

JAMES HARTWICK "NOT GUILTY"

(Continued From Page 7)
George Ayerst, of Parham, said he had known the prisoner for several years. Witness had dealings with

the prisoner and found him honest. Witness said that he was an honest man. As far as the witness knew the prisoner was an honest man.

This concluded the evidence for the evidence for the defence and the crown counsel recalled Dr. Geddes.

Some Witnesses Recalled.
"Did you have an interview with

Jenny Hartwick and her mother on the night of the arrest of the accused?" asked Mr. White.

Witness said "Yes. The interview took place in James Hartwick's parlor. Jenny told the witness that her father put shells on the organ the night of Frederick Hartwick's death, and also stated that the shells were not on the organ the next morning. Mrs. James Hartwick also said that shells were put on the organ but disappeared by the morning.

Witness had a subsequent conversation with Mrs. James Hartwick and Jennie Hartwick on March 3rd in the prisoner's home. Jenny said, on this occasion, that she did not know anything about the shells, since the night she saw them on the piano. Mrs. Hartwick also said she knew nothing further about the shells other than that she had seen them on the organ. Mrs. Hartwick admitted that her husband left his home on the night of Frederick Hartwick's death, and returned home about 9 or 10 o'clock. Jenny Hartwick verified this statement.

Edward Barr, who found young Hartwick's body, was also recalled. He recalled being at James Hartwick's house the night the inquest was held. He did not hear Jennie Hartwick or her mother make any statement regarding the movements of the prisoner. On another occasion he heard Jenny Hartwick tell Detective Boyd that her father had left shells on the piano. Witness also heard Mrs. Hartwick say that her husband left his home between 6 and 7 o'clock in the night of Frederick Hartwick's death and did not return till between 9 and 10 o'clock.

Detective Boyd Recalled.
Detective Boyd, recalled, stated that while he was in James Hartwick's house he heard Mrs. James Hartwick say to Dr. Geddes that her husband had left the house on the night of Frank Hartwick's death.

Witness had a subsequent interview with Mrs. James Hartwick and Jenny Hartwick, and both spoke about the prisoner putting shells in the organ. Jenny Hartwick had also told witness that her father went out on the night of Frederick Hartwick's death.

William James Neadow, farmer, of Hinchinbrooke, said he knew the late Frederick Hartwick. Witness was the owner of a lot adjacent to James Hartwick's. He had never made any threats regarding the occupancy of

a farm by Frederick Hartwick. He had no knowledge of how Frederick Hartwick came to his death.

Mrs. Frederick Hartwick was recalled, and said that she got a bottle of carbolic acid from her sister Teresa. She did not ask the prisoner for a cork screw. Witness got the carbolic acid to use in a room after the funeral of her husband.

"You have heard the witnesses for the defence. Do you wish to change any of your evidence?"
"No, I do not."

Addresses to Jury.

This concluded all the evidence in the case, and at 9.15 o'clock, T. J. Rigney, counsel for the defence, commenced his address to the jury. He said: "The jury is satisfied with the story of Mrs. Frederick Hartwick. She told no person about this, stating that she was afraid that the prisoner would shoot her. The first time she told this story was on the occasion of the second interview she had with Detective Boyd. Was Mrs. Frederick Hartwick telling the whole truth? In every material particular, the evidence of James Hartwick had been corroborated. The jury could not accept the story of Mrs. Frederick Hartwick regarding the writing of a note, as reasonable. She said that she lived in terror of the prisoner. As to the shooting, how was it possible to put the gun found near the deceased, and belonging to him, in the hands of the prisoner? There was not a tittle of evidence to show this. There was no evidence that the prisoner ever had possession of the gun, and the evidence of the prosecution showed that the accused could not fire off a ball in his rifle. No evidence had been offered to bring the prisoner close to the gun found near the body. No motive had been shown for a murder. Taking it all in all, it appeared to be a reasonable story that the prisoner told."

Mr. Rigney concluded his address at 10.20 o'clock.

Mr. White's Address.

In his address to the jury, Mr. White said that the case was one in which circumstantial evidence was given. The evidence of Mrs. Frederick Hartwick was the chief corner stone in the case. It had been proven that Frederick Hartwick had been killed as a result of a shot from behind. Could it be said that his death was in any way accidental? It could not have been accidental in one instance, and that if James Hartwick had secured possession of his stopson's gun. If it had been accidental on the part of the prisoner, why did he not go into the witness box and say so. It was established that when the gun discharged it was in the hands of some party other than Frederick Hartwick. Who was that other party? This was the problem for the jury. Did James Hartwick shoot Frederick Hartwick. Lena Hartwick says James Hartwick told her that he had shot her husband. If this was not true, what object had Mrs. Hartwick for saying so and destroying her own reputation in the story she told. If her story was not true then she was a murderer, as she was in this way trying to take the life of the prisoner. Does it appear that she has manufactured this story? If it was unusual, it was not necessarily untrue. Her story was met with a denial by the prisoner. Mrs. Hartwick said the prisoner bought her carbolic acid to commit suicide. She had been compelled to sign a letter by the prisoner, and was ready to take her life.

Mr. White did not conclude his address until 11.30 o'clock, and then his lordship addressed the jury.

His lordship gave the jury some points of law, and also stated that the accused must either be found guilty of murder or acquitted on this charge. There was no half-way house in the matter.

His lordship finished his address a few minutes after midnight, and the case was then given over to the jury.

The Thompson Case Begins.

The case of Mrs. Lovice Thompson, charged with the murder of her baby, was commenced in the Supreme Court before Justice Lennox, at 9.30 o'clock Saturday morning. The grand jury returned a "true bill" in the case on Wednesday.

This is expected to be concluded to-day, and it is the last criminal case on the calendar.

INCIDENTS OF THE DAY.

Local Notes and Items of General Interest.

Dr. Leonard McCambridge, Burlington, Vt., is visiting his mother on Princess street.

There were no cases at the police court on Saturday.

Mrs. Rose, who keeps a grocery store at the corner of Stephen and Montreal streets, was removed to the Hotel Dieu on Friday by James Reid's motor ambulance.

Mr. and Mrs. A. E. Cogswell are leaving next week for Ottawa, where they will pay a short visit to Mrs. Cogswell's sister, Mrs. Blair before proceeding to Boston where they expect to spend the winter.

Among the cattle that attracted particular attention at the Kingston Fair was the beautiful herd of Holstein cows the property of Gordon Wilmut of Pittsburg. Mr. Wilmut is one of the biggest milk vendors in the city of Kingston. He carried off many prizes.

The Kingston annual conference of the Standard church of America, closed its business on Friday evening. A number of the preachers went to Seely's Bay for the church opening, but the majority are remaining in the city. Three services will be held in Ontario hall on Sunday at 10 a.m., 2.30 and 7 p.m. A number of preachers will be ordained at the 10 o'clock service. All are invited.

Late Miss Rose Corrigan.
Miss Rose Corrigan, who died in Hotel Dieu on Friday morning from pneumonia, was the only daughter of Mr. and Mrs. Francis Corrigan. Three brothers also mourn her loss, William, Patrick and Robert. She was loved by all who knew her. She was twenty-one years of age and was ill only two weeks.

Late Miss Rose Fremantle.
The death occurred at the Hotel Dieu Friday night of Miss Rose Fremantle of Odessa. The cause of death was pneumonia. Deceased was twenty-one years of age and the daughter of Mrs. Harry Fremantle of the Salvation Army hostel, in this city. The body was removed from S. S. Corbett's undertaking parlors to Odessa.

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PROVINCIAL ELECTION

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