

# THE PRELIMINARY EXAMINATION IN THE CARVER MURDER TRIAL

### The Prisoner Maintains The Same Composure That Has Characterized Him Since His Arrest—A Number Of Witnesses Are Examined—An Immense Crowd At The Station Eager To See The Prisoner.

The preliminary examination of Joseph Carver was begun yesterday before Stipendiary Magistrate Palmer in the Police Court Room.



Health is a magnet which irresistibly draws the man to the woman in life's mating time. Health does more than tint the skin with beauty; it puts music into the voice and buoyancy into the step, as well as happiness into the heart. A great many women covet beauty and are constantly seeking aids to beautify them. Let a woman first seek perfect health and all other charms shall be added to her.

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When the prisoner was brought to the City Hall Building from the Jail the street was lined with people and when he was led to the Court Room the surging mass thronged up stairs and in a moment the room where the trial was to be held and the adjoining hallway were filled to overflowing with spectators of the coming trial.

The prisoner, under the penetrating gaze of hundreds of eyes was unshaken. He still maintained the same composed countenance, the same indifferent attitude, and the same listlessness that has characterized him since his arrest.

His look was a vacant one, except at times when in conversation with his Counsel, his face lighted up with more than its usual intelligence.

In talking to the Marshall after the adjournment till Monday he stated in answer to questions that he slept well and his appetite was as usual.

The evidence was then taken as follows:

The Attorney General stated that owing to the funeral he would only offer a few witnesses this morning and then ask for a remand.

Dr. McNeill, (Coroner).—I held an inquest on Sunday, April 16, on the body of the deceased. I summoned a jury and instructed Dr. Dewar to make an examination of the body. The wound was two inches each way in the left groin. It had all the appearance of a gun-shot wound—a gaping open hole with all the tissues destroyed—sufficient to cause instant death. I examined the witnesses called by the jury. The prisoner was brought before me at inquest. I did not issue a warrant as the prisoner was under arrest.

Cross examined by Mr. Mellish.—I got on the scene a little after nine o'clock. The body was on the floor of the dining room. He had on his wearing clothes in which he was shot. The undertaker, Dudley Wright, removed the clothing from the body. I was present while Dr. Dewar made the examination. I measured the wound with a rule (produced). The wound was round and ragged. The shot

which I have in my possession were flattened.

To the Attorney General.—I have no doubt in the world it was a gun-shot wound.

Dr. Dewar (sworn).—I was called by telephone from McKenzie's corner and arrived at ten to two. I went to Alexander Stewart's. Saw Mrs. Stewart, her daughter, Rena, Miss Maud Stewart, a neighbor, J. H. McKenzie, Alfred Stewart, went into the dining room and found the body on the floor covered by a sheet. In the presence of J. H. McKenzie I made an examination without taking off clothes. I looked for the cause of death. He had on a vest, no coat, two shirts, pants, drawers, socks and boots. I found the clothing of the lower part of the body saturated with blood. In left groin I found a gun wound two inches in diameter, circular. I examined the wound and found in the bottom several shot, flattened, and persons to whom I have showed the shot say they are duck shot. The wound was two inches in diameter and there was no evidence of the spreading of the shot. It was the cause of his death as the femoral artery was almost all shot away. This would cause instant death. I attended the inquest. I know the prisoner. I understood he was hired with Mr. Stewart. Mr. Stewart was about forty-five and has a number of children. I was present when the undertaker removed the clothing and the wound mentioned was the only one on the body.

Cross examined by Mr. Mellish.—The clothing was much soaked with blood from the femoral artery. The blood was clotted. I made the examination at night by lamp-light. I examined the wound. I picked out some shot at that time three I think and removed two more later. Some were flattened against the bone. I enlarged the wound to find what caused loss of blood and found the femoral artery mostly shot away. From the surface of leg to bone would be about 2 inches. The wound was clear cut punched out.

J. Henry McKenzie (sworn) I saw deceased on Saturday crossing in the boat. I was called to his house at one o'clock Sunday morning by his daughter Rena. He was lying outside about eight or ten yards from back porch door. He was dead. Alfred Stewart had taken him over a little piece. We carried him into sitting room. I telephoned for Dr. Dewar who made an examination in my presence. I saw the wound which was as described. The prisoner is a hired man. He had been with Mr. Stewart for the winter. The wound was a gun shot wound. I was present at inquest and was giving my evidence when prisoner was brought in.

Cross examined by Mr. Mellish.—Deceased and I were always living close together. I knew the prisoner for many years. He has been to my house and shop sometimes. The trail of blood, or rather where he had been partly dragged was near the stable door, perhaps ten feet away. The

stable is about sixty feet or a little more from the house. Rena, his daughter who came for me had only her boots and some wrapping over her nightdress. It was blowing hard at the time but no snowing.

Charles Pippy (sworn) I live across the fields from deceased. I knew the prisoner for a number of years. I saw him Saturday. He came to my house in the middle of the night. He asked where my gun was. I said it was at my shop about half a mile away. He got the key and went for it. He got the gun in my shop. He said he wanted the gun to shoot geese. He brought the gun back the same night and left it in the porch. He said he had shot Stewart dead. He gave no reason. I did not believe him and told him to go to bed. When he came the first time he mentioned his cloths. He said he had cartridges. I don't remember how long he was away. I did not examine the gun till I gave it to the officer. There was one empty shell in the right barrel. There was a loaded cartridge in the other barrel when it was brought back. He left for Carver's in Lot 49. I heard of the murder about ten o'clock Sunday and went over at once. When I got to Will McGregor's I found the officers and went back for the gun. I then went to the house. There was quite a number of persons present.

At this point on the request of Mr. Mellish the blood-shot eyes and slight marks on the nose and right hand of the prisoner were examined by Dr. Dewar.

Cross examined by Mr. Mellish.—I have known Carver for a long time but never knew anything that was proved against him. I was shooting on Friday with the gun but did not get anything. I use No. 12 cartridges and shot marked A, either goose shot or duck shot. (Empty and full cartridges produced). The cartridges are similar. I was not the last one to have the gun but the last man who had it told me it was loaded. Duncan McGregor had it late Friday evening. He returned it at dark Friday evening at my shop and said it was loaded. I shot a gun in the corner without opening the breach. The shop was locked on Saturday and I don't think anyone handled the gun on Friday night. It was back of the counter. I opened the shop on Saturday night and quite a number were in. I moved the gun to the next room.

William Pippy (sworn) My brother, the last witness, lives with me in Mount Herbert. I saw the gun on Sunday morning behind the door. I opened the breach and found a loaded cartridge and the other one discharged. I saw the prisoner when he returned the gun between one and two o'clock. He came in the bedroom and said:

"Well do you know what I done? I shot Sandy Stewart."

I replied, "You never shot him."

"I did," said he.

"Where did you shoot him?" I asked.

He said, "Some where in the towels."

I gave no reasons for the shooting and I didn't believe he did the shooting. My brother does a good deal of shooting. I saw prisoner at the inquest.

Cross examined by Mr. Mellish. I have always found Carver a first-rate fellow. He can read and write a little. He did not ask anyone to go over and see about the shooting. When he told me what he had done he said:

"I am going to Carver's."

I replied "Go."

I was not in the shop on Monday night or on Saturday.

Mrs. Mary McGregor (sworn)—I live in Lot 48 and am the wife of William McGregor. The prisoner was at our house on Saturday morning. He was there two or three days previously. Before that he was at deceased's. He came to our place on Tuesday night and stayed till Saturday night. He left to go to Stewart's for his clothes he said. He returned with his clothes. I don't know he had any quarrel with Stewart. I have not seen him since till now. He worked at our place two summers.

Cross-examined by Mr. Mellish—Carver came to our place on Tuesday after dark. My husband gave him a bed. Next morning he said he wasn't well—that he was ill for some time—and said he had a pain in his breast and his stomach troubled him. I understood he was in town on Tuesday and got some pills. I told him to keep them away from the children. On Wednesday morning he went away shooting with a double barreled gun, and when he returned he said the gun behind the stove. I told him I did not like to see the gun around. He said the gun was Cecil Stewart's. Carver had a grey suit and some new clothes he said he had taken from town. He told my husband he would stay till Easter, and I understood he was going back to Stewart's. There was no injury to his eye or nose then. He was quiet and peaceable. He was always quiet and peaceable. He went to town on Saturday and returned in the evening. He said he had been at Stewart's before. It was after ten o'clock and I was in bed at the time. My husband got up and went down stairs. I heard some of the conversation. Between Tuesday and Saturday he had said he met deceased at his gate and they had some words and he told Stewart he wasn't going back. He said he would meet him in town on Saturday to settle and also that Stewart owed him money. Stewart had replied that he was over paid. He always spoke well of them all and made no complaints.

The Attorney General then asked the adjournment till Monday at ten o'clock. The court was cleared, the remand papers made out and the prisoner taken back to the jail, while spectators lined the streets.

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