Jury's Unanimous Vendict in the Trent River Bridges Case.

Union Colliery Company Responsibe-Fined \$5,000,00-Appeal to Be Taken.

(From Friday's Dally) Jaio When the Times went to press yesterday Mr. Pindar, the engineer of the E. & N. Railway Co., was being gross-examined by Mr. Maclean. odw neoir and "Mr. Pinder said the Trentsitiver bridge was erected in 1888; being dempleted

intended the building of Tr. The crear span, was 125 reet, the Hove truss being 133 feet. That is not considered an extreme length for a Howe truss. The Chemainus and Koksilah bridges are 150 foot spans, and both are Howe truss bridges. In re-examination, witness bridges. In re-examination, witness said a bridge expert could Calculate the remember the gang that was working and the prices and the bridge represent the parts of a bridge?

and had experience on various railways by the repairers there was rot in the prior to 1884, when he came to the E. & cords. N. assisted in the construction of the bridge in question.

Some of the timbers taken out of the Nanaimo river bridge were equally as rotten as this. The bridges on the E, & N. are examined every month. It is not always possible to detect the rotten timber by examination. He visited the scene him. of the accident the day following; des-

trestle work was eight convinches out of shape, shoved out of rits place. The tim-foundation. In 1896 repairs were made ed train. shape, shoved out of its place. The timbers produced are about the worst of those in the bridge. He did not think this span. Plumb posts under the track ed out to great length, Mr. Bell conrotten timber caused the accident. He were replaced. The witness, in answer sulting a book of notes constantly to exthought two bents were carried away by a broken axle at the Union end of the wharf. This would shift the pier out of its place and the span would lose "5,000 feet in '96 and 20,000 feet in '97."

Mr. Pooley, in answer to his lordship, explained that at the coroner's inquest was not known that the gause of the accident was the broken axionas it had not then been found. It is now suppos-ed that the broken axle catching between Mr. Pooley. the bents pushed the bridge forward, displacing the pier on the wharf side of

he thought he found the broken axle on lin said the broken ends of the span August 27th or 28th, but was not sure, laid up-stream and about 5 feet out of a lt could not be later than the 6th of the plumb line of the structure above. September. He told Mr. Pindar he had The ends of the timbers were severed, found it. He was not at the inquest, the break being complete. The witness Did not know whether the axle was said he did not think the collapse came found before or after the inquest. He from ordinary causes, but he did not adcould not swear that the could not vance a theory as to what did cause the be broken by the fall. If the axle broke bridge to fall. while the train was running, the men on Some time was spent in an examinathe tender and at the rear of the train would have experienced a tremendous jar. The jar might have came too late were submitted to the jury so as to enfor them to save themselves, If an axle lighten them as to the many technical caught in that way the gars would prob- terms used in designating the various ably be thrown off the track. They parts. might not, and it did not follow they would be thrown off the rack. The ties the accident positively due to rotten are 8 inches apart, and the axle was wood for several reasons. Among othfour and a half inches wide. About er reasons he said that when he assisteighteen inches of the axle would go be- ed in removing the braces he found

tween the ties, He did not seedany signs none crushed. The break was six feet of such violence on the ties on the trestle, from the truss rods, he asserted, and said that some of the ties he took out happened. Not a casting on a cord was of the wreck were so marked. Three out moved. Union end of the bridge.

The inquest was not completed for ten rot in the timbers in the Trent trestledays or a fortnight after the ac- work. cident. Buckstag told him he found the. The best the witness could say was

jolt to the train.

Union Colliery Company, was then call- talk timber deflection to the witness. ed, and a little diversion was created "What is your theory," asked Mr. by Mr. Pooley asking him to speak up, Maclean, "as to what caused the acas the judge is deaf. If an deaf, and cident? Was it a broken axle?"
the jurymen are deaf. He jordship said he hoped he was not as deaf as Mr. Pooley, and some laughter was indifficult in the state of the same and the same are deaf. I don't know whether an axle was broken or not."

reports made to him of the examination causes." of the bridge by Mr. Work, who has The witness then explained that he

to him that the bridge deflected three- after one more summer." steps to remedy it, and a week before the "You didn't make quarters of an inch he proceeded to take piers. He often went over the bridge asked Mr. Maclean with his friends.

ness said it was his duty to attend to was in his testimony until it was read the bridge. The cords had never been to him afterward. replaced, and those that went down on The court then adjourned until 2

August 17th were the that were occock this afternoon.

put in at the erection of the bridge. He

never had a civil engineer inspect the latternoon was built in the court of the cou

borings then made show signs of rot. Mr. Duff, explained than the evidence account be used than the part summer of 1899.

The next, witness, Mrc. McLachlan, gineer Walker. On Saturday, the 13 h summer of 1899.

The report was made to Mr. Little, would be lengthy, and as it was then of August, witness had driven an en-half-past four, it would penhaps be more gine hauling a train six times over the who took steps to renew the bridge in convenient tonadjourn dash its to

anything desired by counsel and the jury, the structure, and ran onto it under full foundations was in progress; and as the latter expressed a desire to steam. adjourn, it was so ordered, and the

At the sitting of the Assize Court this bridge. McKnight admitted that the The Court-That was an increase

the year of the accident, 1898.

not believe the accident occurred ing of the structure. In answer to a question as to what, in his opinion, did rested. cause the accident, the carpenter stated it was some unusual cause, either the vibration of the span or a concussion on proper place under the rails, after the was after the vibration of the span or a concussion on proper place under the rails, after the was a some unusual cause, either the vibration of the span or a concussion on proper place under the rails, after the waster and Bell, and to the discrepancy

The result of the cross-examination of

The important point in this part of the restimony was throught out by the question "Can rous swear that any was erected in 1888; being completed new timbers were put in the cords of about the end of September He super this bridge between the time it was intended the building of H. The crear built and the 17th of August, 1898?"

said a bridge expert could carculate the carrying capacity of rotten timber. This statement was challenged on re-cross examination, and finally, on Mr. Duff's questioning, witness said he knew a calculation had been made of the carrying capacity of this particular fimber.

Peter Buckstag, a bridge carpenter, who has been in that work since 1880 and had experience on various railways

Made Many Repairs. Mr. McLauchling abothe foutset proved

to be a reluctant and slow witness. Ap- truss in. parently he was not sure of anything and there was an ambiguity about his recollections and his statements until to say what force drove the bents of the with his family and according to the distribution of the with his family and according to the statements. the answers were literally dragged from bridge to crush the structure generally.

to a suggestion from the presiding pound his statements. "I made an examination of the bridge in '97, according to instructions," the witness said, "and made a verbal report

"What did you consider the life of a with ordinary usages?" asked "I considered it would last until the

summer of '99." Speaking of his examination of the Cross-examined by Mr. Maclean, said bridge after th accident, Mr. McLauch-

Mr. McLauchlin said he did not think Re-examined by Mr. Pooley; witness therefore he thought some unusual thing

of five of the bents were standing at the The deputy attorney-general tried to Union end of the bridge. ascertain how much the witness knew To Mr. Maclean, witness said if the about actual bridge construction as span fell the bents might be pulled down apart from snow-shed building and orand others displaced. Wolfer I dinary carpentering. Mr. McLaucann Mr. Pindar recalled, said the last wit-contended that he had built some large dinary carpentering. Mr. McLauchlin ness first told him of finding the broken bridge spans. They got along pretty axle fully a fortnight after the inquest, well until they reached the question of

axle after the wreckage was cleared that it was stated after the investigation in 1896 that the timbers were To Mr. Maclean: If the axle had brok- "pretty good." The rot was discovered en in the way described by the last wit- by boring holes with half-inch augurs. ness there would have been a terrible Coming to expert subjects Mr. Mac- the Point Ellice affair. lean took up a book on bridge construc-Francis D. Little, manager of the tion and civil engineering and began to Mr. Bell stoutly maintained that his

Witness was proceeding to detail the "It might have been one of several

since died. Mr. Maclean said he was made one statement before the coroner's if it had received the usual care bestowwilling to allow Mr. Work's evidence as jury, which he afterward corrected. ed on railroad bridges. Mr. Bell then given at the coroner's inquest to be out That statement was that "we (Mr. Little and myself) came to the conclusion Witness said that when Work reported that we had better abandon the bridge for the defence.

The witness admitted he did not, but taken until this morning. Cross-examined by Mr. Maclean, wit- did not know the particular statement

Mr. Duff explained than the evidence accident he had taken the place of Enbridge, and three time the train was His lordship was willing to raccede to loaded. He noticed nothing wrong with time of the accident the laying of the

Cross-examined by Mr. Maclean, wit- August, 1898, and a deflection of threecourt rose until ten o'clock on Friday ness was asked if steam had not been quarters of an inch found. This was shut off as the doomed train went on the eight days before the accident.

Union Colliery Company's plant at the Union wharf. He was called by Mr. Pooley, who proceeded to show Mr. Mc-Lauchlin's experience as a bridge carpenter of seventeen years, standing. His examination dealt with the condition of the Union what the train had corried them down and on to the Union what side.

Mr. Pooley—The answer given to my questions by experienced engineers here shows that such a slight increase indicated that deterioration was not rapid.

The life of fir timber was then gone in to. The general opinion was that eight years was the limit of life of such timber was the limit of life of such timber was the limit of life of such timbers.

examination dealt with the condition of the bridge and the repairs made, commencing with 1895 and continuing until the bridge and the repairs made, commencing with 1895 and continuing until the repairs made, commencing with 1895 and continuing until the train had carried them down. The bers, but Mr. Bell stated that the Chiquestion involved the theory of a broken cago, Minneapolis & St. Paul RR. had axle causing the falling of the bridge. Mr. McLauchlin testified that he did The witness then went into the weights the life of the wood was put at twelve or of engine, tender and coal cars. The fourteen years. The omission of the secthrough "ordinary fair usage." He did engine and tender weighed, 176,000 tion man in charge of the bridge to innot think rotten wood caused the break-pounds, and a coal car, loaded, 33 tons. spect it, that morning was due to his On the driving wheels 88,000 pounds having fallen the previous day, and put

The result of the cross-examination of the witness by Mr. Maclean reduced Mr. Maclean reduced Mr. Maclean reduced Solve Said his duty was to go over the time of the accident than could possibly periods as a pridge builder for few prints. He had gone over the track and was due to the defective sight of Walker years. inspect the track because he was laid gine coming through.

The explanation of the accident by the bridge at full steam, he replied that

Bell was that it was caused by com-

The last witnesses called were John Randberg, a bridge carpenter, and Mr. H. P. Bell, an engineer of some thirty years' experience, and engineer of the Union Colliery Company. He had you luminous notes on the tensile strength of bridge timbers, and an array of scientific deductions explaining his convictions as to what caused the Trent bridge to college the explaining his convictions as to what caused the Trent bridge to college the explanation of the disaster. The broken axis bunch to the disaster. caused one of the end bents to drive the which further verified this theory.

The witness dealt largely with the theory of the break, but was not prepared Among other things Mr. Bell stated The witness said, when examined by that an impact of sou tons, going at a residence of a broken axle being found some time afterwards. Some lot the truss rods were also broken upond to the truss rods were also broken upond to the truss rods were also broken upond to the supports general repairs were sure on the truss per square inch would cause a pressure of 20, that wharf side of the bridge the of the supports general repairs were sure on the truss per square inch would and additions were made to the have been 14,000 pounds from the load-

throughout the whole structure and the The scientific dissertation was stretch-

When he had reached a pause, Mr. Justice Walkem rather humorously asked him to explain what he was talking about to the jury. Mr. Bell then went into more detail by blackboard illustra-

counsel, "for a broken axle to have caused the accident?" "I do not think so. How the accident curred or as to where the force

originated that drove the truss in I cannot say. Based on scientific facts and Pooley that the factor of safety used by from my observation of the wreckage, I engineers was to cover the decay of the am convinced it was a most extraordinary timber. It was nothing of the kind. It

foreman of the jury. "I have never read of one or ever saw

"What would you judge to be the condition of a bridge having five-eighths of the coal train and carried over it. It thus became a passenger bridge as well, "I would consider it good. It is a moderate deflection." "How about a deflection of three-

"It would show the deterioration is been just as able to stand a strain on the constant strain inevitably weak-

day if untoward conditions had not tion by trying to show some of Mr. Bell's theories about wrecked bridges asked his theories as to what caused that know whether the braces and cords were Bell said he didn't know, and later he added that the cases were far different. "Mr. Bell," said the deputy attorneygeneral, "is there any reason why, a bridge should not fall on the third day

because it stood up on the two previous days?" The witness said he did not know. Mr. Duff raised objections to Mr. Maclean's mode of proceedure, alleging the prosecutor was trying to influence the feelings of the jury by referring to

scientific reasoning satisfactorily mex-"What is your theory," asked Mr. plained the cause of the disaster. "A bridge must fall sometime if it is rotten, mustn't it?" sarcastically inquir-

ed the Crown's counsel. "I suppose so," was the answer. The redirect examination was devoted to the durability of certain wood and the length of life of an ordinary bridge kept in good repair. Mr. Bell thought explained his map of the stress strength of the bridge, and this closed the case

Mr. Pooley said they would like time steps to remedy it, and a week before the "You didn't make this correction until address the jury. Mr. Maclean had no accident had let a contract for new stone Mr. Pooley talked with you," more witnesses to call and therefore, all consider the evidence in orders to more witnesses to call and therefore, all being agreeable, an adjournment was

TO-DAY'S PROCEEDINGS.

Argument of counsel was commenced this morning by Mr. Pooley, who addressing the jury, pointed out that the bridge was examined in 1896 and in borings then made show signs of rot.

Andrew McKnight, master mech nic 1897, and it was all right. The deflection of the bridge was found in 1896 to borings then made show signs of rot.

Company, was tion of the bridge was found in 1896 to be five eighths of an inch, and the structure of the beginning of the borings then made show signs of rot. fure was reported to be safe until the

> the summer of that year, and at the The bridge was tested again in 9th

morning the defense in the Trent bridge condition of the engine indicated that deflection of one eighth of an inch in case was continued, with the testimony probably steam had been shut off before three months.

On the defense in the Trent bridge condition of the engine indicated that deflection of one eighth of an inch in three months.

Mr. Pooley—The answer given to my

out four of his ribs.

accident. in their description of it. They testified John Howe, track foreman of the com- to more cars being on the span at the on the morning of the 17th he did not who, ran as soon as they saw the en-

the steam was on until it struck the pression on the rods on their length. This span.
Questioned by Mr. Maclean, witness pier at the wharf end had been displacted what it was no part of his duty to look after the bridge.

Was shown by the manner in which the pier at the wharf end had been displacted. Mr. Bell estimated that if the train was moving at the rate of two The last witnesses called were John miles an hour and was checked, it would

bridge to collapse. He emphatically as- of the disaster. The broken axle bunchserted rotten timbers were not at fault, ed the ties and bringing a tremendous It was most unusual conditions he der strain upon the end of the bridge burst clared that brought about the wreck, He it by forcing the centre up stream. That produced figures to show that, from the this was done was proved by the fact that the centre timbers were deflected manner in which the broken timbers that the centre timbers were deflected fell, the impact of the heavy train up stream. The spokes also were drawn

The faith Mr. Little, the manager, placed in the bridge and in its strength was proved by the fact that a few days with his family and some friends taken a trip over it. The company, acted as any good business men would, took extra precautions to secure the safety of the company and look after the welfare of their workmen. Mr. McLaughlin, in his evidence, had testified that all the braces and bearing rods were intact. Had the train come through the bridge by depression these would have been broken.

In reply, Deputy Attorney-General

Maclean set out in his indictment that

lapse of the bridge by the giving way care they should have taken of that old

the Union Colliery Company which it is a simple color that the company was not taking the the Union Colliery Company ships it coal by its own railroad, ten miles, to Union wharf. The bridge of this line over was given by Mr. Piercy. He hap being being of this line over the company ships it coal by its own railroad, ten miles, to Union wharf. The bridge of this line over the company ships it coal by its own railroad, ten miles to dence was given by Mr. Piercy. He hap being the cord was unsafe.

Trent given was by the interest of that on the company's dence was given by Mr. Piercy. He hap being the cord was unsafe. bout to the jury. Mr. Bell then went to more detail by blackboard illustration.

Trent river was built in 1888. It was appeared and he jumped off. If Mr. Bell's concussion theory were true would made a span of 125 feet, with a height of 95 feet. They did not exeroussel, "for a broken axle to have outsel, "for a broken axle to have outsel, "for a broken axle to have outsel, "for a broken axle to have of the reasonable care in the maintenance of the reasonable care in the maintenance of the reasonable of this line over the standard and he jumped off. If Mr. Bell's concussion theory were true would be under the eight had as appeared and he jumped off. If Mr. Bell's concussion theory were true would reasonable of the property of the standard and he jumped off. If Mr. Bell's concussion theory were true would reasonable of the property of the property of the standard and he jumped off. If Mr. Bell's concussion theory were true would reasonable of the property of the of that structure, and as a result on this fact. August 17th, 1898, an accident occured whereby seven men were killed.

He disputed the contention of Mr. happening.

"Did you ever hear of such an accident as you have set forth?" asked the dent as you have set forth?" asked the expired and no factor of safety could save it.

It also transpired that two days a week passenger cars, were attached to although the employees of the road had equal rights to have their safety regarded, and some of these men lost the fourths of an inch one year after? lives at the disaster in question.

It was a hard working bridge. was unprotected from the weather. It Mr. Bell said the bridge should have carried heavy loads of coal daily, and the day of the accident as on any other ened the cohesive power of the wood, and eventually went down. The cords which went down were cords which Mr. Maclean began the cross-examina- were put in when the bridge was built

Witnesses had been summoned to teswere at variance. In this operation he tify to the length of life of bridges on found it was probably the result, and was shut off by constant objections by the E. & N., or the Chicago & Minnethe defence. The Point Ellice bridge apolis road, and other lines. But what catastrophe was cited, and Mr. Bell was information did the jury get? Did they structure to let a car go through it. Mr. renewed or not? They knew nothing. Mr. Maclean described vividly the accident itself-the loaded train moving tender first at four or five miles an houron to the bridge, the shutting off of the



bereavements which are possi-ble to a home, the loss of a child is erhaps the most bear. the heated spel New York City as many as a thou sand babies have died in a week. Of course, in a crowded city, with its unsani-tary districts, deaths would

occurred any way. The fact remains that this tremendous mortality was to a great extent due to the lack of inherent resisting power in the victims.
These babies when born had in their bodies the seeds of disease. The deadly heated term only shortened the period of their

sufferings.

If a woman wishes her babies to be healthy and strong and able to resist the usual ailments of childhood, she must take proper care of herself in a womanly way during the period of gestation. A woman who suffers from weakness and disease of the organs distinctly feminine is unfitted for wifehood and motherhood. Dr. Pierce's favorite Prescription is a wonderful medicine for ailing women. It acts directly on the delicate and important organs conthe delicate and important organs con-cerned. It makes them well and strong. It allays inflammation, heals ulceration, soothes pain, stops exhausting drains and gives rest and tone to the tortured nerves. Thousands of women have testified to its almost miraculous merits. Many of them have permitted their names, addresses, have permitted their names, addresses, experiences and photographs to be reproduced in Dr. Pierce's Common Sense Medical Adviser. This great book used to sell for \$1.50, now it is absolutely free. It tells all about the home-treatment of ordinary diseases. It contains 1008 pages, and over 300 illustrations. Several chapters are devoted to the diseases of women. For a paper-covered copy send 31 one-cent stamps, to cover cost of customs and mailing comity, to the World's Dispensary Medical Association, Buffalo, N. Y.; Cloth binding, 50 cents. "Favorite Prescription" is sold by all druggists.



Atb months old

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much of Mr. Walker's shortsightedness.

The speaker was shortsighted, and while

theories to verify it, but rotten pieces of

Mr. Maclean then came to Mr. Beil's

theory of a broken axle causing an end-

on concussion to the bridge; an event

which Mr. Bell had admitted he never

heard of before. If such an axle were

A peculiar fact was that they were

obliged to take the statement of an E.

& N. employee upon the question, At

first he said he found it 11 days after

the accident, but gradually shifted his

ground until he brought it down to a

time subsequent to the inquest, at which,

it were then discovered, it ought to

have been produced. In the case of a

disaster of such havoc there were sure

be axles wrenched and ties bunched.

that the lower part of the upper bent

had been driven in. Why would the

bucking up of the bridge proper drive

a the lower bents? It might drive in

ed to a competent engineer the bridge.

ttach much weight to, as he was oblig-

of to wring the evidence out of him. It

ren took half an hour for him to identi-

timbers he had assisted in sawing.

here was no examination after 1896 of

remain two years longer although rotten

Then as to the deflection mentioned,

eculiar mistake surely.

the year named.

The third reason for the theory was

imber before their eyes.

not the cause, of the disaster.

he would not perhaps have been able

of carrying the

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steam before the span was reached, and there was no evidence to show what the sudden breaking of the bridge and weight caused it. Old timber, too, would the disaster which followed. Conductor not deflect, but would break. The test Grant described the accident minutely. was a crude one, and another evidence

of common sense the jurymen were asked to say what caused the accident. What other evidence had the prosecution? They had the evidence of Messrs. Mr. Pooley referred to a slight variation? They had the evidence of Mr. McLauchlin,

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ou anything else on the plea or promise that it

'just as good" and "will answer every pur

pere." See that you get C-A-S-T-O-R-I-A

SIGNATURE

Bell and Walker, who were working at and then asked his Lordship in charging the time beneath the bridge, and at the the jury to instruct them that the prin approach of the train moved from under cipals are not responsible for the acts of the structure to avoid falling cords. They their agents, and that there must have watched the train approach. They were been some wilful, intentional neglect perhaps mistaken in the number of cars, but they saw it come on to the span and crash through, Mr. Pooley had made read the quotations to the jury.

THE CHARGE. His Lordship in summing up expressed to distinguish the letters on the train had satisfaction that the decision of upon he been there, it was preposterous to whom the responsibility for the accident contend that he could not see the train, lay was in the hands of the jury. He The strongest bridge is only capable complimented the counsel in the case for limit of its weakest part, the manner in which they had r added Mr. Maclean, and he pointed is it. The Crown had not unduly pressed

the rotten timbers lying in the court, for a conviction, had not appealed to the The facts are that an examination was passions or sympathies of the jurymen made of the cords of the bridge, and they and the counsel for the defence had cerwere found rotten, and the jury had not tainly done their work ably and well. On the question of negligence, his Lordship had a volume of 1200 pages dealing entirely with that legal phrase. He quoted the definition of one of the most learned judges who ever sat in Westminster Hall which was that negli-

gence "is the absence of care, according to the circumstances." Without reviewing the whole of the evidence, his Lordship referred to several points in that given by the expert wit nesses. He had been surprised that the life of Douglas Fir was not longer than had been stated. It was Mr. Keefer's opinion that a bridge constructed of Douglas Fir was not to be depended of after six years. Mr. Bell held a co trary opinion. The timber produced spoke for itself; it was rotten. The defence said they had taken all possible precautions and examined the stru in October, 1897, and August, 1898. was true they found by the test of flection that the bridge deflected eighth of an inch more at the latter date the upper but not the lower one. Why to prove that the timber had some vi than at the former, but that would seem tality or it would have snapped instead

ordinary theory. To overcome the obvi- of deflecting. ous reason for the catastrophe, that the Again defining the question of what bridge went down in the centre because constituted negligence, his Lordship said of the rotten timber in it. What was that every one who has in charge or un Mr. Keefer's evidence, an engineer of der his control anything whatever, whethlong experience with bringes? He stater animate or inamimate, which by the ed he would condemn a bridge with such absence of precaution or care may The defendants did not exercise proper to take reasonable precautions against are for the safety of their people. Why, and, all reasonable care to avoid didn't they have a competent engineer danger, and is criminally responsible for o examine that old bridge. No one but the consequence of failure to do so with bridge carpenter looked after it. He out lawful excuse.

submits his results to Mr. Little, the The jury were instructed to deal with manager of a mine both utterly incom- the matter with the same seriousness as etent to pass upon a bridge. Do other if an individual, or three or four indiines act in such a way? The company viduals, were arraigned in the dock of was guilty of gross negligence. In 18:55 the charge of manslaughter, the nex ome men from the E. & N. went any and crime to murder. The loss of life was ored some holes and said the lower lamentable, and it was the duty of the cords were pretty good, but they found jury to decide the matter fairly as be

ot there. Had the result been submit tween the Crown and the subject would have been condemned. In 1836 question to the jury for their answer His Lordship submitted the following Mr. McLaughlan bored and found four "Did the defendant company neglect to nches of rot in some of the timbers, take reasonable precautions and to use and after reporting to Mr. Little stated reasonable care in maintaining the trust would be better to abandon the bridge bridge which fell as stated in the indict offer one more summer. Afterwards, ment while a locomotive and tender and under cross examination by Mr. Pooley, some coal cars were in the act of run e said he flad made a mistake. He ning upon it, the result of the accident eant three more summers, which would being the death of six persons who were

arry them beyond the accident. A very on the train?" The inry retired at 12.20 to consider

Mr. Laughlin's testimony he did not their verdict. After the jury had been in consultation for an hour his Lordship had them called into court and as they had not realized any conclusion ordered that that lower cord which was allowed to adjourned the court until 3 o'clock. lunch should be provided for them, and

THIS AFTERNOON. At 3 o'clock his lordship ascended the bench and requ porters to take he had instruct ing their verdic or not guilty. The jury be

an answer of announced that The jury wer Mr. Pooley g

agreed upon a tion to move in asked permission points being re His lordship the Full Court served case.

(From Cards, possib straights, pairs kind, and kindr ed this mornin manner absol uninitiated. It a cution of Mr. I ment street tol common gamin meaning of the accusation being mickel-in-the-slo premises. afforded plenty cisms and the c vulsed with la Mr. Fred Peter of employing the chances of t and the presiding ly that an actu Mr. Peters no than that gentl

When the p Court were res lic. Hon. Justi The case of duction, was fir case to be deal proceeded with.

Regin It will be rer chief of police the use of the chines, Mr. Mo them and was of "keeping a o When the ca in the police of sel, Mr. G. A.

sire that the m commit without ing given, the being to obtain gality of the us dence, however, the defendant of This morning Thomas Durl G. Dearberg,

Oliver, Thoma

Gowen, James

A. Goodwin,

drew Sheret ar Mr. A. L. Be cute on behalf Fred Peters, Q. Potts, defended Mr. Belyea b ing to the jury the machines w first witness, D due, who detaile ing given Mr. M chines must not moved for one placed. Witness play the machin casionally. In the detective st cards in the r complete pack, had been taken ceeded to disco the cards missin ness was asked would have n player, and was through all th mentioned as pr ed that owing cards the char flush, a straight full hand, a flu a kind, two pair all more or less quently it being cylinder there w other cylinder bu the chances of

evenly distribute In cross-exan witness was ask culated what th ther the chance equalized by the er of the machi done by witness Herbert Stev stable, testified other witness placed a nickel equently purch of nickels which so put in. They This was cor Berridge and the ed by the reading of the depositio ant in the police mitted the facts profit on the s machine were o same as though without the mac of all sales.

much smaller

Mr. Peters, in the defence, argue been framed for ing the keeping houses, not of thing as a nickel ing used for the are comman gan such as it was i should be stoppe prosecutions agai eloquently upon machine was us pose of trade, culated to meet no more profit than resulted fro the ordinary met It was 1 o'clo cluded his addre

was taken until TRENT BR Mr. Justice Wa

Colliery Compa Mr. Justice W announced his d Regina vs. the in which the ju guilty of manslar penalty inflicted