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Tomatoes	Doz.	Can	Pumpkin	1.10 doz., per can 10 cents.
Peas	1.35	12c.	Squash	\$1.35 doz., per can 12 cents.
Sugar Peas	97	9c	Apples	3's \$1.35 doz., per can 12 cts.
Corn	1.08	10c	Peaches	2's, \$2.45 doz., per can 21c.
Refugee Beans	1.05	10c	Peaches	3's, \$3.70 doz., per can 32c.
Golden Wax Beans	1.10	10c	Pears	2's, \$2.25 doz., per can 19c.
Lombard Plums	1.65	14c	Pears	3's, \$2.70 doz., per can 23c.
Green Gage Plums	1.75	15c	French Peas	doz \$1.40, per can 13c.

Oranges

California Navels	28c. doz.
Florida Oranges	20c. and 40c.
Tangerine Oranges	25c.
Valencia Oranges	15c. doz, 2 doz. 25
Grape Fruit	9c., 3lb. for 25c.
Malaga Grapes	15c. lb.

Prunes

Best California Prunes	9c., 3lbs, 25c
Best Layer Raisins	10c lb, 3 lbs 25c

Raisins

Kent Mills Flour

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B. A. KEITH

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THE MURDER TRIAL.

(Continued from Second Page.)

In regard to the insanity plea the Judge quoted from the criminal code to show that a person acquitted on the ground of insanity would have to be confined by the direction of the court in an institution for the insane.

After explaining the law to the jury the Judge went briefly over the evidence as produced at the trial. The wife of David, he said, was evidently not correct in her mode of living. She left her husband on two occasions, in one case passing herself off as a single woman. On both occasions he was able to induce her to return home. In May last she left her husband a third time, and went to Woodstock, a man named Nicholas arriving there at the same time. The prisoner learned of his wife's whereabouts, and followed her to Woodstock in July. The evidence showed that it was customary for Syrian peddlars to carry revolvers, and David had been carrying one for some years. The conversation between David and Andrews was reviewed, and comment was made on the statement made by the prisoner that he would give her a '32, and his soul was not sweet. No explanation was given as to what was meant by the prisoner when he said his soul was not sweet. David swore that what he meant by a '32' was that he would give his wife \$32. It was for the jury to decide which version was correct.

The conversation at the house of Abdullah Moses at Woodstock was next referred to and attention was called to conflicting statements in the testimony. It seems that Mrs. David finally consented to accompany David to Lowell and went to the railway station with him on Monday morning. The man Nicholas was at the station also. The conduct of David at Woodstock seems to have been that of a man of no great high moral feeling. This was shown by the fact that he occupied the same bed with the man who was said to be the paramour of his wife. He did not attach a great deal of importance to the testimony that the couple had quarrelled on the train on the way to McAdam. But it was difficult to see why the conductor threatened to put David out of a car for merely asking a question about his wife's ticket. It is certain that the couple had a conversation at McAdam in their own language. Mrs. David told her husband that she intended returning to Woodstock and in fact it was shown she did have a return ticket in her pocket. At this stage the prisoner produced a revolver and shot his wife. Two shots were fired one of which took effect. The prisoner was taken into custody and brought to Fredericton. The prisoner in his testimony said he knew nothing about the whole affair until he found himself in jail.

The question for the jury to determine is, did David without provocation shoot this woman. If he did he was guilty of murder. You are to consider what occurred in Woodstock in determining if there was any premeditated act. It was not shown that David displayed any great appreciation for her in Woodstock but asked her to go home merely to take care of his children. If you find that it was his real intention to shoot her you will have to find him guilty of murder. If you find that he shot her in a moment of frenzy at McAdam, and it was not premeditated, it would not be murder. He would take the responsibility of saying that near differently constituted. A man ought to control himself against a violent passion, but you must take into consideration the mental capacity of the man. You have seen David in court and have heard him giving his testimony. A man of that capacity with a weak mind ought not to be judged by the same standard as a mentally strong man. It was for the jury to say, after considering all the circumstances, if there was sufficient provocation for his shooting the woman. David evidently knew that his wife had been living with another man, but he was willing to forgive her. Whether or not her refusal to accompany him further than McAdam was sufficient provocation was for the jury to determine. If they decide it was, they must reduce the verdict to manslaughter.

The insanity plea was next taken up by the Judge and discussed at some length. He referred to the advance in medical science and remarked that after listening to the opinions of different doctors and reading their works it was difficult to say positively that any man was sane. He thought a safe principal to lay down was a man with a diseased mind was

able to distinguish between right and wrong. There was some difficulty in properly expressing the real meaning he wished to explain. In regard to the prisoner's conduct before the shooting it was not claimed that he was insane before he reached McAdam Junction. When the shooting occurred he claims that his mind was a blank. There seems to be no doubt that there was insanity in the prisoner's father's family and that the prisoner himself was subject to epileptic attacks. Most of the cases cited were of an extreme nature and it was necessary for the jury to deal with the matter as practical men. He admitted evidence of conversations with the prisoner just to show how his appearance and demeanor after the shooting impressed a layman. Men are constituted differently and some who commit a crime make it a point not to show any great emotion over it. The evidence of Gardiner that David recognized Powers on the train after the shooting was considered by the Judge to be a little remarkable in view of the contention that the prisoner's mind was a blank. Powers had struck David after the shooting and when he saw him on the train David spoke to him about it.

The fact that the prisoner did not admit to people who conversed with him in Fredericton that he had killed his wife should not be taken as evidence of an unsound mind. If the jury believed that he was unconscious of his actions when he shot his wife it was their duty to bring in a verdict of manslaughter.

In conclusion His Honour said it was important for the jury to consider whether or not David had sufficient provocation for his act. If they found he had the fatal shot in a moment of passion it was their duty to return a verdict for manslaughter. If they found that he was insane at the time it is their duty to acquit him.

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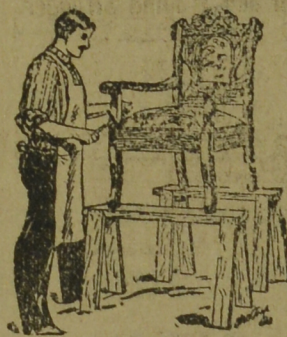
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