

THE OBSERVER

HARTLAND, N. B., Oct. 26, 1911.

No. 240.

Vol. 3.

The DAYLIGHT

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Murder Trial at Woodstock.

The evidence in the Bragdon murder trial was all in when court adjourned Wednesday afternoon. Asa Bragdon a nephew of the prisoner, told of having twice heard his uncle warn McCluskey to keep away from his home. Several other witnesses gave evidence that was unimportant and then Mrs. Bragdon took the stand. She said she was married in Houlton, in May 1904. She had been married to Edmund Flowers and was divorced from him that year. McCluskey had been a frequent visitor to her home from 1907 down to the day of his death. These visits were during the absence of her husband. On several occasions her husband and McCluskey met and quarrelled. At nine o'clock McCluskey came to the house on the night of the tragedy. McCluskey went out and started to walk away. The prisoner said to McCluskey that he knew him and the latter came toward Bragdon. The quarrel took place. One shot was fired in the air, two at McCluskey and one in her direction. Her husband told her to go in the house. He was very angry but he did not ill-treat her. When they met Bragdon said: "Who are you?" and later Bragdon said he knew him. McCluskey tried to hit him with a rock before any shots were fired. The first shot was fired a few minutes after. They were pulling each other four or five minutes after the second shot was fired. She thought this shot was fired at the ground. McCluskey grabbed at her husband's wrist and wrenched it, and Bragdon fired at the stomach of the deceased who put his hand on the wound and backed away. The fourth shot was fired at her.

Wm. Bragdon said he knew McCluskey was coming to see his wife for over a year. He spoke to McCluskey about it and warned him to keep away. Later they had another talk and McCluskey told him that he would not see his wife again as he was going west in a short time. On the night of May 3rd, after coming from Paedericton, he saw a light burning in his home and said to himself that Wood McCluskey was there. When he reached the front door he heard McCluskey and his wife talking in the hall and heard McCluskey say he would give her all the money he had if she would do something—what it was he did not hear. McCluskey went partly away and coming back he said he would give witness \$500 if nothing was said, witness ordered him away, but he caught witness and tried to hit him with a rock. During the scuffle witness fired once in the air, the second one at the ground, and the third hit McCluskey. He did not fire a shot at his wife or beat when she

went in the house. After a restless night, on advice of Mr. Weston, he gave himself up to Chief Kelley and Sheriff Tompkins.

The murder trial was resumed at ten o'clock. Mr. Carvell promptly commenced to address the jury, the address lasting one hour and forty minutes. Hon. Mr. McLeod started 11.40, and closed at 12.30. The judge is charging the jury quite fully on question of the law. At 1.30, when court adjourned, His Honor had not concluded his address. Mr. Carvell, addressing the jury said it was not a pleasant matter for himself, for the crown or for the jury to pass upon such a case as they had before them. He had every confidence that the twelve men would give a just verdict according to the evidence. There is no doubt that Woodman McCluskey had been intimate with Bragdon's wife for over four years and spent the night frequently with her during the absence of her husband. All the neighbors knew the facts, and Bragdon after some time was aware of them. He repeatedly warned McCluskey to keep away telling him that he was making his home a hell upon earth. McCluskey promised, but he never kept his promise. Bragdon not only warned him, but he threatened him that he would get hurt if he did not keep away. Finally we find deceased in the house on the fatal night. Mrs. Bragdon did not expect her husband home that night. McCluskey did not expect him home. If he had not arrived McCluskey would have remained at the Bragdon home that night. As a general rule it would be almost impossible to run a raft from Woodstock to Springhill and return the same day, but Bragdon did it on this occasion. Finding deceased at his home so late at night, and remembering the conduct of deceased and his wife for some years, he acted as probably any man would have done, and as has been done since the time of Adam and Eve. The outraged husband lost his head and after a scuffle the shooting took place. If a man came in on my property and interferes with my wife or family I have right to sufficient force to eject him, and if attacked, as this was the case of a life and death struggle Bragdon had a perfect right to shoot him. That is good law and in the interests of morality and the home, the jury should grant justice. Shall you send him to the gallows or let him go home to his wife and family such as it is.

Hon. Mr. McLeod in his address pointed out that a human life had been taken, a man who was well known to most of those present. Was there wilful murder? Was it manslaughter, or was the prisoner justified by law and by right for the killing of McCluskey?

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