

BATHURST MURDER

Text of Evidence Taken at Inquest.

On the night of the 11th of Oct. a mate of the schooner Georgia, registered at Boston, was struck by a bottle thrown at him by a sailor belonging to the same vessel, and badly injured. The mate was removed to the Marine Hospital and attended by Doctor Duncan, and after lingering for about a week, died. At the time of the row, the men were in a saloon kept by a man named Kenny in Bathurst Village, where the schooner was moored to load for Messrs. Sumner Co.

A warrant was issued by J. E. O'Brien J. P. against the sailor whose name is Frank Lyman for assault, but the man was not captured, and after the man's death, it was found that the sailor had disappeared from the vicinity of Bathurst.

Inquest on the body of Burns Mason taken at Bathurst, N. B., this 18th day of October, A. D. 1902, before John C. Meahan, Coroner.

Jury sworn as follows: Richard Southwood, Henry White, Thomas Leahy, Hugh Hodgins, William R. Johnson, Joseph D. Doucet and Hugh Kent.

After being sworn, the coroner and jury after having viewed the body and returned to the office of John E. O'Brien Esq., J. P. Jury called all present. John J. Harrington Clerk of the Peace appeared for the Crown. The Jury unanimously suggested that the coroner direct that a post-mortem examination of the body of the deceased be made.

R. Longmire sworn: My place of residence is in St. John N. B. My occupation is seafaring and I am a master mariner. I am in command of the three-masted schooner, Georgia, registered at Boston, Mass. My last port was New York. I left New York with my vessel about the 26th of September last, and had seven of a crew including myself. The names of the crew are as follows:—My mate was Burns Mason, the deceased, the others were Ralph Israel, Stewart, Bert Holliday, Frank Lyman, Ole Hamel and Addison Peterson, seamen. The deceased and Frank Lyman had trouble on board on the passage here from New York. About four days out when we were getting under way at New Haven harbor I heard rough talk forward between Lyman and deceased. "Come down on deck," Burns Mason at that time was on the fore-castle deck and he jumped down, and Frank wheeled and made at him with a sheath knife, then Mason got a capstan bar and hit at the knife. This was in the day time about eight o'clock in the morning. Mason did not succeed in knocking the knife out of Lyman's hand and he dropped the capstan bar and they clinched. In the clinch Frank cut Mason over the eye with the knife. Mason got Lyman down on the deck and would have beaten him only I came along and stopped them. I was at the wheel at the time and I came aft, and Mason took the knife from Lyman. I did not hear any threats between them. I arrived here on the ninth of October at Summers' wharf in Bathurst Harbor. I heard no other rowing between them for the rest of the voyage down. In the row

the mate blackened one of Lyman's eyes. I heard no disturbance or talk between them after getting into Bathurst Harbor. On the 11th instant, the mate (Mason) went ashore in the evening. I told the mate before going ashore to be careful of Lyman as I had heard that he was raising a mob to beat him. Lyman left the vessel without leave on Saturday and was ashore ahead of Mason all day. I have Lyman and the two Norwegians entered on my log as deserters. Burns Mason did not come back to the vessel Saturday night. I heard that he was hurt so I went up street and found him sitting on a chair with a man holding him. Lyman was not there. There were also seven or eight people there whom I did not know. Mason was sick and bleeding profusely from a wound in the head. He recognized and spoke to me. With one man on each side of him we took him to Dr. Duncan's office. The doctor dressed the wound, and I drove him down to the hospital. He has remained there since. He was down to the vessel for a short time on the 14th and 15th. The first day I went after him and we walked down to the vessel, about a quarter of a mile. The next day he came down alone. He complained of being dizzy in the head. He did not complain of any soreness. I saw him yesterday about noon but he did not then know me, and I saw him since he died, this morning. Mason belonged to Stormont Country Harbor, Guysborough County N. S. This last voyage the mate was with me two months. He was once before with me for over a year. I intended to take him back with me. I always found Burns Mason a sober, steady man. He was not inclined to be quarrelsome with his crews. I did not know Frank Lyman before he shipped with me about a month and a half ago. He did not appear quarrelsome and had only this one row. Mason told me at the saloon that Frank Lyman struck him with a bottle or something. Four or five others there heard him say the same thing. There was no broken glass about the place. He said he was very sick and could not walk. He did not say before going ashore that he was going to meet Lyman. It was from Mr. Cobban, a foreman on the wharf that I learned that Lyman and a crowd were going to beat the mate and that was why I warned him. He made no comments on his visit to the vessel after being hurt, as to how it was done. I do not think Mason was cut with a bottle, as I could not see any around, and the cut did not appear as if done with a bottle. In my opinion I think it was done with a sling-shot. I think Lyman was an American. The mate was twenty-three years of age. He (the mate) had no other row with the sailors during the voyage and there was no other trouble on board. The mate did not say on last Saturday night that he was going ashore to see if Lyman could beat him or not. It was a middling cold day when the mate and I went from the hospital to the schooner. I asked the two Norwegians about it and they said that Lyman struck Mason but they did not know what with. Signed, R. R. LONGMIRE.

John Burton Halliday, sworn. I belong to Hillsburn, Annapolis Co., N. S. I am a seaman. I am now a seaman on board the schooner Georgia. I heard the captain give his testimony. When we got away from New Haven the mate sent Frank and one of the Norwegians to overhaul a range of chain on the anchor. Lyman kicked about doing it, and the mate told him that he wanted him to do as ordered. Then Frank dared him to come down on the main deck. The mate came down and ran after Frank. Frank wheeled and made a sling at Mason with his sheath knife. The mate got him down on the deck, hit him a couple of times and blackened his eye. The captain interfered and took the mate off Lyman. That was the end of the row. Two or three days afterward Lyman told me he would have it out with the mate when he caught him ashore. I told the mate what Frank said and told him to be careful. This year and last year I sailed with Mason about six

months. He used me all right, and did not bully the men. He did not row with any of the other men. I was right close to them when the row occurred. I saw the mate alive last yesterday noon. I spoke to him and asked him, and asked him how he was and he said he was about the same. On Saturday evening last the mate and I left the vessel together and went up to a little saloon about a quarter of a mile away and entered there together. The two Norwegians were standing outside the place. When we went in and the mate asked them and a couple of fellows belonging to the place to go in and have some beer. The mate did not ask anyone if Frank Lyman was in there. There were four or five fellows who did not belong to the vessel in there. Frank Lyman was in the little back shop. The mate and I were standing with our backs to the little shop door. The first thing I knew the mate fell down beside me and Frank Lyman jumped on him. I did not see any weapon in his hands. I did not see the blow but I heard it. A couple of fellows and I helped the mate up. Mason did not speak. Lyman did not have time to beat the mate before he was pulled off. He jumped lengthwise on him. I ran down and told the captain the mate was hurt and came back with the captain. I then helped the mate with the assistance of another man to the doctor's office. The doctor dressed the wound and the captain brought the mate to the hospital. I helped to put him in bed. He could not walk. I saw him on board the vessel on Tuesday following. He stayed about fifteen minutes. He came down again on Wednesday and remained about fifteen minutes. He said he felt a little better. I did not see him since he died. I did not know Frank Lyman before he shipped. Never heard any words between Mason and Lyman before. The mate used all the seamen alike and did not give Frank any extra work. One night Lyman struck one of the Norwegians and tried to pick a row with them, on the voyage going to New York. On that occasion the mate stopped the row by going between them.

Signed, BURTON HALLIDAY.
Inquiry adjourned until Monday morning at ten o'clock.
Monday morning, Oct. 20, 1902.
Jury met in John E. O'Brien's office pursuant to adjournment at ten o'clock in the forenoon. Jury called, all present.

John J. Harrington present for the crown.
Not being able to procure the attendance of witnesses, this inquiry further adjourned until Tuesday morning 21st inst. at ten o'clock.
On Tuesday morning pursuant to adjournment of yesterday, the Coroner's inquest reassembled. Present, Coroner John C. Meahan, M. D. and John J. Harrington appearing for the crown. Jury called and all present.

Doctor R. Gordon Duncan called and sworn: I am a practicing physician. I reside at Bathurst Village. On the eleventh instant (Saturday) about half past eight o'clock I was called to Angus Kenny's to see a sailor. On enter-

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ing the shop I found the man partly sitting on a box. He was vomiting severely and semi-conscious and with head and face covered with blood. With assistance, I had him carried to my office. Found the wound on the left side of the head, examined it carefully and found it to be a scalp wound. Had the wound dressed and had the patient removed to the hospital by being driven there. After removing him he still continued to vomit. I called at the hospital Sunday and found the patient in the same condition. On Monday he was practically in the same condition, but apparently in natural health and feeling well otherwise than wound. Tuesday he was better, vomiting stopped, and he asked my advice about going away in the schooner. My advice to him was to remain in hospital and keep quiet. He promised me he would do that. Wednesday he walked down to the schooner and said he was feeling fairly well. On Thursday he was in the same condition as Wednesday, but after one o'clock he was seized with a pain in the head and became semi-unconscious in which condition he remained until Friday morning. All day Friday he was conscious and did not complain, but he was rather slow to answer questions and comprehend. Friday evening between eight and nine o'clock the patient got out of bed (so the keeper told me) and went to write to his father and mother. Keeper advised him to keep quiet and wait until morning. After this he seemed to sleep. About six o'clock on Saturday morning the keeper noticed that his arms and legs were getting stiff although he was breathing regularly. At this time the keeper's son was present and thought him all right, but the keeper, becoming anxious, came up to my house for me and asked me to come down to the hospital. While the keeper was away the man expired, and he was dead when I got to the hospital. The man told me his name was Burns Mason. In answer to questions by Clerk of the Peace, he told me something about the cause of his hurt. On Tuesday morning he said something about it. The first time he mentioned it was on the Saturday night he got hurt. On the way up from the saloon he said he had trouble with the man who struck him on the voyage from New York. Don't remember if he called the man by name. He pointed to a scar over his eye and said he got that from the same man who hit him on that Saturday night. He said the scar was made by a sheath knife and that he had expected the fellow to assault him from the threats the man had made. He said he was in Angus Kenny's shop that Saturday night getting a glass of beer with some others, some of the boys belonging to the village, and while there he had got the blow which rendered him unconscious. In reference to the wound I should say it was caused by some blunt instrument, owing to the nature of the wound. It was a lacerated and contused wound.

Question by Clerk of Peace:—Did you make any examination after death?
Answer by Dr. Duncan:—Yes, under the directions of the coroner we held a post-mortem. There were present, Dr. McNichol, the Coroner, (Dr. J. C. Meahan) and myself, also the keeper of the hospital. Death was well set in. There was no deformity except some scars on the body, slight scars. I found a healed scar about two inches above top of left ear a little bit back of it, also a healed scar about a quarter of an inch below the right eyebrow, scar about two inches long. There was no blood issuing from nose or ears. On removing scalp the covering was found congested showing that there had been an effusion of blood

Continued on page three.

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