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**GUILTY OF MURDER**  
**WEEDMARK WILL HANG**

Sentenced to Death by Rope on Dec. 14th, for Murder of Wife

**AN UNHAPPY TALE**

The trial of Rufus Weedmark of Smiths Falls for murder of his wife Kate there on April 30th came to an end Wednesday afternoon. The case was given to jury at three thirty and at quarter past four, jury returned with unanimous verdict of guilty of murder. Weedmark received verdict with stoical indifference. Indeed, this trait of character was in evidence all through trial. There was not a quiver, not a sign of emotion even when his own daughter was swearing his life away, and she herself did not seem to appreciate the meaning of filial love. Although but fourteen, she told the story of the sordid details, like one upon whom great notoriety was thrust. The Weedmark murder differs in many respects to recent trials in this province. There was no uncertainty about this case. The prisoner admitted it, and boasted openly of it within a few minutes after committing deed. The defence was therefore made difficult, but Weedmark's case was handled with a good deal of skill by C. J. Foy, who exhausted every means possible to lessen charge to that of manslaughter. The defence was that Weedmark was angered while drunk by his wife hurling teapot at him and hitting him.

The crown contended the murder was premeditated, and as a matter of fact it was. Weedmark wanted revenge on wife for sending him to Central Prison, and took it and boasted of it.

Mr. Foy, in an able and eloquent address to jury, pleaded for mercy for prisoner, on ground that drink changed Weedmark into irresponsible demon.

His Lordship in sentencing Weedmark to be hanged on Dec. 14th, said he was not in any way dissatisfied with verdict.

**GRAND JURY SWORN.**

The grand jury empanelled were:—W. G. Cherie, Robt. Davidson, Jonathan Francis, Thos. Greer, Thos. Hoisie, J. R. McDiarmid, Chas. O'Reilly, F. R. Oliver, W. J. Pink, J. M. Quinn, Robert Smith, Thos. Sharpe, Jas. Watt. W. J. Pink was chosen foreman.

His Lordship then addressed the grand jury, stating that their duties would be important but short. The only criminal case to come before them was the most serious in the calendar—that of murder. The facts in the case are short and pointed. The man charged laid violent hands on his wife, taking her life, "and the moment you come to that point in the evidence to be put before you, it is your duty to bring in a true bill," said his Lordship. Then the prisoner will be tried by a petit jury. You will also visit the public institutions, and report on matters as you may think fit.

The case of the Can. Elec. & W. P. Co. vs Perth was allowed to stand over, the plaintiff having the right to bring on the action in any other court adjacent.

While the grand jury were out, the case of the Dom. Imp. & Development Co. vs Lully was started, G. H. Watson, K. C. (Toronto) and C. J. Foy for plaintiffs' company, and H. A. Lavell (Smiths Falls) and H. A. Chadwick for defendants. The company is claiming damages and title. Some of the damages wanted are: prospective crops, \$100, tearing down fence \$25, tearing down fence a second time, loss of garden crops, value of wood hauled away, \$125.00, loss in sale of mica and feldspar and mines closed down since a year ago last May.

The grand jury after five o'clock, after being out about an hour, brought in a true bill against Weedmark for murder.

The prisoner was then brought in chained. He was arraigned and in response to the question how he pleaded, stated "guilty," but his counsel, Mr. Foy rising to his feet as the prisoner answered, pleaded not guilty. The trial was set for ten o'clock Wednesday morning.

Court opened at ten, and the first case taken up was that of the Crown vs. Weedmark for murder. The prisoner was brought in, looking quite refreshed, and neat in a black suit, with collar and tie. This time his entry was made to the court, without being chained.

The jury empanelled were Watson, Acton, Arch. McNeill, Allan Ruttle, James H. Clynne, Daniel Geddes, Wm. Cannon, John McArthur, Neil McDonald, James Griffith, Robert Forde, Geo. Kertoot and Wm. H. Duncan.

It required three panels before the jury were selected. Mr. Foy, counsel for the prisoner, challenged twenty—the full number permitted, and the crown asked one to stand aside.

Mr. DuVernet, crown prosecutor, then opened the case, laying the facts before the jury on which the crown based its case. During the recital of

these facts, the prisoner sat stolid and without a sign of emotion.

While Mr. DuVernet was presenting his case, the doors were opened to the public, and much to the annoyance of the court the crowd rushed in and filled all available seats. His Lordship had to direct frequently that the door be closed, but it was some minutes before this could be done.

**FIRST EVIDENCE TAKEN.**

Dr. C. L. B. Stammers, of Smiths Falls, medical practitioner there for ten or eleven years, was called in at four o'clock in the morning of Saturday, April 30th. Prisoner was standing in the small living room downstairs. He saw Mrs. Weedmark lying on lounge, took her pulse and there was no pulse. She was dead. Her body was warm. Witness said, "this woman is dead," and asked Weedmark how long she had been like this. Weedmark didn't answer for a few seconds, and said: "I did it Doc. Didn't I make a good job of it doc? eh?"

"She wouldn't send him down any more, her and other neighbors telling lies about him."

Witness examined body of woman and found slightly livid mark on left side of windpipe and several on other side. Before he left, they became darker. The cause of death was strangling by external violence.

Cross-examined by Mr. Foy, he stated there was no trace of alcohol in body. The Weedmark family was anything but a happy one.

**DEPicts THE ROW.**

Alexander McLachlin, machinist, a resident of Smiths Falls, saw prisoner shortly after ten o'clock on the night previous. Heard the row in front of the prisoner's house, stopped to hear them chew the rag. Weedmark was standing in the door with wife outside on step. Weedmark was telling her he would run the house. He put his hands on her neck and tried to push her off the steps. Witness interfered, and told him he was a coward. A boy started for the chief, and Weedmark a minute or two later left the house and walked away. Weedmark told his wife he would run the house and show her. She said, "she had to support the family and wished he would stay away. He was always raising a row when he came around." Weedmark complained to his wife that she had sent him up for six months.

Cross examined by Mr. Foy. Both were scolding back and forth. The woman was scolding as well as Rufus. He couldn't say if Weedmark was under the influence of liquor. He was not staggering in his walking.

**WEEDMARK'S DAUGHTER TESTIFIES.**

Evelyn Weedmark lived at home with mother with two other sisters Vina and Ella. She was fourteen in September. She remembered night when mother was hurt. Went to bed late. Father was lying down on sofa with mother in living room and sent them upstairs. Heard mother yelling, and run downstairs, saw father with one hand on throat and other on nose. This was about four o'clock in the morning. "I tried to pull father off, and he told me to stop."

Between ten and eleven, the night before, her father went out to kitchen for a baseball bat and was going to hit her mother with it. He took hold of mother then.

**WITNESS IS CROSS EXAMINED.**

Cross examined by Mr. Foy—witness narrated very fully some details of the movements of various members of the family on the Friday before. That night her father had been drinking and was pretty near drunk. Her mother came home a little after six from Wiseman's and remained for awhile. She went over to Mrs. Gilligan, then to Mr. Herb Allan's, a contractor. Father had accused mother of being bad with Mr. Allan's son Amos. Mrs. Gilligan went with her. After that took place, she was away about half an hour, staying at Gilligan's. Father came over to Mrs. Gilligan's, and started to call mother names. Mrs. Gilligan's brother, Frank Wilson, told him to stop. Witness saw no drinking. Wilson got out of Smiths Falls the next morning after the tragedy. She was not sure that Wilson was at their place afterwards. Mother didn't send witness over to Gilligan's for Frank Wilson. Father was chewing, and mother chewing back. This was a common occurrence, when father was drinking. Her mother could take her glass, and took it. And this made the unhappy home. When father wasn't drinking he was good to all, except on one occasion.

Witness fixed the time as after twelve o'clock when her father ordered the girls upstairs.

On one occasion when father wanted witness to go to Mr. Nicholson's for a saw, mother wouldn't let her and there was a row. Mother then fired a teapot at father. Mother had father sent to Central Prison.

Re-examined by Mr. DuVernet—mother got him out two months afterwards and father choked mother till blood flew out of mouth and nose.

To Mr. Foy—But they were chewing the rag.

**INCrimINATING EVIDENCE.**

Mrs. Gilligan, carrying a young baby, was next witness. Weedmark came for witness after the murder. He said: "Come over and take care of the dead."

She said: "Surely not."

"Yes, I killed her. I meant it and

done it." Witness went over to house and found Mrs. Weedmark on the lounge.

Cross-examined by Mr. Foy—The family was not a happy one. Weedmark would get full once in a while. Mrs. Weedmark would take a glass of ale, but not to go any further. She did not neglect her home. Mrs. Weedmark went to see Mr. Allan. She told witness she went there on business as Weedmark had accused her of being wrong with Mr. Allan's son Amos. Mrs. Weedmark saw Mr. Allan, and witness heard Mrs. Weedmark cry. All had been at her house that night, and drank beer but there was not enough to go round more than once.

**WEEDMARK TALKS TO NEIGHBORS.**

James Handyside, laborer, lived in the other half of the house. About five minutes to four, he heard Weedmark tell children to go to bed and then a few minutes afterwards heard Mrs. Weedmark screech, and the children ran out yelling that "Father was murdering ma." Witness went into house as Weedmark was going to Mrs. Gilligan's and found Mrs. Weedmark dead. Prisoner later said to witness: "James, isn't that the way to do it? Do it right and be done with it." Witness just heard one scream.

Cross-examined by Mr. Foy—Witness had troubles of his own that night. There was a birth and his wife and baby were sick. The time Weedmark sent children upstairs was 10 or 5 minutes to 4 in the morning.

Florence Dowdall, sister-in-law of last witness, corroborated this evidence adding that Weedmark said to Evelyn: "If she did not run away, he would do it to her."

**WEEDMARK WOULD TALK.**

W. H. Coyle talked of tragedy with the prisoner going to station. Prisoner remarked on crowd, being long time that there was such excitement before. Prisoner told witness he "had thought it over for quite a while and made up mind to kill her. She wouldn't get chance to send him to Central again. He had done a good job."

He complained his wife was not true to him. Witness said to him that that did not justify him to kill his wife, but prisoner said he didn't have enough money to get away. Witness replied: "he could walk away anyway." The prisoner was talking rationally.

Dr. Hogan gave post mortem examination. This closed the case for the crown.

**WEEDMARK CALLED.**

Rufus Weedmark, the prisoner, was teen called in his own behalf. He is 54 years old, and a resident of Smiths Falls 40 years. He was twice married. His first wife died fourteen months after their marriage. Witness had been married to his second wife for twenty years. Coming to the day of the tragedy, Weedmark swore he had drunk about three pints and a half liquor between four in the afternoon and nine at night. His movements were frankly admitted. Then in the evening about nine o'clock when his wife came home from Wiseman's she asked prisoner to get her a drink of whiskey. Prisoner swore he refused to get her whiskey, because he was too drunk himself already. Then his wife swore at him: "— your soul, you can get it for yourself." Frank Wilson came over with some whiskey and they all had a drink. His wife kept chewing and made him mad. Then both got chewing the rag and witness told her if she didn't go away and leave him alone, he would slap her mouth. Later in the evening prisoner saw his wife drinking at Mrs. Gilligan's. Then the children and he came home together, and his wife a little later. Weedmark and his wife sat on the doorstep about eleven o'clock. Frank Maloney came along and gave them each a drink out of a flask. Both of them were drunk. They fell asleep in the sitting room, his wife sleeping on a chair. He woke up about half-past two and ordered children upstairs. He asked his wife to get him a drink of water. She told him "to go to hell and get it." He replied that "she was pretty damn stiff and stinken," and went round the table and got it himself. She then picked up a teapot and threw it at him and out him on the shoulder. Before this he had intended to leave his family, and tried to get money from his brother who was away.

**WEEDMARK WAS ENRAGED.**

When his wife threw the teapot at him, he swore he was so enraged that he caught hold of his wife and choked her to death. "I lost my head altogether, and I didn't realize it until Evelyn stood in the doorway and said 'Evelyn, you're killing ma.' I put her on the lounge and went over to Mrs. Gilligan's and said 'I had killed Kate.'"

"When I grabbed her, I had no intention of killing her. I was drunk and didn't know what I was doing. I am sorry for it both for the children and myself. There would never be any rows until there was whiskey around. My wife had struck me with teapots before. Once just before she had me sent to the Central Prison, she struck me on the head with a teapot, and knocked me off a chair. My wife had a violent temper."

Then witness hinted at the nonchalance of his wife. He never caught her doing anything wrong, but had found her in compromising positions. Five years ago she was caught in a house in Perth drinking beer with a man. Within twenty-four hours after they were

(Continued on page 4.)

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