

Nashua Daily Telegraph

SATURDAY, SEPTEMBER 18, 1875.

BUSINESS NOTICES.

FOR BRUISES or sprains, rub the wounded parts freely and thoroughly with **Donne's Pain Killing Magic Oil**. Be sure and buy the genuine, which is put up only in panel bottles a finely engraved steel plate label, upon which is the likeness of Wm. Boone.

IMPORTANT TO ADVERTISERS.

The Daily Telegraph has double the circulation of any other paper published or circulated in this city and vicinity. All advertisements should be handed in by 11 o'clock, A. M., to insure insertion the same day.

NASHUA AND VICINITY.

TO-DAY'S ANNOUNCEMENTS.

FOUND. Keys found—one a post-office key. To be obtained at this office.

AUCTION SALES BY C. H. CAMPBELL. On Monday next all the personal property of D. W. Garland, West Goffstown. Tuesday, at 9 A. M., the personal estate of the late Dustin Caldwell of Nashua, consisting of the entire contents of house 54 Amherst street, and a large invoice of carpenters', blacksmiths' and stone cutters' tools. Wednesday, at 10 o'clock, the entire contents of the City Hall bookstore, Manchester and all the type, presses and fixtures of the printing office of the late Wm. H. Fisk, sale by catalogue. On Friday, at 11 o'clock, the entire stock of the Eagle bookstore in Concord, belonging to said estate. Sale by order of executors. On Saturday, 20 cows for James R. Leach in Bedford.

Local Mention.

Two Stables to let. See advertisements. See Sunday services and other locals on fourth page.

Campbell & Marden, painters, have dissolved partnership.

Judge Sawyer occupied a little over three hours in his argument this forenoon.

The city invites proposals for furnishing the schools with wood the coming winter.

A change in the atmosphere last night made overcast desirable this morning. It has been a beautiful autumn day, however.

The general verdict is "Guilty," but it is not generally expected that the jury will agree.

The clergy, the lawyers and the ladies were fully represented in the court room to-day.

The members of the Nashua Debating Society are requested to meet this evening in Chas. Holman's office on Pearl street.

Among the visitors at the Court Room this week has been Hon. James W. Locke, United States District Judge at Key West, who is on his annual visit to his home in Manchester.

Board of Trade.

The fortnightly meeting of the Board of Trade was held on Thursday evening. For some unexplained reason the attendance was small. President Hill occupied the chair. Mr. Dunlap from the committee on Railroads reported the Board of Aldermen had indefinitely postponed the resolution to close Spring and Quincy streets on the petition of citizens and the Worcester railroad. Senator Wallbridge appeared for the remonstrants, and suits against the city were threatened if the streets were closed. The insurance resolution came up and was discussed at length. Mr. Kimball claimed that the insurance companies had never made much money on risks in Nashua, and showed that the *Etna Company's* premiums in this city for thirty years had only exceeded by \$2,000 the losses paid. Some companies, he claimed, were worse off than that, while few could make a better showing. It was admitted that the increase in rates had been from 75 to 250 per cent. It was suggested, on the other side, that this increase was the result of combination and ought not to be longer continued, and that Nashua and New Hampshire should not be longer taxed to make up for the losses by the Boston and Chicago fires. Figures were given showing that the Boston fire companies, between 1860 and 1870, dividends double their capital. The views of the State Commissioner were read at length by Mr. Kimball, and the fact elicited that last year the premiums exceeded the losses in the State by \$240,000. The year previous the excess was small. Mr. Kimball claimed that 30 per cent. of this excess should be deducted for the expense of insurance. It was voted to continue this subject for discussion to another meeting. Adjourned for two weeks.

Y. M. C. A.

The State canvass by the executive committee of the Y. M. C. Association closes at Meriden, to-morrow evening. The meetings the three last weeks, at Newington, Wakefield, Stratham, Cornish, West Lebanon and Meriden, have been largely attended and highly successful. At West Lebanon the committee were met by a delegation from the Vermont convention, in session at Royalton, among them Secretary Cook, and Prof. Fairbanks of St. Johnsbury, adding largely to the interest of the closing meeting, over 60 have taken the attitude of inquirers in these towns and over 900 during the canvass. A full report of the canvass will be read at the convention in this city next week, and many incidents of deep interest related both of the work here and abroad. Returns have already been received from nine hundred delegates of Associations and churches interesting to be present, to whom it is the desire of the committee to tender free entertainment during the three days of the convention. Any families wishing a share in the work of hospitality will please notify S. B. Davis. The meetings will be held in this city next week commencing Friday the 24th at 11 o'clock, A. M. in the Olive street church. There will be services morning, afternoon and evening of each day. Rev. S. L. Blake of Concord is expected to speak Friday afternoon. A praise meeting in the evening conducted by Prof. Jackson of Concord. A large number of pastors and delegates have already signified their intention to be present at these meetings. The services will be varied and interesting to all who will attend the meetings. All who have the "Song Evangel" are requested to bring them, as it is proposed to sing from them.

CIRCUIT COURT.

The Respondent's Testimony Continued.

THE EVIDENCE IN REBUTTAL.

HON. GEO. Y. SAWYER'S ARGUMENT.

ATTORNEY GENERAL CLARK'S CLOSING ARGUMENT FOR THE STATE.

September Term—Stanley and Smith, J.

FRIDAY—AFTERNOON SESSION.

The court came in at 2.35. High Sheriff Pierce made proclamation.

The Respondent continues.—On Sunday morning I went to Mr. Lovejoy's. I had not been away from home before. I carried them a piece of fresh pork. Mrs. Lovejoy inquired how Ida was. I told her she was complaining of a hard headache and was quite weak. I told her of the spasms she had the night before and what Mrs. Greeley and Dearborn told me. I told her they told me she was in bad shape and was liable to have convulsions and not come out of them. I think I told her I saw two physicians in Nashua, but I did not tell her what the two I have mentioned said to me. I asked her to come up and see Ida. I told Mr. Lovejoy how she was. She complained of her head and at times was sleepy and wanted to go to bed. Mr. Lovejoy called at about 11.30 and stayed about half an hour. He asked my wife how she was and she told him she was weak. My wife spoke of having pains several times in the afternoon. Mrs. Parkhurst, sister of Ida, called about half-past three o'clock. Mr. Parkhurst stopped out doors and I went out and talked with him. My little girl called me into the house. I went in and Mrs. Parkhurst offered to take the boy until Tuesday. (Witness here related the conversation concerning taking the child away.) There was no conversation in which was said Ida might recover if her condition had been known earlier. She advised her to lay down but I told her it was better to sit up. Will Blanchard and a young man from Nashua named Persons called. It was at the time that Blanchard wanted to know about his conduct in the cars. (The respondent here stated what he had for supper.) I cleared the table, while Mr. Blanchard and Persons called at the door. I went in, my wife had pains and I supposed she was to be confined. It was then half-past 5 o'clock. I advised her to go to bed and she did so, soon after she went to bed she had a spasm. She was flushed in the face, her eyes were rolled up in her head and she seemed unconscious, rubbed her over, she came out of it. I talked with her, she said she was going to be confined. I went for Mrs. Davison. Mr. Davison came and my wife told her she had been sick all day. Mrs. Davison said she was sick enough for a doctor. Mrs. Davison, at my request, got Gardner Blanchard to go for Dr. Dearborn. I went back to the house, my wife seemed comfortable, in a few minutes she went into a spasm, it seemed very hard for her. At Mrs. Davison's request I went for Mrs. Boynton. I went and asked Mr. Boynton to go for Mrs. Stiles, the nurse, and also call and tell Mr. Lovejoy's folks she was sick. When I returned she was calm. She soon had another spasm, and was rigid. We attempted to raise her up but she said "Let me alone." We bathed her head. She asked Mrs. Boynton to remove some of the clothes from the bed. Mr. Boynton did so and I do not think she was conscious afterwards. After that I went out for I could not bear to see her suffer so. At first she screamed out once or twice and after that groaned until nearly the time she died. Mrs. Lovejoy came just as Ida died. I told them she was dead. I did not say to Mrs. Lovejoy "Ida has gone just as Ella did."

Miss Sara A. Howard came in Monday Mrs. Boynton came with her. Mrs. Eliza Spalding was there that day. They came to assist in making preparations for the funeral. Other neighbors came in and offered assistance. I met Mr. Cragin and Mr. Stearns in the forenoon of Tuesday. Mr. Cragin said he was sorry for my loss, he said that as my wife had died suddenly he had come to see if I would have an examination. I told him I would. I asked who wanted it and he said he did not know; said he and none of my neighbors wanted it, the feeling was all in East Wilton. I told him she was dear to me and I could not bear to have her cut up. I told him what the physicians said, they seemed satisfied, told me to bear up under my troubles and went away. (The witness choked up at this point in his testimony.) I then went to Mrs. Lovejoy and she said she had no objection to an examination if I had not. I then sent to Temple for my sister to come to the funeral. Willie Blanchard stayed with me Monday night. Tuesday, after the funeral, we had supper. Mrs. Spalding, Mrs. Blanchard and Sara Howard were there assisting. The mourners went away. I asked my sister to stay as I saw I was soon to be left alone. She had her children to care for and couldn't stay. She got Miss Sara Howard to stay till the next day and pick up the dishes and return those borrowed. I was finally left alone with my children and Mrs. Howard. She stayed that night. Mr. Taylor called and wanted to see Miss Howard, I called her out, he told her her mother wanted her; she asked if her mother was well and upon being informed that she was said tell her "I promised her sister I would stay and I will be home in the morning." The next day Taylor left a note in which he advised Miss Howard to go home; she did so and on my return she told me my wife had been exhumed for examination. I set up with Mr. Howard on the night of the 15th of September when I first spoke with Miss Howard. There was never anything improper between us—to her as a single woman and me as a married man. I never intended to tell anyone my wife's condition was otherwise than as I understood it. My opinion was formed from what my neighbors and the physicians told me. I never knew of her taking a drug or medicine.

Cross examined by Attorney General Clark. She could not have obtained drugs or medicine without sending to town by her eating camphor gum on the 12th of December. She had eight spasms up to the night she died. I smelled the cam-

phor when I smelled her first spasm. I did not smell camphor afterward. I did not mention my alarm to my neighbors until she had had three or four spasms. The first that I spoke of her being in a dangerous condition was on Thursday of Friday before her death. After I consulted the doctors I did not think it was occasioned by the camphor. Sunday I thought it was convulsions. I did not tell Blanchard what the books were for. I obtained them at my wife's request. I obtained three books because I got them at a discount. I came to Nashua to see the physician because I was alarmed. On Saturday the 12th I told Mr. Blanchard my wife had fits. After my conversation with Mr. Blanchard I had no apprehension of my wife's death. I had no reason for expressing apprehension to Mr. Blanchard. I did not consider her condition dangerous at the time of my conversation with Mr. Blanchard. I was first alarmed concerning my wife on Friday night. We had no particular family physician. There were three physicians within two miles of me. I had employed Dr. Benton Dearborn. Mr. Davison had a sick child at the time and Dr. Dearborn attended. I did not call Dr. Dearborn because I was not at home when he came into the neighborhood. I understood from my wife for a week that the fetus was dead. I did not apprehend danger. I did not think much about it until she began to have those spells. I told Mr. Stiles on Saturday that my wife was liable to be confined at anytime. I did not tell Mrs. or Mr. Stiles or any other person that I had consulted Dr. Dearborn. When I came to Nashua I did not consider my wife in great danger. Dr. Dearborn of Nashua gave me to understand that my wife could not live through her confinement. (The witness was questioned pretty sharply concerning his visit to Nashua and his representations to the physician, he acknowledged that his statements were for the most part untrue.) I saw Mr. Baker that day. I did not ask Mr. Baker where Mrs. Harwood resided. I did not call on Mrs. Harwood in relation to an abortion. Mr. Taylor went up with me. I do not remember of seeing either Dr. Fieeman, Jones or Trevett, while in Wilton that night. Our first child lived about twenty-two hours. The child was in bed with its mother when it died. It was 12 o'clock at night. I did not notify any body in the house at the time I discovered the death of the child. (Some further interrogation followed concerning his other children.) I did not tell Harvey W. Taylor that my children died mysteriously. (Witness repeated former testimony concerning his occupation during the month prior to the death of his wife.) I understood that Mr. William Howard left his property to his wife. I never saw Walter A. Lovering to my knowledge before I saw him on the stand. I was introduced to J. W. White, who said he had seen me in his store. I said perhaps so, I had often been in Nashua. I did not purchase strychnia of Dr. Trevett in May before the June in which Ellen Lovejoy died. I never told anybody my wife died the same as Ella Lovejoy died. I never thought their deaths similar.

Re-direct by Mr. Sawyer.—Ella Lovejoy came home from school at New Ipswich before her death. I had been married seven months at the time of her death. Miss Taylor, a school teacher, occupied the room with her. She came home on Tuesday and died on Wednesday. I had returned when she was taken sick. I went to Milford with Miss Sara Howard twice to see about some money her father had in the bank. I don't remember going to East Wilton with her. She always paid for the team and me for the time. It was business.

I think Ella Lovejoy was not sick but fifteen minutes. I think one of the Dr. Dearborns of Milford was called, he did not arrive until after her death, she was in a room with a school teacher, the first I knew about her being sick was when a letter was received by my wife sometime before her death; Ella said she was sick and at her request my wife visited her at New Ipswich. I carried my wife over; then I knew of her being sick at the time she died when I heard her scream, the family went into her room, I understood that her death was caused by a cramp in the stomach.

Mrs. Lucy K. Blanchard called and sworn.—My husband had some fowl in the Lowell exhibition; he came home once during the show, a part of the fowls came back by express, I think Mr. Major told me so first at about 4 o'clock on the afternoon following the day the exhibition closed.

Cross examined by Mr. Clark.—Major was at my house the morning after my wife died, he said his wife had twelve fits—ten before and two the night she died.

Chas. F. Blanchard, of Lowell, called and sworn.—I saw Mr. Major on the occasion of the hen show—I saw him on the first or second day of the exhibition; my uncle, Gardner Blanchard, came the day before the show, I remember he was there the last day of the show and he stopped at my house that night, the next day he was about the hall and express office and I left to go home on the noon train.

No cross examination.

The defendant's counsel rested their case here.

REBUTTING TESTIMONY.

Dr. Henry Trevett of Wilton sworn.—I have kept an apothecary shop in Wilton since 1850. Major purchased strychnia of me five or six years ago, I made a record but my books were burned. He said he wanted it to kill foxes. When Ella Lovejoy died it occurred to me that I had sold strychnia to Major. I saw the record shortly after.

Cross examined by Judge Sawyer.—I said nothing about it until recently. It occurred to me that something was wrong. There were suspicions that all was not right with Ella. I had evidence of the sale, by my books, but no evidence that it had been used. I thought it time to make the facts known when an investigation was made. I attended Mrs. Major in her first and third confinement—both children are dead. At the time I left I saw nothing to lead me to believe that the third child would not live. When I returned it was in a dying condition, it had turned purple, had a bad smell and was feeble.

Mrs. Jane L. Harwood of Nashua called and sworn.—I am a clairvoyant physician. Mr. Major called at my house on the 19th of December and wanted me to examine a friend of his, and then he asked me, "Do you ever give anything when anybody is in a fit?" I asked him if he was a married man and he said he was not. He said he was not in a condition to marry. I can state positively that he is a man.

Cross examined by Mr. Sawyer.—I did inquire of a lady since this trial commenced "Where is he?" Witness didn't remember.

at the time of the trial I asked this question: "Where was the first day. The officers called and asked me to call at the City Hall and see Major. I had no recollection in the Daily Telegraph and knew that he was the man who called upon me. I never questioned the facts of the case."

Dr. Wood of Cambridge recalled.—There was no odor or symptom of camphor about the body of Ida N. Major. After death the muscles of contraction were much more rigid than in puerperal convulsions.

Cross examined by Mr. Sawyer.—The witness explained the different kinds of convulsions and their symptoms. In answer to a jurymen Dr. Wood said—Two grains of strychnia could not be administered to a person unless some deception is used. It might be given in water. Two grains would not be more bitter than one tenth of a grain because not more than one tenth would be dissolved, unless considerable time was given. It might be given in food, and would be less likely to be quickly detected.

Dr. Geo. A. Crosby of Manchester called and sworn.—The witness had seen three cases of strychnia, and several cases of puerperal convulsions, also some cases of camphor poison. Dr. Crosby explained at length the symptoms of the various convulsions mentioned. In this he did not differ materially from Dr. Wood. In answer to the hypothetical question, mentioned in connection with Dr. Wood and Moore's testimony, he answered the same.

Cross examined by Judge Sawyer.

Dr. E. B. Hammond of Nashua called and sworn.—In answer to the hypothetical case Dr. Hammond answered as other physicians.

Dr. E. F. McQuesten recalled.—We found no indication of camphor when the stomach was opened in Boston. Dr. McQuesten answered the hypothetical question as others had answered it.

Mr. Harvey A. Whiting of Wilton called and sworn.—We run a milk train to Wilton leaving Nashua at 2.30. (Mr. Whiting's evidence was to show that at the time Major went home from Dr. Wood he might have stopped in this city from the time the passenger train arrived, 1.35, to the time the milk train left Nashua for Wilton, 2.30, and yet been in Wilton, as shown in the evidence, shortly after 4 o'clock.)

Deputy Sheriff E. P. Brown called and sworn.—I think Mr. Major desired to see Mrs. Harwood.

Evidence closed on both sides.

At 6.30 adjourned to 9 o'clock Saturday morning.

SATURDAY—SIXTH DAY.

The court came in at 9.13. The high sheriff made the usual proclamation.

The attorney general stated that about 8 o'clock he had discovered an important witness and asked for a reopening of the case to submit the testimony of Mr. John McKay, the conductor of the milk train.

Mr. Sawyer objected.

An argument followed in which Mr. Clark and Mr. Sawyer participated.

The court did not feel justified in opening the case.

Hon. Geo. Y. Sawyer's Summing Up.

Judge Sawyer then proceeded with his argument. Counsel felt that a great responsibility rested upon him and was overwhelmed with the importance of his utterances. He spoke of the intensity of the feeling of the people of Wilton against the prisoner and argued that the facts had been distorted and twisted to convict Major. The witnesses themselves were unconscious of such feelings and there was nothing morally wrong in their conduct. He hoped the jurors would be governed by a full sense of their responsibility. Under such responsibility he did not believe they could consign the respondent to the ignominious death of the gallows. The jury cannot convict unless the government remove all reasonable doubt, every step in the prosecution must be proved. If there is any failure to prove one connecting fact then the prisoner must go free. The counsel referred to the family relations of the respondent and claimed proof that they lived a life of harmony, without jar, collision or unkind act, he dwelt at length upon the deportment of the prisoner to his wife and discussed the evidence bearing on this point. Judge Sawyer next discussed the relation between Major and Sarah A. Howard, and submitted that there was no proof, or approximation to proof, that she furnished any motive for him to have committed the deed with which he is charged. He recited the facts of the testimony showing why the visit to Temple was deferred until the evening, and for what purpose the visit was made. He also analyzed the matter of Major taking his wife to ride and also the business which took him and Miss Howard to Milford and East Wilton together. This, he claimed, was the only connection that furnished the motive for the commission of the crime. No proof of intimacy between Major and Miss Howard was submitted and counsel for the state had said they did not know where the woman was, when, in fact they did know where she was or they could not have furnished Major with the name of the physician at whose house she was, and is stopping. It will not do to consign Major to the gallows on the supposition, on the possibility, or the belief that this woman furnished the motive when no motive whatever has been found. The only idea to be considered is "Such things do occur and may have occurred here." Suppose there was a criminal connection between them, then it could not be presumed he had motive great enough to murder his wife. Moreover, had he thought of murdering Miss Howard he would not, it is not natural, have stated voluntarily "what is to come of my children?" Human nature speaks the truth under circumstances that call for it and never lies. In concluding this point of his argument he predicted that the ingenuity of man, or the fairness of the law, as put on record, cannot make a motive of the slightest degree according to the facts submitted in evidence.

Counsel believed that the respondent had been unfairly dealt with in the fact that there were no grounds for suspecting this man. The post mortem was expert, with a view to manufacture evidence behind his back in the dark, and the life of this man is at rest upon the oath of this one man Dr. Wood. The fact that he is a professor in Harvard gives him no character in my view, for Harvard professors have been hung before now. He thought it safer to follow the opinion of the venerable Dr. Perry than that of Dr. Wood. Dr. Wood was entitled to no consideration, for he came as a chemist, not as a practical physician. He had no confidence in Dr. Wood as an expert. He severely criticised the post mortem examination of Dr. Dearborn and McQuesten, made in two hours of lamp light, when, as Dr. Moore had stated, two hours of day light should

have been consumed. The prisoner should have been represented at the post mortem, to the credit of the monarchical government of the State. It is a proper question to ask, Mr. Sawyer inquired, if the government of the State was so much in haste to condemn the prisoner to death, why did they not take the time to take the view to the fact and therefore it was understood that a Dr. Wood was young and ambitious and had simply sailed with the current of Wilton. Like Dr. Perry the counsel was skeptical of chemical analysis. He gave his reason at length saying the advances made year after year in chemistry are such that what is truth to-day is falsehood to-morrow—innumerable cases might be cited. This person's life should not therefore be taken at the mere say so of Dr. Wood—a stranger of whom the jury knows nothing.

The prisoner is accused of no common crime, if crime it is, and therefore the jury takes a great responsibility. If Major has murdered his wife he has murdered her sister and his own children. If the story of Dr. Wood is correct, that in the stomach of Mrs. Major two grains of strychnia were found, she must have taken three or four grains. It should have been the humane purpose of the government to have had an experienced chemist at his side who would have acted in the interest of the accused. The public therefore should not be satisfied with the word of one young and ambitious professor where the life of a citizen is concerned. Mr. Sawyer argued that Dr. Wood was employed to find poison and he found it, to which the counsel said, "Nail him." Counsel then proposed to analyze the testimony of the physicians relating to the symptoms of puerperal convulsions, also in strychnia convulsions, and comparing them with the testimony concerning the manner of Mrs. Major's death, drew favorable conclusions to the prisoner.

Mr. Sawyer asserted that the people of Wilton had come into court with exaggerated stories and told them as strong as possible against the prisoner. They had told how Major was running from place to place telling stories about his wife and thereby preparing the public mind for a sudden death. This he presumed would be asserted as evidence of premeditated murder by the counsel for the State. Many of these facts stated by the witnesses were held up to ridicule, particularly that of young Blanchard who testified that he called on Major at 5 o'clock Sunday afternoon when Mrs. Major answered his rap at the door and shortly after she returned to the house Major came out and said his wife was just alive. Counsel believed the people of Wilton had magnified the facts by making them over among themselves. One had said, "He told me she ate a quarter of a pound of camphor," and another, "Why he told me a pound," and so on until every man and woman had a story against the prisoner which he or she firmly believed.

Mr. Sawyer next considered the matter of the suspicion concerning the death of Ella Lovejoy. The evidence shows that she was sick at New Ipswich a week before her death and was visited by her sister Ida. Counsel severely criticised the testimony of Dr. Trevett, saying that if he sold strychnia as stated he was a scoundrel for not disclosing it. The story was absurd and he urged the jury not to give it undue estimate in determining their verdict. He thought it absurd that a man should purchase strychnia to kill foxes in the spring when as every man knows fox skins are worthless except in the fall.

Upon the facts in this transaction Mr. Sawyer dwelt at length, and made it appear that the strychnia was purchased for the purpose Major says it was purchased for, and with the knowledge of Mr. and Mrs. Lovejoy who had not testified that it was not so or that they had no memory of it. The Judge did not think Dr. Trevett a scoundrel, but, sharing in the excitement in Wilton, was mistaken.

Mr. Sawyer believed that Major's story concerning the conversation on the road with Taylor was the most natural. No testimony is so unreliable as that comes out of excitement, therefore the counsel cautioned the jury that too much weight should not be given to any particular evidence although given under oath. Mr. Sawyer adverted to the scene attending Mrs. Major's death and spoke at some length and with great earnestness.

Mr. Sawyer next considered Major's deportment the week prior to his wife's death. He claimed that the respondent informed Mr. and Mrs. Lovejoy of Ida's condition on the Tuesday before her death. He could not have said she had got to die or told a greatly exaggerated story, for Mr. and Mrs. Lovejoy made no haste, neither did Mrs. Parkhurst the sister, as they most likely have done had he said what is attributed to him. To have poisoned his wife he must have known the effect of strychnia and had he known it he would not have furnished proof against himself on Monday by calling Mrs. Spalding's a tenton to th manner in which her toes were curled up and expressed a desire to straighten out her fingers before the funeral. He challenged the Attorney General to put his finger upon any act that showed he administered poison to his wife. Would a man have been likely to have said, as testified by one witness, while standing over the dead body of his wife, and after having found a portion of the camphor which he had supposed killed her, "I wish I knew the cause of her death." It would not be human nature in a man who had a great crime to conceal.

The counsel proceeded at length in analyzing and discussing points of the evidence and said a verdict of guilty, unless impossible to construe the facts otherwise, should not be given. If on the other hand the facts are consistent with innocence on another theory, prisoner should be acquitted.

SATURDAY AFTERNOON SESSION.

The court came in at 2.10 High Sheriff Pierce made proclamation.

Attorney General Clark's Argument.

The Attorney General spoke of the grave responsibility and burden of inconvenience the court, counsel and jury were called upon to bear in the administration of justice. The state asks nothing but justice that all its citizens may be protected in their lives. New Hampshire seeks no man's life, it only seeks to protect every man's life. We are therefore to "truly try and true deliverance make," regardless of future consequences. It is not only time and eternity with the prisoner, but time and eternity with the citizens of New Hampshire.

The State counsel then reviewed the circumstances connected with Mrs. Major's death and the conduct of the prisoner towards his wife in their married life. All the witnesses have been careful to say I never saw anything out of the way in his treatment of his wife. A look is sometimes a cause of deeper grief than a blow.

The counsel for the state admitted that excitement did exist in Wilton, "but who

ministers and selectmen and the best citizens of a town are alarmed, it is time for the gentlemen of the jury, to seriously inquire into the cause, the reason." Reference had been made to the newspapers. He thought the press all right and judged that no member of the jury had been unduly influenced by them; otherwise they would not be on the jury.

Mr. Clark next spoke of the motive. No man can conceive a motive sufficient to urge a man to commit the crime with which the prisoner is charged. "All he asked was that the jury should not be misled by the counsel for the prisoner. He married because he was compelled to marry—a child was born. It was a healthy child—it died. Time passed and the facts are known. He became tired of her. Miss Howard was in the same condition that his wife was in when he married—and the sequel was the same as in the first instance when Ella Lovejoy died. The prisoner was continually with Sara Howard. The counsel commented at length on Major's conduct during the months he was employed at the Howard's."

The State Counsel submitted that according to the evidence Miss Howard was in serious trouble and was to be relieved in one way or other and under these circumstances he prepared the way which resulted in the death of his wife. Mr. Clark claimed that Major stopped in Nashua on his way from Lowell, purchased strychnia at J. W. White's drug store, and continued to Wilton on the milk train. Mr. Baker met him here and recognized the coat he wore and which the respondent admits that he did wear at the poultry show. Lovering, the druggist's clerk, gave a description as complete as a photograph.

The next point discussed was the connection with the medical books, purchased by Major, had to the death of Mrs. Major. Mr. Clark claimed that the books were purchased with a view of obtaining information whereby he could give a proper excuse to the public on the death of his wife. It was strange all those spasms were in the night and when Major was at home, if he told a true story of his wife's condition; strange he did not call his nearest neighbor when she was in these spasms; strange he did not call a physician; that he did not engage a physician and nurse to attend; strange, considering he told several persons the fetus had been dead four weeks, that he was not now alarmed. Why did he pass by the Wilton physician whom he knew to go to Nashua to consult whom he did not know?

After an analysis of the object of Major's 19th of December visit to Nashua Mr. Clark affirmed his belief that the inquiries made concerning how to procure an abortion was to save Sarah Howard from the results of July 22. To the honor of the medical profession of Nashua all refused him. Nothing then remained but to sacrifice Mrs. Major. The time was short. He prepared the public mind as quickly as possible, and the truth escaped his lips for once when at five o'clock Sunday he told young Blanchard that Mrs. Major was just alive. The poison was doubtless then doing its work. "Could she have purchased it herself?" "The prisoner says she could not unless some of the people of Wilton procured it for her. Does any one believe they did?"

The Attorney General then considered the testimony of the medical experts and claimed that there was uniformity of opinion. All answered the same to the hypothetical question. Dr. Perry, Eastman and others exploded the matter of camphor gum. The symptoms are not like those with which Mrs. Major died and moreover the patient always vomits. Counsel said "God knows, I have no desire to distort the facts. If the prisoner is innocent let him go."

Mr. Clark took exception to the utterance of the counsel for the prisoner in his remarks concerning the medical experts and defended the position taken in the matter of the post mortem and chemical analysis. The prisoner had been treated with all fairness. A Boston chemist, furnished at the expense of the State, sat by the respondent's counsel when Dr. Wood testified. If there had been an error it could have been detected.

Mr. Clark argued other points in the testimony with great ability and earnestness, and in conclusion made a strong appeal for justice—for the supremacy of the laws of the State if the jurors are satisfied with the guilt of the respondent beyond a reasonable doubt.

As we go to press the judge is delivering his charge to the jury at 4.15.

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AMOS BOOTH.

Witness, O. C. Moore.

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