

THE RUSSELL TRIAL.

Verdict of Not Guilty on First Count

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David J. Hamm, at whose house the couple first stopped, said they occupied the same room. Russell told him that he had been married to his parents and turned away from his situation for marrying the girl. She was very quiet, but appeared to be in possession of all her senses.

Mr. Baird, wearing a straw crown, said the defence would be that the girl proposed to Russell to go away with him because she was ill-treated.

The prisoner on his direct examination by Mr. Baird, denied the statement of the girl that he had assaulted her in the wagon, or that he had threatened to do so. His examination consisted generally of denials of the leading statements.

Cross-examined by solicitor-general Isaacson from U. S. S. N. B. Brewster, August 2, the day the circus was in St. Stephen. Went

way with girl on 25th. I took the girl up the Loch Lomond road. The night before that I went up to Crawford place, where I saw a young man, blond, go there at eleven o'clock on a Friday morning. Left Fairville Friday noon. I camped out Thursday. I drove through from St. George. Left St. George where I had stopped at a private house on Wednesday. The man who came to call on me was St. Stephen. The horse and carriage were bought in St. Stephen from a man named McDonald, as he signed his name for \$50. He signed a paper which was left in my carriage. The paper was a receipt for the horse. He signed it on a note book in the carriage. My business here from the States was to see a lady who wrote me that her mother owned a

farm where I could get some work. I bought the horse to get over the road as fast as I could. I thought would sell it for more than I gave for it. I did not get a chance to apply for work at Mrs. Woodburn's. She chased me away. Her daughter Annie wrote me to come. I destroyed her letter. I did not have any dinner the day I was at Crawford's. The

dressed in a blue cloth waist and skirt, with a short black jacket with

horse I satored on the Loch Lomond road. Saded asked me what my name was after I had been there half an hour, and I told her "Harry." She told me that she was a widow and I told her my whole name. I told her and said my whole name in New York and Boston. She did not ask my business, but I told her I was working as a telegraph lineman. I did not know much else to say. I stayed at her house for a few days and liked to stir with her. When she told me about having been beaten my heart went out to her. I had cared for her all along and the feeling gradually grew stronger. I found the box on the St. John side of the river, and told

her how I got the stuff and gave it to all to her with the tea and coffee. I had been there about ten minutes when I gave it to her. All the money I had was in the wagon. I had a couple of dollars in the wagon. They were locked up. The carriage was what is called a coal box. It was open on all over. I asked her who was building a house and she said it was Monckton. I said, "Monckton and said she knew him. Because she said to I thought Monckton could be reached by going the Frederick road. And that, because she said she knew him. And she was very anxious to marry her. We did not go to a minister because I did not have the money of a license. We expected to get a license in Crawford where we were married. The first day I stopped at the Crawford house I had a pedlar in the wagon. He stayed in the carriage until he got to some

other houses when I let him out. I stepped there because I was afraid. The peddler did not get out. The ladies were in the doorway. The peddler tried to sell them some of his goods. I got out to get a drink of water. Before I came to this country, I was a Jack of all trades. I never was in State Prison. I was a peddler. I was taken there. I was a peddler and had my photograph taken in the reformatory. I was at Coker's where I was out as a wayward boy. My real name is Russell.

I was put in jail again for an assault and battery on a woman. I was taken to the hospital. I was given some sauce and I was lifted up her dress and spanked her. The case was proved on the evidencence of people who had a prejudice against my family. I had two years for that in the reformatory. I was twice in the reformatory. Once I was transferred to the Boston House of

Mon. I was 22 years of age. Showed up for school for a paper. I cannot read this. Went to school four years.

SHAW: By solicitor General. This is my writing, all of it. At request of the solicitor general the printer wrote St. John, April, St. George, Canada.

SHAW: I had this letter shown me in my possession before I saw it here. I read something on the back of it. That is all I know of it.

SHAW: The writing is in the way always make m's, a's, o's and c's. That is a small c in Canada. I did not know that it was spelled with a capital C.

I was on my way to Frederick a day or two ago. Do not know that the road I was on led away from there. Did not make any enquiries about Monocacy. Was going to sell horse at that place we stopped, but did not try to sell. We were about two miles from road. It was about two miles along the corner from the house of the man where we stopped that we were caught. He offered me a job to do work in the woods. I left Boston in February last.

To Mr. Baird—I never saw that letter before. I knew there was a geography in my wagon; an old one. It had marked out a path on it. I didn't know it had been in it, but I did not know it.

Mrs. Crawford then recalled and swore positively that she had not seen Russell on the day he said he called before the main occurrence.

The solicitor general then cited the evidence each side had to offer.

A. W. Baird addressed the jury for the prisoner. He relied on consent to the defence to the charge of rape and contended that the evidence of the prisoner's purpose was waived by the compliance of the jury with the request of the attorney as required by the supreme court.

and the
vote.