hold her Fall and Winter Millinery Opening on

SATURDAY, OCT. 4th, 1884.

On which occasion she would respectfully invite the ladies to call and see the display at

The Chicago House,

Goderich, Oct. 2nd, 1884. WEST STREET, GODERICH.

JOHN MacTAGGART, FACTS!!

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TEAS! Sugars, Teas, Coffees

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150 Doz. FRUIT JARS

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June 10th, 1884.