

BOTH GUILTY

Hendershott and Welter.

On Friday last 12 good men and true unanimously found that W. D. Welter and John A. Hendershott were guilty of the murder of W. H. Hendershott and were sentenced by Chief Justice Meredith to be hanged on Tuesday, June 18th next.

Crown Prosecutor Oles made a terrible arraignment of the prisoners. He pointed out that the man who contemplates a crime always does it skillfully to make sure of his gain; so always look for an appearance of innocence. The crime is always committed in a dangerous place, that is a crime of deliberation. The dangerous criminal is the scheming one who never if possible lets his hand be seen. Circumstantial evidence, he said, is the only thing that brings the crime home to him. When brought home it is a safer class of testimony than that of the direct witness, who may be mistaken or forewarned. It is said by some, "Never convict upon circumstantial evidence," if that were said up of the murderer, the designer, the murderer, would always escape.

Then he disproved the accident theory. He showed that the efforts of the defence to prove that the wounds on the head of the dead man were caused by a falling tree were futile because of its inability to corroborate its theory in the minor details.

Adverting to the presence of blood Mr. Oles said that Dr. Ellis has shown that the blood resembled that of a human being and that it was not that of a horse, yet the only suggestion is that the blood is that of a dead horse. The blood was fresh and of the same age, where did it come from? Whose blood was it? It tells its own tale, pool by pool, drop by drop. Is it the blood of the dead man rising up as a witness? Whence came the bloody finger marks on the sapping and on the cotch, all of the same age, where did it come from? There is no blood on the knot of blood at the place where it is suggested the branch struck him and swept him in.

It was not for the crown to say just how the killing occurred. "No eye saw it; it may be that the man was hit first at the forehead and then ran to the second, where he was again struck, and then to the third and finally to the largest pool, where he was left until Welter went forward to see where he could best put him under the tree. He takes care to avoid blood marks, for, but little blood is shed and it all comes from the head. He knows that he has got to take care, he does so, and the tell-tale blood is only found on his face and on the leaves in the woods.

Mr. Oles had great stress on the presence of Hendershott's hat hidden away out of sight in the woods so completely that when curious people searched high and low for some time they never came across it. Then it was found concealed with some one of the knots of blood analyzed here all the characteristics of human blood. That was an awful witness.

The fact that Welter was wearing the dead man's watch was a damning piece of evidence. The Crown's theory was that Welter took it from the clothes of his victim when he was shot on the ground. Mr. Oles then showed Welter to be very much of a liar as was evidenced by his seven contradictory stories.

Next he referred to the fact that twelve intelligent doctors had sworn that an axe cut a branch caused the wounds. On the other side six admit that an axe could not have done it. He did not bring the head of the victim into court and the axe at the same time.

Coming to the insurance branch of the case—the motive of the crime—Mr. Oles showed that John Hendershott had taken the initiative on all occasions. He accompanied the young man to the doctors and the insurance agent who persuaded the dead man to take out the insurance. The sum (\$11,000) was pretty heavy for a man in his position to carry. Hendershott had told two women, unwilling witnesses, that he was going to insure some one and that he had him out of the way.

To show that a conspiracy existed between Welter and John Hendershott he cited the fact that both told the story of the deceased running after his watch, although the men were eight miles distant in a brilliant revelation Mr. Oles told the jurors to do their duty courageously, fearing neither the criticism of men nor the tears of women.

It took nearly two hours for Chief Justice Meredith to deliver his charge. He summed up the evidence carefully bringing out all the strong points for the defence, as well as for the Crown. He instructed the jurors to start on with the presumption of the innocence of the prisoners and then to return a verdict according to the evidence. The jury went out at 5:30 and a short while after ten announced that they were prepared to bring in a verdict. "An expectant hush fell over the court-room as His Lordship took his seat on the bench and the jury filed into the box of the witnesses, the clerk asked and asked the formal questions.

"Gentlemen of the jury, have you agreed upon a verdict? Are the prisoners at the bar guilty or not guilty?" "Guilty." Every ear was strained to catch the answer. "Guilty," replied the foreman in a tremulous voice, and then women shrieked, and cried, and sobbed bitterly. The older prisoner let his head drop on his breast and did not raise it until the judge imposed upon him by saying as stout as a rock, "He never showed the least sign of fear."

In sentencing the prisoners the Chief Justice dispensed with the black cap. He asked the prisoners if they had anything to say. "Nothing," answered both. He then sentenced them to death on Tuesday, June 18th. The prisoners were immediately removed to the jail and the death watch put on them.

The jurors were unanimous on the first ballot. After discussing the evidence thoroughly a ballot was taken and every man voted "guilty."

BALLANTRAE.
Miss Annie Stewart, of the 10th line, is visiting her mother, Mrs. John Gray.

Miss Latham, of Toronto, is visiting her sister, Mrs. G. H. Gray.

Although still confined to his bed, J. H. Clark is steadily recovering, and we hope he shall soon be able to be about again.

I fully endorse the conclusion arrived at by Mr. Jenkins of Castor who in his able and logical arraignment of tobacco in last week's Tribune, smote the giant on the thigh. Judged by the Bible standard he proved that tobacco is an element of evil and evil continually. All true Christians believe the Bible to be the supreme law, and that all human laws are subordinate; hence they must accept what has been clearly proved that tobacco is man's enemy, physically, mentally and morally and that Christians are under obligation to abstain from its use. Tobacco, not only impairs the functions of man's body, but also affects every power of the mind. It dulls the intellect, deadens the sensibility or feelings, and weakens the will. Many tobacco users say they cannot abandon the habit. They should be taught and say truthfully they have no will to abandon

If they sincerely and determinedly place their will on the total abstinence side of the question, for there must be no compromise, they will soon find the strong chains that bind them fall away leaving them free from the useless, filthy, injurious habit. I know whereof I speak, for I for years stuck close to the habit that I would rather go without dinner than be deprived of the weed. I kept the mill grinding pretty constantly during the day, and to show that I had no ill-feeling against tobacco, I smoked a pipe or two before retiring for the night. I have now no appetite for the narcotic. Many pale, nervous, dyspeptic people who expend their money for doctors pills and powders would find a speedy cure in total abstinence from the narcotic poison of tobacco. I know many good men who use tobacco, but they would be better off if they never used it. But I will stop right here in the hope that some sensible smoker may be led to his pipe and cigars to the weed may be; that some chewer and throw his nasty wash on his mouth and spit, or that some dog because they won't degrade themselves by chewing it.

UNCLE SAM VS. SPAIN
The American mail steamer Alliance while proceeding from Colon to New York on the morning of the 23rd inst. sighted a barkentine rigged steamer off Cape May, the eastern edge of Cuba, which headed directly towards her. At 5 o'clock, when about two and a half miles distant, she hoisted the Spanish flag, which was saluted by hoisting the American flag for more than half an hour. The barkentine steamer, which was answered by the Spaniard. At 7:15 she fired a blank cartridge to leeward, which was soon followed by another. The American, followed by again hoisting the American flag, and ordered the barkentine steamer to stop. As no hostile demonstration was anticipated, the Alliance being more than six miles off the land at the time. The Spaniard man-of-war was not satisfied, however, with even the double salute to her flag, and proceeded to chase the American at full speed. Judging from the smoke that came from her funnel, and seeing that the Alliance was drawing away, she yawed to bring her guns to bear, and fired a solid shot, which struck the water less than eight miles away from the ship, and directly in line. This was followed by two more solid shots which, fortunately, did not reach their mark, though they struck the water in plain sight of the ship. At 8:30, however, the Spaniard, yawed to get the range of the American ship before bringing on her plainly showing the intention to hit her if she could. Captain Crossman of the Alliance, who was more than two miles distant, did not consider it his duty to detain his ship to find out the reason for such an outrage, even for so summary a demand, and ordered full steam and gradually drew out of range. The chase was kept up for more than thirty miles, however, before it was abandoned. If the Spaniard had had more speed or her gunners better marksmen, no doubt the incident would not have ended so fortunately for the American. This outrage has been reported to the Secretary of State by Captain Crossman, and it is expected that a prompt demand will be made on the Spanish Government for an explanation for the insult, and a "reason" required for the attempt to stop an American mail steamer on the high seas in time of peace.

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A Jersey Red Boar, 2 years old. Apply to S. L. Hoover, lot 34, corner 7th, Markham, Ringwood, P. O.

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That desirable white brick residence on the corner of Main and Fair streets, Stouffville, opposite Dr. S. L. Freer's. The house is in good condition, contains 8 rooms and bath-room. There is also a good stable on the premises, and plenty of hard and soft water. Terms to suit purchaser. Apply to H. L. VANZANT, Stouffville.

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Mortgage Sale
Of valuable property in the VILLAGE of STOUFFVILLE in the County of York.

There will be sold on Wednesday the 3rd day of April, 1895

At one o'clock in the afternoon at the MANSION HOUSE HOTEL in the VILLAGE of STOUFFVILLE by virtue of powers of sale contained in a certain mortgage which will be produced at the sale following property:

Part of the East half of Lot number one in the ninth concession of the Township of Whitechurch in said County, and which may be better known and described as Village Lot six the whole of number nineteen and the western part or one fourth of an acre of Lot number eighteen containing together three fourths of an acre more or less according to plan of part of said Village of Stouffville known as the Wright and Pringle plan surveyed by George McPhillips, P. L. S. 287 and filed in the Registry Office of the County of York on the 25th day of January 1888 as plan No. 230.

The following buildings are said to be erected on the premises—Two pair frame dwellings, one of which is a two-story house, and one of which is a two-story house. For balance terms will be made known at the sale. For further particulars apply to J. J. DALY, Solicitor, Toronto Street, Toronto, or to R. J. DALY, Stouffville.

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In purchasing see that our trade mark (The Snowshoe) and firm name are on each box. No other is genuine. Our "Something Good" brand is registered and any one selling other brands under this name will be prosecuted.

W. M. SAUNDERS, Director Experimental Farms.

I was cured of Acute Bronchitis by MINARD'S LINIMENT. J. M. CAMPBELL, Bay of Islands.

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