

# THE KELLY MURDER.

## Preliminary Examination.

THE preliminary examination of the prisoners Johnston and Miller commenced this forenoon before His Honor the Stipendiary Magistrate. They are not represented by counsel, although Messrs. Hodgson and Palmer visited the Court several times during the day. The evidence, so far, is similar to that taken at the Coroner's Inquest:

Mary Ellen Byers sworn:—Repeats her former statement about sitting on the door step with Mary Brown when the horse and wagon passed with two men, and turned at Mr. Hobkirk's corner and came back and stopped at Fitzroy Street. Suse Ingles and Mrs. Chiverie went out and commenced talking to them. The women were four or five feet from the men. I swear I heard them talking to the men in the wagon. They were talking to them about five minutes. They were standing on the same side of the street as I was. The women were talking. I could hardly hear the men. Sonny Cusack was coming from the pump, going towards the pond. Cusack was about fifteen feet from the wagon. They said "Sonny." He stopped, but I did not hear him saying anything. I don't think there was any conversation between Sonny and the men. Then there was a stone thrown. The stone was thrown from towards Ryan's corner. The stone either struck the wagon or the board fence around St. Peter's Church. After the stone was thrown they gave the horse a cut, and turned around and fired three shots from the wagon towards the pond. One of the men said something after the shots were fired, but I could not tell what it was. When I got into the house I heard some one hollering. Afterwards some one told me that it was Kelly was shot. Kelly was playing with us before the shots were fired. He left us and went around towards the pond. I did not see Dave Ingles then. I could not swear who threw the stone. I would not swear it was not Dave Ingles threw the stone. I could tell that it was not a woman threw the stone. I could tell it was a man by his legs. I saw him throwing one stone. The horse was a dark colored one. The seat of the wagon was nearer the front of the wagon than the back. One of the men had on a "bucko" cap, with dark clothes. The other had light clothes, with a dark hat. I swear I never saw Miller down there before. I never saw him driving with Rose Chiverie or Suse Ingles before.

Mary Brown's evidence corroborates Mary Ellen Byers' statement regarding the firing of the shots, the dress, the size and color of the horse, and the make of the wagon. The stone which was fired, she says, struck Peake's fence. She does not know who fired the stone. She states that it was the person in dark clothing fired the shots.

Mary Ann Ryan, sworn: Myself, Suse Ingles and Rose Chiverie were standing on the bridge, and a horse drove by towards Hobkirk's, and turned at the corner and came back and stopped at the crossing of the street, and Suse Ingles and Rose Chiverie went out and talked to them for about half an hour. The women were standing on the bridge that runs across to the pump. I saw them talking, but did not hear them. I left Suse Ingles and went to Billy Byers' door and commenced to play with Kelly. I heard a stone fired against Mr. Peake's fence. I came from where Kelly was shot. The wagon then turned, and they fired three shots from the wagon. The last one fired, I heard Kelly sing out "I am shot." The deceased was standing near Mrs. Ryan's when he was shot. One of the men was dressed in dark, with a hat on. The other was dressed in light, with a high-crowned cap with a peak on. I heard one of the men in the wagon say, "I'll give them firing stones," and then the shots were fired. He also said: "I shot one black son of a bitch." He said that after the last shot. They drove around Hobkirk's corner up from the bridge. I did not know which of the men fired the shot. I think the horse was a dark one and the wagon a single-seated one. I have not seen Miller in the bog since the winter. I cannot identify the prisoners.

Lilly Ryan sworn: I was standing by myself at my own door. I saw Suse Ingles, Rose Chiverie and Sonny Cusack standing on the platform. A wagon drove by and stopped near St. Peter's Church fence. The wagon was four or five feet from where they were standing on the platform. They were standing there about half an hour. Dave Ingles came along from towards Hobkirk's, and when he got over to where Suse was standing, near Ryan's corner, he picked up a stone. As soon as the fellows in the wagon saw him picking up the stone they lashed the horse and drove towards the belfry of St. Peter's Church. As they were moving on Dave fired the stone and it struck the fence. They turned the wagon at the belfry and drove towards Hobkirk's and fired three shots. I did not hear them say anything when they fired. I saw the side of one of the men's faces as they passed, but I would not know it again. One of the men had a "bucko" cap on; the other had a round hat on. The biggest had a light coat on; the other had a dark coat on. After the shots were fired they drove towards Hobkirk's corner. I did not hear them saying anything after the shots were fired. Rose Chiverie was within four or five feet of the wagon. (In a short cross-examination it was discovered that the witness has a very poor idea of distance.)

Rose Chiverie, sworn: She says the men in the wagon were twelve feet from herself and Suse Ingles. They remained between three or four minutes. They could not have been there ten minutes. Kelly was standing behind us on the green. Suse Ingles was standing by my side. I was not talking to the men in the wagon. (The Magistrate informed her that before the Coroner Suse Ingles swore she did not speak

to the men in the wagon, but she (R. C.) did. She said she did not speak to the men in the wagon.) I never spoke to James Miller before. I never saw him down about where I live. I never seen the other young man before the trial. I swear I never spoke to either of these men anytime that night; and when Suse Ingles swears I did, she swears what is false. The men in the wagon did not speak to either of us, nor did I hear them speak at all, except to Sonny Cusack. Cusack came along about a minute after they stopped. When they spoke to Cusack, they started and drove to St. Peter's Church, and then turned. They did not drive fast till after they fired. Both men were dressed in dark clothes—one had a cap on, and the other had a hat. Kelly fell a little below Ryan's corner. I did not see him fall. Kelly was the only person I saw on the street below Ryan's corner at the time the shots were fired. I did not see the stone thrown, nor hear tell of it till in the Court.

Dr. Hobkirk, sworn: Testifies to attending Kelly before his death; describes the locality of the wound and the direction of the bullet, and informs the Court of the result of the post mortem examination, and said Kelly was in a healthy state and came to his death by the bullet.

### Correspondence.

We do not hold ourselves responsible for the opinions or statements of our correspondents.

To the Editor of the Examiner.

Sir,—In to-day's Patriot I notice a paragraph stating that the Eagle Machine took the palm at Summerside match last Saturday, scoring 65 points of merit. This mistake I wish to correct. The Royal Royce Reaper, manufactured by Green Bros. & Co. of Waterford, Ont., took the \$40 at stake, scoring 65 points, while the Eagle only scored 45. A full report of the trial will appear in the Summerside Journal next Thursday.

Yours respectfully,  
JOHN WEST.  
Aug. 27, 1878.

To the Editor of the Examiner:—

I notice, in this morning's Patriot, that, among others, I have secured the agency for the sale of a scurrilous little pamphlet, purporting to be a burlesque account of a Liberal Conservative meeting (which did not take place.) I wish to positively deny the statement. Mr. George D. Davison left on sale twenty five copies of the "Grit Campaign Tract"—for this, I think, should be the title—assuring me that nothing of an offensive nature could be found therein, and that, in every sense, it was independent. Upon looking at the first page, I noticed, to my disgust, the name of a poor, helpless lunatic (Roderick Morrison) among the number "who failed to put in an appearance." Any person of the least manly feeling, would heartily condemn this proceeding. I, therefore, concluded that if it was necessary to bring into ridicule "one of the most helpless of God's creatures," in order that a laugh might be excited, and aid the sale of a partizan pamphlet, I would have nothing to do with it. The editor of the "Patriot" says: "The thanks of the public are due to the illustrious author for the excellent report, and it is a thing devoutly to be wished, that everyone of the electors of this great country will purchase, then read, and afterwards send to his friend a copy of this truly valuable work." Now, Mr. Editor, is this not an unmitigated insult to the intelligence of the people of this County. A partizan, nonsensical report of an imaginary meeting, is recommended to the elector, and they are asked to accept it as authentic! What trash! With equal propriety might Col. Bob Ingersoll write a burlesque edition of the Scriptures, and the work be recommended by our ministers to the faithful. I wish, in conclusion, to positively say that I am not agent for a work which strives to hold up to ridicule some of our most worthy citizens; but which will, in reality, only injure the party, the dupe of which has penned "this truly valuable work."

Yours, very truly,  
THEO. L. CHAPPELLE.  
Ch'town, Aug. 27, 1878.

EXTENSIVE PREPARATIONS have been made for the regatta which takes place on the Hillsborough to-morrow, commencing at 10 o'clock; and, if the weather proves favorable, it will, no doubt, be one of the most successful regattas ever held in the Province. A large grand stand has been erected on Pownal Wharf extension, from which an entire view of the course can be obtained. Galbraith's Band will occupy a position on the stand, and Livingston Brothers will supply refreshments. The committee's vessel will be anchored opposite the stand, where none but the umpires and members of the Press will be admitted. There are at present a large number of entries for the different races, as follows:—For the first-class sailing race the Marquis of Lorne, Pictou, by P. McKenzie; Agate, Georgetown, by C. McLeod; Lorie's Water Boat, Charlottetown, by John Lorie; and Lund's Ferry Boat, by C. Lund. For the second class sailing race: S. E. M. O., Summerside, by J. Schurman; Grey Hound, by James Taylor, St. Peter's Island; Ella B., J. R. Brecken, Charlottetown; Maud, Charlottetown, by C. Prescott. For the four-oared lap-streak race there will be four boats for competition. Two-oared Boys' race there will be six boats. Four-oared race for boys under 18 there will be four boats. Single scull, there will be four competitors; and in the four-oared gig race there will be five boats.

### An Astonishing Fact.

A large proportion of the American people are to-day dying from the effects of Dyspepsia or disordered liver. The result of these diseases upon the masses of intelligent and valuable people is most alarming, making life actually a burden instead of a pleasant existence of enjoyment and usefulness as it ought to be. There is no good reason for this, if you will only throw aside prejudice and skepticism, take the advice of druggists and your friends, and try one bottle of Green's August Flower. Your speedy relief is certain. Millions of bottles of this medicine have been given away to try its virtues, with satisfactory results in every case. You can buy a sample bottle for 19 cents to try. Three doses will relieve the worst case. Positively sold by all druggists on the Western Continent.

# NEWS BY TELEGRAPH.

OTTAWA, Aug. 24.

Lieutenant Colonel Littleton has been appointed Military Secretary to the Marquis of Lorne, Governor General of Canada.

To-night the Conservatives of this city nominated Currier and Tasse at a public meeting. On Thursday last, David Ward, Vice President of the Hanlan Club, met the representatives of the Courtney Club, at Rochester, and drew up articles of agreement for a race to take place between the two great scullers, on the 1st of October, distance five miles with a turn; stakes \$2,500 a side. The place at which the race will come off was not decided. The Courtney party offer \$5,000 for the privilege of naming the water.

J. D. Otis has been arrested in New York, charged with complicity in the late robbery of over \$12,000 from the Receiver General's office, Toronto.

A deputation left for Quebec yesterday, to wait on the Governor General with a view to getting His Excellency to open the Exhibition at Toronto.

NEW YORK, Aug. 24.

Latest despatches indicate that the yellow fever is increasing with alarming rapidity. At Memphis, in the last twenty-four hours, 45 new cases and 10 deaths are reported.

PARIS, Aug. 25.

Rumors of the impending resignation of President McMahon and of changes in the Ministry are denied.

Five thousand persons were present at the Peace Congress at the circus of the Chateaudes, to-day. M. Tolain presided, and resolutions were passed, favoring international arbitration. Letters were read from Victor Hugo and Louis Blanc.

VIENNA, Aug. 25.

General Jovarovitch telegraphs news of his defeat of the insurgents at Stultz on the 21st, which was a heavy blow to the Herzegovina insurrection. The resistance was most obstinate, and most of the insurgent chiefs were killed. Stultz was fired on account of the treacherous attitude of the inhabitants.

LONDON, Aug. 25.

A Constantinople despatch to the Reuter telegraph company, dated Monday, says the departure of the Russians is progressing. Gen. Skobloff is in command of the forces which are to be withdrawn to Roumelia and his headquarters will be at Rodesta, Bourgas and Varna successively.

ST. PETERSBURG, Aug. 25.

The Agency Russe, commenting upon the despatches of Lord Salisbury and of English Consuls, accusing the Russians authorities of conniving at the atrocities of Bulgaria, says the imputation is offensive, and is made by Salisbury to pave the way for an encroachment of English influence even into Bulgaria, but Russia will know how to oppose such encroachment.

### Married.

At the residence of the bride's father, on 26th inst., by the Rev. Neil McKay, William B. Morrison, City Clerk of Charlottetown, to Agnes, fourth daughter of Hon. James Muirhead, of Summerside.

### Died.

At New Glasgow Road, on the 22nd inst., Thomas Morgan Bowen, aged 65 years, a native of Monmouthshire, England.

## POLITICAL MEETINGS.

### MESSRS. POPE & BRECKEN

will meet the Electors of Queen's County at the following places: CORNWALL, Saturday, 24, at 6 p. m. ELDON, on Monday, the 26th inst., at 6 p. m. WOOD ISLANDS, on Tuesday, the 27th inst., at 6 p. m. MURRAY HARBOR ROAD (Green Marsh Schoolhouse), on Wednesday, the 28th inst., at 6 p. m. O'NEILL'S ("Half-Way House"), on Thursday, the 29th inst., at 6 p. m. KELLY'S CROSS, Fort Augustus, on Friday, the 30th inst., at 6 p. m. POWNAL HALL, Lot 49, on Saturday, the 31st inst., at 6 p. m. MOUNT STEWART HALL, on Monday, September 2, at 6 p. m. SAW-MILL BRIDGE, on Tuesday, Sept. 3, at 6 p. m. RUSTICO HALL, on Wednesday, September 4, at 6 p. m. NEW GLASGOW, Thursday, September 5, at 6 p. m. HOPE RIVER, Friday, Sept. 6, at 6 p. m. BRADALBANE, Saturday, September 7, at 4 p. m. SPRINGTON, Monday, Sept. 9, at 6 p. m. KELLY'S CROSS, Lot 29, Wednesday, Sept. 11, at 6 p. m. BONSHAW, Thursday, Sept. 12, at 6 p. m. LONG CREEK, Friday, September 13, at 6 p. m. SOUTH WILTSHIRE, Saturday, September 14, at 6 p. m. PISQUID ROAD SCHOOLHOUSE, Monday, Sept. 16, at 6 p. m. Aug. 17, 1878—

## Public Meetings.

### MESSRS. A. C. McDONALD

—AND—

### DR. MUTTART

will meet the electors of King's County as follows: At Bay Vue House, Souris East, on Friday, the 23rd inst., at 3 p. m.—Hon. J. C. Pope will be present. At Whim Road Cross, on Wednesday, the 25th inst., at 3 p. m. At Murray Harbor North, on Thursday, the 29th inst., at 3 p. m. At Byrne's Road Schoolhouse, on Saturday, the 31st inst., at 3 p. m. At Dundas Cross, on Wednesday, 4th Sept., at 3 p. m. At Stewart's Hall, Cardigan, on Saturday, the 7th Sept., at 3 p. m. Opposing candidates are respectfully invited to attend. Aug. 17, 1878—pres till 7th

SUBSCRIBE for the DAILY EXAMINER, the Cheapest and most newsy Paper published in the Province.

# GRAND REGATTA

UNDER THE AUSPICES OF THE Charlottetown Boating Club!

A Regatta will be held on the 28th day of Aug., 1878,

ON THE HILLSBOROUGH RIVER, on which day the following prizes will be contested for. Her Majesty's ship "Bellerophon" is expected to be in the Harbor on that day, and will add considerably to the interest of the Regatta.

- 1st—Sailing Boats, 1st class, 20 feet and upwards; first prize, \$50; second prize, \$25; entrance, \$5; third boat to save her entrance, should 5 boats be entered.
  - 2nd—Two-oared race for boys under 18 years of age—boats no longer than 18 feet—first prize, \$10; second prize, \$5; entrance fee, \$1.
  - 3rd—Sailing Boats, second class, boats under 20 feet; first prize, \$30; second prize, \$15; entrance fee, \$3; third boat to save her entrance should 5 boats enter.
  - 4th—Mens' four-oared lap-streak boats; first prize, \$50; second prize, \$25; entrance \$5; third boat to save her entrance fee should 5 boats enter.
  - 5th—Four-oared lap-streak Boats—boys under 18 years of age—first prize, \$16; second prize, \$8; entrance, \$1.50.
  - 6th—Single Scull; first prize, \$30; second prize, \$15; entrance, \$3.
  - 7th—Canoe race—two paddlers—first prize, \$6; second, \$4; third, \$2.
  - 8th—Four-Oared Gig Boats—1st prize, purs presented by the ladies of Charlottetown, not less than \$30; 2nd prize, \$15; entrance fee, \$3.
- All Boats must be entered on or before Tuesday the 27th day of August. Application to be made to Robert C. Higgs, at the office of B. Wilson Higgs, Esq., Water Street. A Grand Stand will be erected at the head of Pownal Wharf. The P. E. I. Railway will issue Return Tickets at Single Fares on the day of the Regatta, good to return on the following day. Tickets for Grand Stand to be had at the Store of W. R. Watson, and Medical Hall. ARTEMAS LORD, Secretary and Treasurer. August 7, 1878—2aw

## NOTICE OF REMOVAL.

**John Bell,**

TAILOR & CUTTER, having removed from Fitzroy Street (West), Mr. George Scantlebury's new House on KENT STREET, will be glad to see his friends and customers and attend to any orders he may be favored with in his line of business. JOHN BELL, Kent St., July 15—3w sat tu th pat m w f

## SYDNEY COAL.

REDUCTION IN PRICE!

### NOTICE TO THE PUBLIC!

THE GENERAL MINING ASSOCIATION (Limited) beg to intimate to the Public that the price of SYDNEY COAL has been Reduced to \$2 per ton of 2240 lbs., a price which it is hoped will place it within the reach of all consumers. The opening of the new winning at "THE SYDNEY MINES" and the fact that the SYDNEY COAL now being shipped is all from the DEEP taken in connection with recent improvements in the process of screening, affords purchasers a positive guarantee of the very superior quality and condition of the SYDNEY COAL now offered for sale. It is a well-known fact that for many years past the prices of other Cape Breton coals have been regulated by the rates fixed for SYDNEY COAL; but while it is true that other coals, to get a sale at all, have been pressed on the market at various prices under the current rate of SYDNEY COAL, it is no less true that, taking into account the superior lasting qualities of SYDNEY COAL when compared with other Cape Breton coals, the advantage, both as to economy and convenience, is in favor of SYDNEY COAL, even at a much higher price. The General Mining Association (Limited) regret that they should again have to caution the Public against the attempts being made from time to time to induce them to buy inferior coals purporting to be "EQUAL TO SYDNEY," "SUPERIOR TO SYDNEY," etc., etc., while some yet more unscrupulous vendors have not hesitated to advertise their coal as SYDNEY COAL (from some designated locality). All these efforts to sell coal by such means are only so many admissions on the part of those who make them of the STANDARD character of SYDNEY COAL. It has come to the knowledge of the Association that in frequent instances parties giving orders to truckmen and others for SYDNEY COAL have been furnished with other and inferior coal. The Public are cautioned against permitting themselves to be imposed upon in this way. Every vessel loaded at THE SYDNEY MINES is furnished with a certificate of the cargo being Sydney Coal. Parties purchasing should satisfy themselves by demanding the production of this certificate. The "Sydney Coal" is registered under the laws of the Dominion, and unauthorized parties using the Trade Mark "SYDNEY COAL" are liable to prosecution. CUNARD & MORROW, Agents G. M. A., Halifax, N. S. G. W. DEBLOIS, CHARLOTTETOWN, Sole Agent for P. E. Island. July 15, 1878—3m

## EMPLOYMENT.

In every village and township of P. E. Island not yet occupied, ONE ACTIVE, intelligent Lady or Gentleman can obtain a most respectable and very profitable engagement. Address, with full particulars, D. DOWNIE & CO., Box 1964, Montreal. May 25, 1878—

# AUCTION SALES.

## APPLES. APPLES.

WE WILL OFFER BY AUCTION, On Wednesday, the 28th inst., AT 11 O'CLOCK, A. M., 30 BBL'S. Choice American APPLES, 5 bbls. ONIONS. MACKENZIE & STUMBLER, Auctioneers. Ch'town, Aug. 27—

## LUMBER!

BY Auction, on WEDNESDAY, the 28th August, on Peake's No. 2 Wharf, at 6 o'clock, 9,000 feet 3x2 STUDDING, 10,000 " 3x3 " 3,000 " 3x4 " 5,000 " 3x5 SCANTLING, 8,000 " 3x6 " 6,000 LATHS. Also—on Queen's Wharf, 20,600 feet SPRUCE BOARDS. F. S. HANFORD & CO., Auctioneers. Ch'town, Aug. 27—li

## TRADE SALE.

WE will offer for Sale, by AUCTION, on Thursday, the 29th instant, AT 11 O'CLOCK, A. M., 10 Chests TEA—extra quality, 20 Boxes SOAP, 50 Boxes TOILET SOAP, Boxes Coffee, Raisins, cans Pepper, Mustard, boxes Pearl Blue, Blacking, reams Paper, Paper Bags, cases Matches, T. D. Pipes, Buckets, Brooms, etc., etc. MACKENZIE & STUMBLER, Auctioneers. Ch'town, Aug. 27, 1878—

## For the Benefit of all Concerned!

TO be sold at AUCTION, at NORTH CAPE, on FRIDAY NEXT, AT 11 O'CLOCK, where she now lies stranded, The Hull and Materials of the Barque "Moss," of Norway, 519 tons register. JOSEPH MCGILVRA, Broker. Cascumpec, Aug. 27, 1878—pat t sale

## LUMBER.

## AUCTION!

WE will sell, at PUBLIC AUCTION, on QUEEN'S WHARF, on Friday, the 30th August, inst., AT 6 O'CLOCK, P. M., 60,000 FEET DRY PINE, 1 in., 1 1/2 in., 2 in. & 2 1/2 in., 10,000 SPRUCE, 3x3 & 3x6. Lot of Rough Boards, & 2 in. Hemlock. WRIGHT & MACGOWAN. Ch'town, Aug. 26, 1878—4i

## NOW READY:

## THE Great National Work!

### ART ILLUSTRATIONS

By C. R. TUTTLE. THE new and only ILLUSTRATED HISTORY of the DOMINION OF CANADA. Just published. The most popular and saleable Work of the day. In 2 Magnificent Grand Quarto Volumes, 600 pages in each, or in monthly numbers at 50 cents. Beautifully illustrated and handsomely bound, with 28 fine Steel Plates, 20 original Wood Cuts, and 200 Photo Lithograph Engravings, on stone, of our prominent public men. AGENTS WANTED in every town and county in P. E. I. Send for terms and outfit at once. D. DOWNIE & CO., Sole Publishers. [May 25] Box 1964, Montreal.

## Wants, Lost, Found, &c.

Advertisements under this heading, in space not exceeding half an inch, will be inserted for Ten Cents per day.

WANTED—immediately—a COOK Apply to E. D. STAIR, Agent. Ch'town, Aug. 27, 1878—3i

TO LET—Apartments Furnished, in a Central part of the city, suitable for a lady or gentlemen. Apply at THIS OFFICE. Aug. 24 1878.—1w

TO LET—Two large rooms on second flat of the new building adjoining drug store of P. G. Fraser. Apply to P. G. FRASER. Aug. 24—4i

WANTED—A good plain COOK and HOUSEMAID, immediately. Apply to C. LEIGH, at Wagstaff's Hotel, or at the EXAMINER Office. Aug. 21, 1878—

BOARDERS—A few permanent and transient Boarders can be accommodated on reasonable terms at the QUINCY HOUSE, next door to John Seller's Grocery Store, Kent Street. Ch'town, Aug. 1—