

MEDUCTIC MURDER TRIAL.

Five Witnesses Testify for the Crown on Tuesday.

SOME SENSATIONAL EVIDENCE BROUGHT OUT

In Regard to the Domestic Relations of Mr. and Mrs. Marsten.

GEORGE MARSTEN SCRUBBED THE FLOOR AND PETER TENDED THE STABLE.

The trial of Mrs. Annie Marsten was resumed on Tuesday afternoon at 2.15 o'clock. The number of spectators was larger than at the morning session and the greatest interest was manifested in the proceedings.

Abraham Marsten, who gave evidence in the forenoon was cross-examined by Mr. Curry, but nothing new was elicited, though he modified some of the statements made in his direct examination.

A. W. HIGGINS

blacksmith of Fort Fairfield, Me., late of Meductic, was the next witness. Examined by Mr. Barry, he gave testimony in regard to the arrangements of the Marsten hotel. Peter Marsten, he said, tended the barn, and the deceased collected the rent. He did not often see Mrs. Marsten and George together, but on one occasion summer before last he thought he saw them driving together. He saw Peter and Mrs. Marsten driving together on several occasions once in a covered carriage and twice with a child accompanying them. On the afternoon of June 11th witness accompanied David Ots to Mrs. Marsten's bedroom, they having been called in by Bertie Stairs, who said Mr. Marsten had had a bad turn. Bertie and Celeste Stairs and a man went into the room with them, but he did not see Peter or Mrs. Marsten. The sick man was in a room in the ell of the house; the room contained chair and stand, saw no chamber set, room was clean and tidy, and bed all right. Mr. Marsten was lying upon the bed with his clothes on and appeared to be suffering great agony. He opened his eyes when they entered the room, but kept them shut most of the time. He said "Oh my God, take me up out of this," and a little later he said, "Oh, my God, I am dying." Witness had never before seen a man in the condition Mr. Marsten was in when he entered the room. He did not live more than five minutes after his arrival. Bertie and Celeste Stairs were in the room when Mr. Marsten died. Witness left the house shortly afterwards without seeing Mrs. Marsten or Peter. He knew of one quarrel between George Marsten and his wife. It happened a year ago last summer. Mrs. Marsten called witness to come over and help take care of George. When she said this George came out of the house with a rifle in his hand, and after remarking that he was able to take care of himself, walked away. When leaving the yard he heard Mr. Marsten say that he was going to "clear the house." This happened between seven and eight o'clock in the morning. Witness did not know what the row was about at that time, but Peter afterwards told him. Arthur Higgins, who gave evidence at the preliminary examination was a son of witness; he was at present in Fort Fairfield. Did not know the present whereabouts of May Drost, who also testified at the preliminary examination.

Cross examined by Mr. Hartley, the witness stated that the occasion referred to by him was the only time he knew of Mr. and Mrs. Marsten quarrelling. Had been in the hotel many times but had never seen anything to indicate that there was anything wrong between Mr. and Mrs. Marsten. George Marsten was not of a very sociable disposition, and did not have much intercourse with his neighbors. Did not think anything of

Peter and Mrs. Marsten driving to Woodstock together. Mrs. Marsten had told him that she was paying rent to her husband for the use of the hotel.

To Mr. McKeown, the witness said that Mrs. Marsten made the statement about paying rent for the hotel a little more than two years ago, or shortly after she moved in.

DAVID OTS,

of Meductic, was next called to the stand and sworn. Examined by Mr. Barry, he said he was a member of the firm of Ots Brothers and had been in business about twelve years. Was quite well acquainted with the late George Marsten, also knew Mrs. Marsten, the prisoner at the bar. They were living on the farm when he first knew them. Saw George Marsten quite frequently, did not consider him a very robust man. He was 57 years old, but one would have taken him for seventy. Did not know that George Marsten was away from home last spring, as he was a man whom one would scarcely miss when he was away. Did not remember of having seen Mr. Marsten within a week or ten days before his death. Had visited the hotel quite frequently and saw Mrs. Marsten and her sisters. Mrs. Marsten seemed to be the mistress of the house. Remembered Bertie Stairs visiting his store on one occasion and asking him to come over to the hotel as Mr. Marsten had one of his spells. The witness then described his visit to Mr. Marsten's room on the day of his death, corroborating the testimony given on this point by the previous witness. He did not notice particularly what furniture there was in the room, nor did he notice any cups, tumblers or packages of the medicine. When he entered the room Mr. Marsten was lying upon the bed and appeared to be trembling. The only audible words witness heard him utter were, "Take me off this bed," and "Oh, my God I am dying." These were spoken in a loud tone, in indicating that the man was in great agony. Witness found Mrs. Marsten in the kitchen when he came down stairs, and she was crying. Previous to that Mrs. Marsten had started to come up stairs, but one of the girls sent her back, and went with her. Witness told Mrs. Marsten that her husband was gone, and expressed the opinion that as his death had been so sudden, it was no doubt caused by heart trouble. Did not see Peter Marsten about the house at that time. Mrs. Marsten made no reply when witness told her he thought her husband had died of heart failure. Never saw Mr. and Mrs. Marsten driving out together, and had never seen Mr. Marsten in church in his life. Had seen Peter and Mrs. Marsten driving together once or twice. Had never seen any evidence of strained relations between George Marsten and his wife; had been there setting out on the verandah on summer evenings, but they were not usually alone. Peter Marsten was a younger and better preserved man than George. Witness did not help to lay Mr. Marsten out, and had never stated to any person that there was a reason why he had not wished to do so.

Cross examined by Mr. Hartley, the witness stated that as far as he knew the Marsten family had got along about as well as most of his other neighbors. Mr. Marsten was not a sociable man, and was not much given to talking; he seemed to be rather morose and melancholy.

GEORGE SIMS.

Court resumed in the evening at 7.15 o'clock, a large number of spectators being in attendance. George Sims, called and sworn, said that his home was in Kingsclear, but since last October he had been in Ontario. Was acquainted with Mr. and Mrs. Marsten, and had lived at their house for two years. It was known as the Aberdeen hotel. Could not say whether or not Mr. Marsten and his wife occupied the same sleeping apartments while he lived with them. Sometimes Mr. Marsten roomed in the main part and sometimes in the ell. Saw a great deal of Mr. and Mrs. Marsten during his stay at the Aberdeen. Remembered Mrs. Marsten talking to him about her husband on one occasion. She said the more she saw of him the worse she hated the man; they were talking about Mr. Marsten at the time. She also said that if she was so minded she could imprison that man for marrying her, an innocent girl, the way he was. He did

not know what she meant by that and she offered no explanation. Witness knew nothing whatever about Mr. Marsten's physical condition. Was friendly with Mr. and Mrs. Marsten. He boarded for a time at Mr. Dickenson's after leaving the Marsten house. Made the change because he did not like the way the barn was conducted. Some times Mr. and Mrs. Marsten were friendly and sometimes they appeared reserved towards each other. Generally speaking he thought that they got along about as well as most people. Could not say whether it was customary for Mr. and Mrs. Marsten to eat their meals together or not. It was Peter Marsten's duty to attend to the barn. Mrs. Marsten told witness that her husband owned the house but she was running it. Peter Marsten slept at the hotel, but witness did not know where his sleeping apartment was located. Was acquainted with Mrs. Marsten's four sisters; but never saw them all at the house at one time. Had never remembered seeing them have company. So far as he knew they were quiet and reserved young ladies and kept by themselves.

To Mr. Curry the witness said that he had been living in Ontario since last October, left Meductic about September 1st. For five years previous to that time he drove a stage between Meductic and Fredericton. Boarded with Mr. and Mrs. Marsten for two years and never had any fault to find with the way the house was conducted, or with the conduct of any of the people around it. Could not remember first when it was that Mrs. Marsten had made the statement quoted by him about her husband. Did not think very seriously of it at the time; there was no other person present. He did not know what led her to make those statements. Had never seen any improprieties carried on between Mrs. Marsten and Peter, either by act or word. Mr. Marsten was of a rather dependent disposition and did not have much to say about the house. Mr. Marsten took his breakfast alone because he was the first to get up in the morning. He noticed that Mr. Marsten was disinclined to go out with his wife around the neighborhood.

Re-examined by Mr. McKeown—The witness said that Mr. Marsten usually got up about four o'clock in the morning and went out and milked the cows before breakfast. Did not have any knowledge of a quarrel between Mr. and Mrs. Marsten, in which Mr. Marsten's rifle figured. There were two tables in the dining room, having accommodation for twelve or fourteen persons.

ALBERT J. BEST,

who was next sworn, said he was a resident of Meductic and was engaged in the tailoring business there. His shop adjoined the Aberdeen Hotel. Had known the late George Marsten and wife ever since they came to Meductic. Was a frequent visitor to the hotel which he understood was conducted by Mrs. Marsten. Witness boarded there for two months in the summer of 1900, and took his meals there for six weeks at another time. Was not aware that Mr. and Mrs. Marsten occupied the same sleeping apartment. Mrs. Marsten's room was in the attic and George's was over the kitchen in the ell. Peter had a room in the attic of the main house. There were three rooms in the attic, and he had heard Mrs. Marsten refer to one as Peter's. One of the attic rooms was without windows and was unoccupied. Mrs. Marsten's sisters visited the hotel while witness stopped there. Bertie Stairs had a room in the lower flat of the main building, and he had always understood that Celeste roomed in the attic. Had seen Mr. and Mrs. Marsten taking their meals together at the same table, and had seen them taking them separately. Peter looked after the barn, and George carried in wood, charned, scrubbed occasionally, and did ordinary chores. His scrubbing operations were usually confined to the dining room. Had seen some disagreements between George Marsten and his wife. Mr. Marsten was terribly cross on one occasion over something, and said that if he was clear of her he would never marry another woman as long as he lived. He had heard Mrs. Marsten card her husband out on several occasions. She would tell him to get to—out of this, as it was time that he was in bed. Could not say from what he had heard that they were a very happy couple, as he had never seen any signs of happiness between them. Peter seemed to be the main man of the house, and always did the errands for Mrs. Marsten. She seemed to use him like a

husband and he looked very pleasant over it sometimes. Mr. Marsten had never said anything to witness concerning the relations of Peter and his wife.

Mr. Curry objected to the witness' method of answering questions, and as a result of his objection His Honor ruled out some of this evidence. The witness had a habit of giving the court the benefit of his own conclusions instead of answering the questions put to him, and it was this that Mr. Curry objected to.

Continuing, his testimony the witness said he heard Peter say that when he got hold of \$50 or \$60 they would take it all away from him. Had never seen Mr. and Mrs. Marsten sitting together in front of the house; but had frequently seen Mrs. Marsten and Peter together in the house and out of the house. Had seen them go driving together on a number of occasions. He always considered Mrs. Marsten to be a smart woman. He remembered Mr. Marsten going to Woodstock last spring to visit his brother. Upon his return he stopped at witness' shop to get a shave. Was away fishing when Mr. Marsten died and did not see him until the following day. Had a conversation with Mrs. Marsten after her husband's body was disinterred. She asked him what they had done, and he replied that they had taken her husband's remains up to the blacksmith shop and laid them on a board. She said that they would probably find something, as he had been taking patent medicine and there was always poison in that as any doctor would say. She added that if her husband was poisoned it must have been those who started the investigation who did it, because they knew so much about it. Mrs. Marsten told witness the night her husband died that she had given him medicine—a spoonful of cream of tartar and some wormwood. She said he had been sick all day and had had spells. She also said that he had a spell down at Marsten's shop the day before, and that she was afraid he would die. This happened about 5.30 o'clock in the evening, while witness was on his way down to the shore to go fishing. When he returned he heard that Mr. Marsten was dead. Witness saw the prisoner on several occasions after her release on bail, but she made no reference to the pending trial. Witness did not know the present whereabouts of Maud Drost, but understood that she was across the line.

At 9.30 o'clock His Honor adjourned the court until Wednesday morning.

(CONTINUED ON THIRD PAGE.)

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They were two wretches of men, who met in the seclusion of their club. What are the three quickest modes of communication? queried one. Telegram, telephone and cablegram. No, wrong in the last one. Well, what are they? Telegraph, telephone and—tell a woman!

One Common Cause of Headache.

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Education in Scotland.

New York, Jan. 26.—The Sun has the following special today from London: The gift of £2,000,000 to Scotland for educational purposes now appears only the beginning of a scheme mapped out by Andrew Carnegie for the benefit of Scotchmen. Mr. Carnegie, in his inaugural address as Lord Rector of St. Andrew's, told his countrymen that, as they could never be a ruling commercial nation, they should endeavor to become the salt of the earth in an educational, scientific and historical sense. The scheme he now proposes as an endowment trust for scientific research. Mr. Carnegie does not consider that the post-graduate organizations of Oxford and Cambridge are suitable. His scheme provides no substantial livings. The present endowed fellowships, in his opinion, are too highly paid to conduce to study. The amount of his fellowships, while ample for adequate study, are not large enough to induce the possessors to cling to them for a livelihood. Moreover, the fellows will be selected and not elected by competition. The fellowships will be directed mainly into channels of scientific research. Graduates desiring them will produce their university records to indicate the class of research they wish to pursue. A million pounds sterling will be expended on this scheme.

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