

THE SLOW POISONING CASE. PRELIMINARY EXAMINATION Before the Stipendiary Magistrate. Evidence of the Analysts. They Agree That the Powder Was "Arsenic."

THERE was a great falling off in the attendance at the Court to-day. The evidence of the analysts was not interesting to the public, and there was an impression abroad that the investigation would be continued to-day at Mr. Sutherland's house. It is to be noted that Mrs. Sutherland said, in the course of her direct examination, that the bottle of whiskey found to contain the sediment was brought up to her room on the evening of the 2nd January by her husband and not by the servant girl. The analysts were the first witnesses examined to-day.

EVIDENCE OF MRS. JAMES SUTHERLAND CONTINUED.

He corked the bottle and gave it to Sinclair and asked him to put it on to the table. I said "Put it on the floor at the foot of the table." The table stood at the head of my bed on the right hand side. This table takes up nearly the whole space between my bed and the wardrobe against the wall. The lamp was on the table. Mr. Sutherland stayed for a little while and then went out. I did not see him again that night. I took a drink out of that bottle between nine and ten that evening—mixed with milk and maltine. I think that I mixed it myself. The bottle had not been removed in the interval. I was awake all the time. I put the bottle back in the same place. I was awake till about twelve o'clock. Up to that time the bottle was untouched. The light was left burning all the time. The lamp remained on the same table all night. My daughter Ella slept in the room. She is twelve years old. My husband went the next morning to the country. He came in to see me before he went down stairs. I sent one of the children to wake him up. I knew he was going. He stayed only a short time, for he had overslept himself. I don't think that he even saw the whiskey during this time. Then he went away and did not come home until the evening of the 4th. I saw the sediment in the bottle on the 3rd. During the evening of 2nd all my children were at home and in my room, and Mrs. Sutherland and my sister Maggie, who came in on a visit. I have three sisters in town. Maggie and Annie constantly visited me. My sister Johanna had not been here at that time. There was a little irritation between us. Maggie used to come in about half-past seven and go away about ten. That evening she came after my husband had opened the whiskey bottle. She probably remained until ten o'clock. She was not in my room all the time. Sometimes she would go down stairs; then she would come up and sit by the side of the bed. I do not know whether or not she was in the room when I had the whiskey and maltine. I am not sure whether Mrs. Sutherland was in the room all the time—I am almost sure that she was. I do not know that any person came into my room between 12 o'clock that night and 8 o'clock next morning—my opinion is that no one did. I neither saw nor heard anyone. Anyone going to the bottle would have had to pass within a few inches of my head; and my daughter Ella was sleeping with me in the same bed. Mrs. Sutherland slept in a room immediately opposite. She had no light. A person going into my room would have had to pass her open door and also Mr. Sutherland's room—which is at the head of the stairs. On the morning of the 3rd January I took another drink out of the bottle. That was about 11 o'clock—when Dr. Johnson was there. I did not see anyone have the bottle of whiskey in the meantime. Mr. Sutherland's mother and the children, and possibly the servant were the only persons in the room in the meantime. No one had an opportunity to put anything into the bottle. When the doctor took up the bottle and took the paper off I noticed the sediment in the bottom of the bottle. If it were not in originally it must have been put in while I was asleep. I made no mention of the sediment at the time. I thought it was peculiar, but forgot to mention it to the doctor at that time. I was then suffering a great deal of pain. I drank the whiskey and felt no ill effects. I was getting better then. I had been vomiting a little before that. The whiskey did not do me any injury. During that day there was no one in the house except the children. In the evening my sister came to see me. I asked her to mix my medicine for me. This she did. I think she went down stairs after the milk. She noticed the white sediment in the bottle and spoke about it. She said, "That's strange looking stuff in the bottom of the bottle." I had not previously called her attention to it. I said that I had noticed it in the morning, but had forgotten to call her attention to it. She then asked where the bottle came from and who brought it there. I told her that it had come out of a case that Mr. Sutherland had brought the night before. I noticed that the whiskey curdled the milk. I drank a little and did not like it. That was the last I drank out of that bottle. I put it back in the same place, and it remained there until the doctor got it. Then I got another bottle out of the same case—so far as I know. I found nothing wrong in it. My eyes were not quite well on the 2nd January, and the room was darkened. The blinds were down when the doctor poured out the whiskey. He was sitting at the table with his back to the light. He held up the bottle in his hand before he poured it out. My sister, Maggie Henderson, has not a very friendly feeling for Mrs. Weeks. She may have a bitter feeling towards her. About 1st October I had strange feelings in my feet. I

never felt them before. They came on gradually. The feeling became more intense from time to time. Sometimes I would not feel it. Then it would come back again. I had also the same feeling in my fingers. I had a great deal of thirst at the time. The cold water I drank may have had the effect of stopping the vomiting a little—that was before December. Mrs. Weeks has not been in my house, that I know of, for the last twelve months. Nor have I received anything from her house—so far as I know—no food of any kind, nor drink of any kind. I did not see her in my house on the 2nd January. She was not in, that I know of. I could not say that my husband and I have been on bad terms. I could not say that I have ever had a dozen cross words with him. To the Attorney-General—I never heard my sister Maggie and Mrs. Weeks having a quarrel. I heard that they quarrelled because she had said something about me that was not true. On the night of the 2nd January I do not think that my sister knew that the bottle was in the room. She did not handle it that night. She never handled the bottle except when she was giving me the drink. It was not possible for her to have put poison in that bottle. When the doctor held up the bottle it was eleven o'clock in the day, and sufficiently light for me to see the sediment in the bottom. I have talked to my husband about going to visit Mrs. Weeks. I never had any cross words with him. To Mr. Peters—Several other persons beside myself drank out of the bottle of whiskey obtained on the 24th December—Mrs. Sutherland and the girl, Bella Stewart, who was sick. It had no bad effect upon me. I do not know what had the bad effect upon me. MARION SUTHERLAND (sworn)—Examined by the Attorney-General. I remember that my mother gave me a bottle of whiskey on the 4th January. I took it down to the doctor and gave it, myself, to Mr. Arthur Johnson. It was corked in my presence, and I did not uncork it, but delivered it as it was. Court adjourned.

MONDAY, March 3.

ARTHUR JOHNSON (sworn)—Examined by the Attorney-General—I am a son of Dr. Johnson, and a druggist. I studied and graduated at the Philadelphia College of Pharmacy. A bottle was left at my store on Saturday night, 4th January—some time after tea. It was left by one of Mr. Sutherland's daughters. I took charge of it and put it on the shelf behind the prescription counter. The bottle was about a quarter or third full—not more than a third. I took good care of it. It was under my eye all the time until the shop was locked up that night. It was still left there, and I had the keys of the shop. I made no analysis until next morning. I then tried for lead. We tried to dissolve it in water and made two or three tests. There was no reaction. We then filtered it. I did not open or look at the bottle until Sunday morning. I then saw the sediment. It could be distinctly seen. It was filtered through filter paper—the liquor runs through and the powder remains on the paper. The filtration was going on during Sunday, 5th January. I did nothing further that night. The filter was in my father's office. On Monday morning the doctor brought it to me to be weighed. I weighed it. It weighed about 12 grains. It was then dry. I did not do any more then. My father tried it under the microscope. Somewhere about noon he told me to get Marsh's test ready. I did so. I took Marsh's apparatus, put in it some zinc, sulphuric acid and water; and dissolved some of the powder in water. I generated hydrogen gas, and set fire to it, and tested it on porcelain. There was no reaction—no impurities. I then added some of the solution of the powder and water and got the reaction for arsenic. I dissolved the powder in water and fixed up the apparatus in my own store. The test was performed in my father's office. My father was present. The reaction of arsenic is shown by applying porcelain. It gives a brown spot. Antimony also gives the same reaction, but there is a difference in the appearance of the spot. The arsenic is brown with more of a smoky appearance. I preserved it. (Porcelain plate produced.) I applied a blow pipe to the spots and it was readily volatilized. The arsenic is more readily volatilized than the antimony. I afterwards—not at this time—tried the antimony and it volatilized. My conclusion is that the sediment was arsenic. I have now no doubt that it was arsenic. These were all the tests I made at that time. I subsequently made another test of the solubility of the spot on the porcelain. It was soluble in a solution of calcium hypochlorite. Antimony is not soluble. Mr. Best, yesterday, at my store, made some more tests with the filtered liquid—that was a portion of the whiskey we sent to St. John. I made the parcel up to send to Mr. Best in the presence of the messenger (Mr. John McMurrough) and my father. I wrapped the powder in a paper, put it in a small bottle, and corked and sealed it. The bottle was then put in a small wooden case made to receive it. The liquid was then put in a four-ounce bottle, corked and sealed. The whole was then wrapped up in a parcel, tied and sealed, and addressed to Mr. W. F. Best, St. John. Then I gave it to my father, and he handed it to Mr. McMurrough in my presence. I got the liquor out of the original bottle sent down from Mr. Sutherland's. I saw Mr. Best yesterday at my shop. He produced the bottle I sent. We made a test of that liquid. He made the test and I looked on. We tried Marsh's test and the sulphate of hydrogen test. By Marsh's test we did not get any reaction; by the sulphate of hydrogen test we did—we got the yellow precipitate of arsenic. There was arsenic in the liquor. That was the only test we made. "Rough on Rats" contains arsenic, and some coloring matter. I do not know whether it contains anything else. I tested it by Marsh's test. There is only one variety of "Rough on Rats" that I know of—it is all made by the same firm. I got the sample that I tried from Detective Power. He brought me an unopened package. Mr. Bradley was there. I opened the package myself. Power was present and remained with me all the while, until I had made the test. I sent a sample to Professor Moerk, of Philadelphia. I wrapped it up in paper, put it in a small envelope, then put it into another envelope and addressed it "Professor Moerk, Philadelphia College of Pharmacy, 146 North Kent Street, Philadelphia." I got an answer from him. I got the result of his test. He sent me both the remainder of the

powder in the same small envelope. I got the answer through the post office and have had it in my possession ever since. He wrote me a note giving the result. To Mr. Peters—I made a test on "Rough on Rats." I mixed "Rough on Rats" with ordinary whiskey and found that some arsenic dissolved in it. I did not find that the coloring dissolved to any appreciable extent. The color of "Rough on Rats" is dark. I think that it darkened the whiskey slightly. The sediment in this case was almost white. The tests that I made only prove the fact that there was some arsenic in the powder. They do not prove the proportion of arsenic that was in the sediment. I do not know whether or not there was more than two grains of arsenic in it. To Mr. McLeod—The whiskey would hold as much arsenic in solution as water would. I am not prepared to say whether if "Rough on Rats" were soaked in boiling water and the water poured into whiskey—there would be a sediment at the bottom of the whiskey bottle. To Mr. Peters—Boiling water when boiled for an hour will take up 8 or 10 grains of arsenic to the ounce. It would not all precipitate.

WILLIAM F. BEST, (sworn)—Examined by Mr. McLeod. I am an analytical chemist. I reside in the city of St. John. I studied at Frederickton, N. B., and three years in Germany; two years at Heidelberg and one year at Leipsic. I made a specialty of chemistry. I did not graduate—one has to spend four years before graduating. I devoted my time to chemistry. I am now employed as Public Analyst in New Brunswick for the Dominion Government. A messenger came to me with a package and a letter from the Attorney-General. I received it on Tuesday morning, 25th February, at 11 o'clock. It was a sealed package, sealed with wax. I found in it two bottles, one containing fluid, the other a powder; both sealed and corked. I received about three grains of the powder. The crystals, when I heated the powder, were exactly the same in shape and general appearance as some crystals obtained by heating a small quantity of commercial arsenic. This indicated that the powder was arsenic. The deposits could not be lead or antimony, or quicksilver, or anything of that kind. I am satisfied that the crystals were crystals of arsenic. (Witness then described a number of tests which he had made with the powder, all indicating arsenic.) I next tested the fluid whiskey and found that it contained arsenic. I applied three different tests. They all indicated the same thing. My conclusion, from an examination of the powder, is that it was arsenic, and I have nothing to indicate that there was anything else in it. The color of the powder appeared to be a little shade darker than the ordinary arsenic; but I made no examination to find out why this was. I arrived here on Saturday, and made tests of the whiskey at Dr. Johnson's office—(witness produces bottle.)—One of the tests indicated arsenic in the whiskey. I know that "Rough on Rats" contains arsenic, but how much I am not prepared to say. As near as I can remember, an ounce of pure water will hold in solution about 11 or 12 grains of arsenic. If a few ounces of the solution were poured into a bottle of whiskey, there would be a sediment. Cold liquid of any kind will only hold a certain quantity of arsenic in solution. Cold water will not hold as much arsenic in solution as hot water. To Mr. Peters—I am sure that the chief part of the sediment was arsenic. It would be safe for me to say that 9-10ths of it was arsenic. Arsenic dropped on a dusty floor and taken up again would have about the same color as that which I received from the Attorney-General. The discoloration was slight. The whiskey could not have held a great part of the arsenic in solution. It probably held as much as it would take up. It would take some time to saturate. How long I can't say. To Mr. McLeod—If "Rough on Rats" were held in a solution of boiling water, and the boiling water added to a bottle of cold whiskey, a sediment would be formed which would not be colored.

Mr. Johnson (re-called)—Bottle produced—That is the bottle which I sent to Mr. Best. Mr. Best (re-called)—I produce these wrappers. They are the ones which were around the packages I received containing the sediment and the whiskey. Mr. Johnson (re-called)—Identified the bottle and wrappers produced by Mr. Best as those which had been sent to him. Court resumed at 3.15.

JOHN MILFORD (sworn)—Examined by the Attorney-General—I am a druggist in the employ of Mr. Watson. I have been there since the 25th of August last. I was at the Apothecaries Hall before I went to Mr. Watson's. I left there about the last of June. I was there about a year and a half. I know the prisoner. She did not buy arsenic from me while I was at Watson's, nor am I aware of her buying any other poison there. She purchased no arsenic from me while I was at the Apothecaries Hall. I know that she bought strychnine there. I think it was some time in May, 1889, when she bought it. She asked for some strychnine for the purpose of poisoning a dog, and got it. I think she said that she had tried arsenic but it did not work. The prisoner had an account there. She paid for the strychnine at the time of the purchase. I saw her in the store afterwards. I did not see her buy arsenic at any time while I was there. She did not say where she got the arsenic when she spoke of its not having worked. To Mr. Peters—She did not get the strychnine from me, but from some one else in the store. She said she wanted it to poison a dog which was destroying her garden. She never got arsenic from me. I know that she paid for the strychnine at the time; but do not know who actually sold it to her. I cannot swear positively to the date of the sale, but think it was some time in May, 1889. I know this because it was shortly before I left the store. I have sold arsenic there. There are restrictions on the sale of strychnine, but not on the sale of arsenic. I was a couple of months idle after leaving the Apothecaries Hall before I went to Mr. Watson's. CHARLES HUGHES (sworn)—Examined by the Attorney-General—I am a clerk in the Apothecaries Hall. I have been there five years off and on. I have sold arsenic there. I know the prisoner. I did not sell her arsenic. I don't know whether or not I sold her "Rough on Rats." I remember that Mrs. Weeks was in the store on the day of the last civic election, when she

about the end of January, and she asked for some rat poison, but I don't know whether or not she mentioned any particular kind. Samuel Hooper, another clerk, was standing behind the counter at the time. I showed her "Rough on Rats." She asked Hooper if that was the best kind, or something to that effect. I think he said "yes." I remember tying up the box of "Rough on Rats," but whether Mrs. Weeks took it and paid for it or not I do not know. It was not charged on the books. I don't remember of putting it back in the drawer or what I did with it. I certainly wrapped it up on the counter for delivery. We are careful about selling arsenic. A person buying it would have to say what he wanted it for before it would be sold. Farmers are in the habit of buying it for using as a sheep dip. We do not keep a list of the persons we sell it to. I do not know any of Mrs. Weeks' servants. I know William Brown, Mr. Sutherland's servant. I do not remember selling him arsenic. To Mr. Peters—Any person who says he wants arsenic for a sheep dip can get it without any trouble. There is no trouble about getting it. It can be got from me or any other druggist in the city. It is sold for about 25 cents a pound. We have sold it right along at 25 cents per pound. I do not think we sold more than 10 or 15 pounds last year. I do not know who we sold it to. Any person can get it at 25 cts. per pound. Mrs. Weeks came in there after some rat poison. It is a common thing to sell, and other persons bought it of me. I do not remember of Mrs. Weeks paying for the purchase she made. I will not swear that she took the parcel away. There was another woman in the shop at the time. I do not know who she was or what she bought from young Mitchell who waited on her. The woman did not take the rat poison. Mrs. Weeks went out then. She did not get anything else from me. It was on last civic election day sure. There are different kinds of rat poison, and Mrs. Weeks wanted the best kind. She did not ask for arsenic.

To the Attorney-General—Some people ask for arsenic, but if we can we sell them something else. The only restriction on the sale of arsenic is that they are asked what they want it for. I am positive that it was on civic election day Mrs. Weeks was in the store. SAMUEL A. HOOPER (sworn)—Examined by the Attorney-General—I am a clerk in Mr. Hughes' drug store. I have been there over a year and a half. I sometimes sell arsenic there. I did not sell any to the prisoner. I did not see her get any. I was there part of the time spoken of by Mr. Hughes when the prisoner came in. She asked which was the best kind of rat poison. I told her I thought the kind Hughes had in his hand, "Rough on Rats," was the best. I was not attending on her. After speaking to her I went into the back part of the shop. I did not see what occurred after that. To Mr. Peters—I am sure that this was on Civic Election day, and that it was the prisoner who asked about the poison for rats.

To the Attorney-General—I remember quite well that it was Civic Election day. [CONTINUED TO-MORROW.] TEMPERANCE.—Meeting of Victoria Division this evening. STRANGE, IF TRUE.—A correspondent of the Moncton Times says: It is said that a servant girl working at Mr. Bell's boarding house, Newcastle, mysteriously disappeared on Friday of last week and could not be found until about 19 o'clock Saturday. The proprietor and other gentlemen searched the premises in every direction, finding her in the attic, where she had gone with a lamp. How she got there is a mystery, as there was only a small opening in the ceiling and no steps. When found she was in a weak condition and swooned when taken down. She was sleeping when found and gave no reason for her conduct, other than she went there in her sleep.

DIED. At Montague, on the 11th ult., of spinal disease, Selena, aged 7 years and 5 months, daughter of Mr. James Murphy, carpenter.

WANTED. AN EXPERIENCED BOOKKEEPER, capable of taking charge of a set of books; also to act as Salesman in a general store. References required. Apply to MORSON & MORGAN, Cardigan Bridge. mch3—dy 2aw 1m wky

FURNITURE, &c., BY AUCTION. I AM instructed by James E. Welsh, Esq., (who is leaving the Island), to sell by Auction, at his residence, Upper Prince Street, On Monday, March 10th, AT 11 O'CLOCK, A. M., His Household Furniture, etc., comprising Drawing Room, Dining Room, Bedroom and Kitchen Furniture. Also, Horse, Cow, Wagon, Sleigh, Harness, etc. Sale positive. No reserve. R. BEAIRSTO, Auctioneer. mch3

Y. M. L. A. ST. JAMES' CHURCH. The Fifth Annual Course of Lectures. REV. MR. DICKIE will deliver a lecture in ST. JAMES' HALL, on Tuesday Evening, March 4th, AT EIGHT O'CLOCK. Subject, "Four German Cities." mch3

BEER BROS. SPECIALTY FOR THIS WEEK: CORSETS! CORSETS!

Try Our B. B. Corset, the Best One Dollar Corset in the Market.

Read this Column

J. B. MACDONALD, QUEEN STREET, HAS RECEIVED THE GREATER PORTION OF HIS

NEW SPRING STOCK

Men's Clothing,

Specially made for his order, and guaranteed to fit and wear as well as any Custom-Made Clothing, and 25 per cent. cheaper.

Dress Goods.

A fine stock of LADIES' DRESS GOODS at any price you can name. We are selling Dress Goods very cheap this Month, and would ask you in your own interest to look at the goods before you buy. REMNANTS selling off at your own price.

EMBROIDERY.

About Fifty Pieces of Embroidery selling off at half price. You cannot resist buying these goods when you see them.

Carpets! Carpets!

NEW CARPETS ex S. S. "Stanley," direct from England, in BRUSSELS, TAPESTRY and HEMPS, newest patterns.

Lace Curtains, in Cream and White, very cheap.

CORSETS! CORSETS!—Large Stock, new last fall, price from 25 cents a pair up. New PRINTS, GINGHAMS and ZEPHYRS just opened. JUST OPENED—12 Cases MEN'S NEW SPRING FELT HATS, Christy and other makers. J. B. MACDONALD, Ch'town, March 3, 1890—eod&wky QUEEN STREET.

THE SCRUTINY!

THE OFFICIAL COUNT IS MADE, and the Returning Officers have declared it as the unanimous verdict of the People that the place to secure Bargains in Men's Clothing, Furnishings, Hats and Caps, is at

D. A. BRUCE'S. To make room for the largest and finest stock of goods ever handled by us, which will begin to arrive soon for the coming Spring Season, we offer the balance of WINTER GOODS at prices that withers competition. Remnants of Odds and Ends at prices to suit you. D. A. BRUCE, Queen Street. Ch'town, Feb. 18, 1890—eod & wky

CAMPBELL'S SKREI BRAND OF Cod Liver Oil.

THIS IS THE FINEST COD LIVER OIL EVER BROUGHT OUT. Cod Liver Oil usually has such a disagreeable taste, and is to many so difficult of digestion, that its excellent nutritive and medicinal qualities are not experienced. The Skrei Oil is free from these objections, being beautifully clear, pale and bright, and readily assimilated by children and the most delicate invalids. Sold by W. R. WATSON, Dispensing Chemist, Queen Street, Charlottetown. feb19

Sermons, &c. SITUATION WANTED, as Seamstress or Dressmaker. Would take work at home. Good buttonhole maker. Boston styles of Cutting. Apply at this office. 31 pd-mch3

HOUSE TO LET, on Pleasant Street, formerly occupied by Mr. W. B. Robertson, with or without Stable and Coachhouse. Possession given on the 1st of April. Apply on the premises to the owner Mrs. FLETCHER. 4-mch3

UPPER PRINCE STREET CHURCH—11 a. m., Rev. Mr. Sutherland; 7 p. m., Rev. Mr. Read. The Annual Missionary Meeting will be held in the Brick Church on MONDAY EVENING, 3rd March. The Chair will be taken by Judge Young at 7.30, and addresses will be delivered by Rev. Messrs. Gordon, Sutherland and Brewer.

The Annual Meeting of the Upper Church will be held on TUESDAY EVENING, 4th March. Chair taken at 7.30, and addresses given by Rev. Mr. Read and others. Collections will be taken up at all the services on behalf of the Missionary Society. F. W. MOORE, Secretary.

TO LET.—A House on Douglas Street, containing four rooms. Also, a House on Lower Spring Park Road, having four rooms. Just moderate. Immediate possession given. Apply at EXAMINER'S office. 31 cod-mch3

GIRL WANTED.—I want a girl to do general housework, for which liberal wages will be paid. No fires except the cooking stove, and cold water in the kitchen. Heating apparatus attended by man. Apply to Mrs. UNSWORTH, head of Prince Street. feb19

TO LET.—Part of a house in good repair, situated on King Street, near Pownall street. feb19