

THE MCCARTHY MURDER.

DORCHESTER, July 18.

The court opened at 10 o'clock. The special docket being disposed of, Dr. Tuck moved that the Osbornes be brought into court for trial. In a short time Mrs. Osborne, Eliza Osborne and Harry Osborne were placed in the dock. The Court Room was densely crowded by about 400 persons.

In selecting the jury, one panel was exhausted after the eleventh juror was obtained. The second talesman called was accepted. The jury is composed as follows—Hiram Hicks, Abel Dewyer, Rufus Traceman, Titus Dixon, Eph Allen, Thos. L. Wood, Amos Weldon, Nathan Fowler, Edward Haste, Edgar Dixon, Gains Black, Wm Dixon.

OPENING THE CASE FOR THE CROWN.

The clerk having read the indictment found by the Grand Jury, to which the prisoners pleaded "not guilty." Mr. Harrington opened for the prosecution. After dilating on the importance of this case as one of the most remarkable in the criminal annals of New Brunswick, and after cautioning the jury to lay aside all personal feeling and to judge of the case solely from the evidence to be submitted, the learned counsel proceeded to recite the principal facts that the Crown would set forth in the evidence. Circumstantial evidence, often stronger than direct testimony, would be produced in support of Annie Parker's story, so as to leave no doubt as to the truth of her testimony that Timothy McCarthy was murdered by the prisoners, in the Waverly House, at Shediac, on the night of Oct. 12th.

DAMIEN WHITE

was called as the first witness. Mr. Palmer asked that John Osborne be produced in Court, and intimated that he might be called as a witness. Dr. Tuck opposed. He had no objection to John Osborne being brought into Court to watch the case against his family, but was not prepared yet to accede to his being called as a witness.

The Chief Justice then notified the Sheriff to bring John John Osborne into Court, it being understood that a writ of *habeas corpus* would be made out for him by Mr. Palmer.

Damien White was then sworn, and in his direct examination testified that he and Philip Voutour found McCarthy's body floating in the Scadouc on Saturday, May 11th, about 1 o'clock, while they were polling a boom up the river. The witness was on the stand when the Court adjourned for dinner.

After dinner the court house was packed with spectators. Damien White resumed the stand. He described the

ROPE HE FOUND IN THE SCADOU.

It was about 1/2 inch thick, knotted and lopped at the end. He gave it to Voutour who threw it on a cake of ice lying aground. [The stone found in the Scadouc was produced in court.] Witness described how it was picked about 100 yards below where he found the rope. It was above Connors' creek about 100 yards.

Cross-examined by Mr. Palmer.—Witness said the stone in court was like that got from the quarries along the river, some of which were brought down stream on rafts last year. This stone was picked up 60 feet from the shore, and he thought could not have been put there by a person on the shore. At low water, the bottom there would be bare to about 20 feet from the shore there. McCarthy was a stout man, over 200 lbs. and if his body was lying where the stone was found or between it and the shore he thought it would have been seen at low tide. The railway bridge over Scadouc was an open one, the road bed not being plankled. He recognized McCarthy's appearance. The body was fresh-looking; not swollen, but changed rapidly after being taken ashore. When first seen the face was covered with water, discoloration and bloating up were visible. Fifteen minutes after, witness remembered seeing blood and water issuing from one ear. His mouth was shut tight, also his ear. Saw no mark of violence back of the ear, nor rope marks around the neck. The top button of the rubber coat was buttoned, but as the coat was large it was some distance below his chin, so that witness could see the neck-tie. Witness described at some length how the two overcoats were buttoned. Only a couple of inches of his bosom were covered by the rubber coat.

Re examined by Dr. Tuck.—The witness said he only saw one stone picked up in the Scadouc, and it could have been carried out from the shore by some person.

Q. When they took the body up from the bank, could a wagon have gone down? [Objected to by Mr. Palmer that it was a matter of opinion, but allowed by the court.]

A. It would not be impossible. Witness said he never found another piece of rope in the river. Witness here showed that the two overcoats covered up the shirt front altogether though the necktie was visible above the rubber button.

PHILIP VOUTOUR

was then sworn and examined by Mr. Harrington. He briefly described the finding of the body as detailed by the last witness.

STEPHEN MCCARTHY

brother of the deceased, was the next witness called. He described how he identified Timothy's body after it had been found in the Scadouc. He had often called at Osborne's last fall, while working in Shediac. Took several meals there. On one occasion when in their smoking room, Mrs. Osborne told him about Timothy going to Point du-Chene, and coming back to Shediac, also that his wife followed him to the Point. Witness understood Timothy was in their house that night between nine and ten o'clock. He thought Eliza told him that she came in. Witness could remember nothing farther as to any conversations with the prisoners relative to Timothy's disappearance.

Cross-examined by Mr. Palmer.—Witness

said he saw Annie Parker there near Christmas—one Saturday night. That night Mrs. Osborne treated the party in the bar. Witness had expressed freely the opinion that his brother had run away. He never saw much trouble between McCarthy and his wife. He never heard her tell him she was jealous. Witness testified that the Osbornes had always treated him kindly, and that he never saw any bad behaviour in the house.

To Dr. Tuck.—When he went back for Annie Parker's clothes, about December 1st, he thought they were cross to him. He thought he got Timothy's hat from Philip Cornier the Saturday before he called for Annie's clothing. He thought Eliza hinted that Timothy's wife was jealous.

Dr. Tuck here asked witness if he ever heard Mrs. Osborne say that McCarthy had gone away never to come back, which was objected to by Mr. Palmer. The question being changed witness said he did not remember.

The remainder of his evidence was not of general interest.

The court adjourned at 6 o'clock. The attendance in court to-day was very large and the excitement around the town is increasing.

NEWS BY TELEGRAPH.

THE MCCARTHY MURDER.

ANNIE PARKER'S STATEMENT.

Special Despatch to Examiner:
SACKVILLE, July 20.—Annie Parker is being examined by Palmer, counsel for defence, in the McCarthy case at Dorchester to-day. She tells a straight story. The general impression now seems to be that she is telling truth.

Special despatch to Examiner:
LONDON, July 19.

The Marquis of Hartington gave notice in the Commons that he would early call their attention to papers relating to the Eastern Question and move a resolution. W. H. Smith, First Lord of the Admiralty, replying to Robert Montague, said Admiral Hornby's telegraphs that the flag Captain of the British fleet in the *Egean Sea* had an interview with General Todleben, who stated that he heard nothing of the firing into a British man-of-war boat sent to demand the release of the English sailors detained by the Russians near the Gulf of Saros. Todleben said that he extremely regretted the occurrence; he promised to send an officer specially to the Gulf of Saros to make inquiries concerning the affair. He said he was sure that the superior officers of the Russian army in that district were ignorant of an attack upon the boat.

LONDON, July 19.

The resolution which Lord Hartington gave notice in the House of Commons to-day that he should move will be as follows: "Resolved that while the House has learned with satisfaction that trouble in the East have been terminated by the treaty of Berlin without further recourse to arms in the extension of liberty and self government to the lower population of Europe and Turkey. It regrets that it has not been found practicable to deal more satisfactorily with the claims of the Greeks and that in regard to Asiatic Turkey, the military liabilities of this country have been necessarily extended; and further, that undefined engagements, relative to the better administration of the Asiatic Provinces, have imposed many responsibilities on the State, while no sufficient means are indicated for securing their fulfilment, and that these responsibilities have been incurred without the previous knowledge of Parliament."

GENERAL ELECTIONS.

MONTREAL, July 18.

Information from reliable quarters has been received that the Dominion general elections will take place on the second week in September.

AUCTION.

MORTGAGE SALE!

To be sold by PUBLIC AUCTION, on THURSDAY, the First Day of August next, A. D. 1878, at the Court House, Charlottetown, at the hour of Twelve o'clock, noon, under and by virtue of a Power of Sale, contained in an Indenture of Mortgage bearing date the thirteenth day of December, A. D. 1876, and made between Michael McNeill, of Township Number Fifty-four, in King's County, in Prince Edward Island, sea captain, of the one part, and Daniel Hodgson, of Charlottetown, in the said Island, Esquire, of the other part.

ALL that Tract, Piece or Parcel of Land situate, lying and being on Lot or Township Number Fifty-four, bounded as follows, that is to say: By a line commencing at a stake set in the division line between said Township Number Fifty-four and Township Number Fifty-five, and in the south-east angle of land in the possession of Thomas Walsh, and running thence (by the magnetic meridian of the year 1764) south on said division line nineteen chains and fifty links, or to land in possession of John Goff, Esquire; thence west to land also in the possession of the said John Goff, Esquire; thence north to the said Thomas Walsh's land, and thence along the same east to the place of commencement, containing one hundred and ten acres of land, a little more or less, agreeably to the plan of the same in the margin of a deed from the Government of this Island to the said Michael McNeill, together with all rights, members and appurtenances thereto belonging, or in anywise appertaining.

For further particulars, apply to Messrs. Hodgson & McLeod, Solicitors, Charlottetown. Dated this 25th day of June, A. D. 1878. DANIEL HODGSON, Mortgagee.

ECONOMY & SECURITY.

SUN MUTUAL

LIFE AND ACCIDENT INSURANCE COMPANY OF MONTREAL.

A SOUND AND RELIABLE HOME COMPANY.

Investments All Within the Dominion.

\$55,299.51

SURPLUS PROFITS ON PREMIUMS IN 1877.

NEW BUSINESS, 1876, SUBMITTED \$1,853,598
1877, 3,153,000

Solid Addition to Company's Assets in 1877, - - \$55,299.51.

There is no reserve clause, making the amount of claims under the Sun Mutual Policies to be less than the sum assured by them, as under the minimum system.

Special attention is claimed to the fact that our policies are payable in full. THOMAS WORKMAN, Esq., President; M. H. GAULT, Esq., Managing Director; T. J. CLAXTON, Esq., Vice-President; R. MACAULAY, Secretary; J. M. C. DELESDESNERS, Superintendent.

Prince Edward Board of Directors:

HON. L. C. OWEN, HON. J. F. ROBERTSON,
DANIEL DAVIES, OWEN CONNOLLY, Esq.,
Messrs. JENKINS & McLEOD, MEDICAL EXAMINERS.

HORACE HASZARD, Manager, P. E. Island.

July 3, 1878—

To Health & Pleasure Seekers and Sportsmen.

SEASIDE HOTEL, RUSTICO, - - P. E. I.,

will be open for the season on the 25th June, inst., for the accommodation of visitors and guests.

THE above beautiful and popular watering place has been further improved this season in lawns and grounds, generally—as well as an important extension of 100 yards to wharf, for the better boating and bathing accommodation.

TERMS—\$2.00 to \$2.50 per day. Special arrangements made for permanent guests and families. Coach leaves Charlottetown for the "Seaside" every Wednesday and Saturday evening at 6 p. m., returning every Monday and Thursday morning at 9 a. m.; fare, \$1.25 each way.

Arrangements have also been made with Mr. Bagnall to make coach connections with rains to and from all points in the Island between Hunter River Station and the Seaside Hotel, carrying passengers and luggage at moderate rates—and with promptness.

JOHN NEWSON & CO., Proprietors.

June 21, 1878—3m

OUTFITTING WAREHOUSE,

NO. 50 QUEEN STREET.

A SUPERIOR LOT OF

ZINC & LEATHER COVERED TRUNKS!

JUST ARRIVED.

Solid Leather Valises!

Much Cheaper than Home Manufacture.

A FULL LINE OF

GENTS' FURNISHING GOODS!

Inspection Solicited before Purchasing Elsewhere.

C. ROBERTSON.

Charlottetown, May 30—

NO LONGER AGENT!

Our Agreement with W. H. OLIVE, of St. John, N. B., has this day terminated by mutual consent. In the meantime, parties desiring Machinery can obtain information from us direct, or through

AMOS FISHER, TRURO, N. S., or JOHN WELSH, St. Martin's, N. B.

BOTH PRACTICAL MEN WHOSE JUDGMENT AND ADVICE CAN BE RELIED ON.

PRICES REDUCED!

Great Improvements in our SAWS IRON—PORTABLE GRIST MILLS—PORTABLE SAW MILLS.

Address—

WATEROUS ENGINE WORKS CO., Brantford, Canada.

April 17, 1878.

FARMER'S ARMS DR. CLEMENT,

TO LET.

TO LET, the Saloon and Building known as the "Farmer's Arms," fronting on Queen Street, formerly occupied by Mr. Geo. Mutch. Possession given immediately. For further information apply to the undersigned Trustees of the Estate of the late William Sneeston.

R. R. FITZGERALD, B. ROGERS.

July 17, 1878—3w

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

AUCTION SALES.

FURNITURE AT AUCTION

I will offer at AUCTION, on WEDNESDAY, July 24, at 11 o'clock,

In the Warehouse, Queen's Wharf,

a Splendid Assortment of Furniture, now open for inspection, viz:—

- 18 Bedsteads, latest patterns and styles,
- 2 Marble Top Chestnut Chamber Sets,
- 1 Plush Folding Chair,
- 6 Mahogany Chairs, 1 Mahogany Sofa,
- 4 Marble Top Tables, 4 Work Tables,
- 1 Secretary Book Case, 1 Office Desk,
- 12 Cradles, 1 Folding Cot,
- 1 Air-tight Stove, 1 clothes Wringer,
- 4 Pieces Wool Carpet,
- Mattresses, Cushions, etc., etc.

I. C. HALL.

July 20, 1878.—611 sale.

HERRING, HERRING.

300 BARRELS PRIME Fortune Bay HERRING for sale cheap. Also, 39,000 feet Prime Bay of Island PINE, 1, 1 1/2 and 2 inch.

GEORGE COOMBS, Lord's Wharf.

July 20, 1878.—41st 2w wky lin

BANKRUPT STOCK AT AUCTION.

We will Sell, on

Tuesday, the 23rd July,

AT TEN O'CLOCK, A. M.,

At the Premises Occupied by R. H. Crawford, Esq., Tryon.

All his Stock in Trade, consisting of a well selected lot of Goods, for a country Store, viz:

- Hats and Caps, Boots and Shoes, Rubber Goods, Trimmings, Muslins, Grey and White Cottons, Dress Goods, Millinery, Shawls, Jackets, Table Covering, Stockings, Handkerchiefs, Neckties, Collars, Tea, Sugar, Confectionery, Pepper, Ginger, Tobacco, Soap, Kerosene Oil, Rope, Washing Soda, Glassware, Shop Furniture, Saws and Files, Scales, Show Case, Measures, &c., &c.

STABLE STOCK—Horse, 1 Cow, 2 Jaunting Sleighs, 1 Truck Wagon, 1 Driving Wagon, 2 Sells Wagon Harness, etc., etc.

ALSO, AT 12 O'CLOCK:

THE BUSINESS STAND,

Containing about THREE QUARTER ACRES OF LAND,

on which is an excellent 2 STORY BUILDING (Dwelling and Store) all in good repair.

TERMS—Under \$50, cash; over \$50, four months.

TERMS FOR PREMISES—20 per cent. to be paid at time of purchase; 20 per cent. on 1st December, 1878; 60 per cent. 1st Dec., 1879.

Carvell Bros.,

ASSIGNEE.

Ch'town, June 22, 1878—e o d s j sw pat to sale

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 \$3 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 her 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 8178—3m