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# TRIAL

—OF—

**Dr. Valorous P. Coolidge,**

FOR THE MURDER OF

**EDWARD MATHEWS,**

AT WATERVILLE, MAINE.

(As Reported for and published in the BOSTON DAILY TIMES.)

## SUPREME JUDICIAL COURT OF MAINE.

EZEKIEL WHITMAN, Chief Justice.

ETHER SHIPLEY, } Associate Justices,

SAMUEL WELLS, }

Augusta, March 13th, 1843.

INDICTMENT.

STATE OF MAINE.

KENNEBEC SS.

At the Supreme Judicial Court of said State, begun and holden at Augusta, within and for said county of Kennebec, on the first Tuesday of October, in the year of our Lord eighteen hundred and forty seven—

The jurors for said State upon their oath present, that Valorous P. Coolidge, of Waterville, in the county of Kennebec, aforesaid, Physician, at Waterville, aforesaid, in the county of Kennebec, aforesaid, on the thirtieth day of September, in the year of our Lord one thousand eight hundred and forty seven, with force and arms, in and upon the body of Edward Mathews, then and there in the peace of said State being, feloniously, wilfully, and of his malice aforethought, did make an assault, and that he the said Valorous P. Coolidge, with a certain stick of wood, which he the said Valorous P. Coolidge then and there in his right hand had and held, the aforesaid Edward Mathews in and upon the head of him the said Edward Mathews, and near the top thereof, then and there feloniously, wilfully, and of his malice aforethought, did strike, penetrate, wound, and fracture giving to the said Edward Mathews then and there with the stick of wood aforesaid, in and upon the head of

him the said Edward Mathews, and near the top thereof, one mortal wound, bruise and fracture, of the length of three inches, of the width of two inches, and of the depth of one inch, of which said mortal wound, bruise, and fracture, he the said Edward Mathews, then and there instantly died; and so the jurors aforesaid upon their oath aforesaid do say, that he the said Valorous P. Coolidge, then and there, him the said Edward Mathews, in manner and form aforesaid, and by the means aforesaid, feloniously, wilfully, and of his malice aforethought, did kill and murder, against the peace of said State of Maine, and contrary to the peace of the statute in such cases made and provided."

Three other counts in the indictment, and those on which it is supposed the government will mainly rely, charge that Valorous P. Coolidge, administered Prussic Acid to Edward Mathews, from the effects of which he died; the second count that Coolidge mixed the Prussic acid in a glass of brandy, and presented it to Mathews to drink; the third that Coolidge persuaded Mathews to drink the poisoned brandy, and the fourth that Coolidge put poison into the brandy, which he knew Mathews was about to drink.

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As will be observed the indictment is framed in the usual form, and covers all the possible modes of killing which could have been imagined by the Attorney who drew it up. There is a very general impression here, that the accused will be convicted, and from what I can learn there seems to be a prejudice in the public mind against him—a prejudice which to a great extent exists where the real facts of a case are unknown, and where rumor's thousand tongues find as much employment as in country towns and villages.

The Judges of the Supreme Court will sit on the trial, with the exception of Hon Mr Tenny, who, it is supposed, will not be present. Hon Samuel H Blake, of Bangor, lately appointed Attorney General, will conduct the case in person, and be assisted by Lot M Morrell Esq of this town, a gentleman of much reputation hereabouts as a skillful Attorney. That the accused will be ably defended, there can be no doubt, as Hon Geo Evans has the management of the defence, and is to be assisted by Edward Noyes Esq of Waterville, a gentleman who, it is said, has been quite successful in the practice of the law.

AGUSTA, ME, March 14 1848.

The Trial of Doctor Vatorus P. Coolidge, for the murder of Edward Mathews, at Waterville, Maine, on the thirtieth day of September, 1847, as charged in an indictment containing four counts, commenced today.

1st. For the murder of Mathews by striking him on the head with a stick of wood.

2d, 3d and 4th. For committing the murder by administering Prussic acid to Mathews in a glass of brandy,—from the effects of which poison he died. The three last counts in the indictment charged murder by poisoning with Prussic acid in different forms.

EZEKIEL WHITMAN, Chief Justice; ETHEL SHIPLEY and SAMUEL WELLS, Associate Justices.

Hon S H. Bake, Attorney General, and Lot M. Morrell, Esq, Counsel for the Government.

Hon George Evans and Edward Noyes, Esqs, Attorneys for the Defence.

The trial of Dr Coolidge is in progress at the Rev Dr Tappan's Church. The Court met at the Court House of the County, but finding it altogether too small to accommodate the large number of persons desirous of hearing the trial, immediately

adjourned to the church, and the future sessions will be continued there until the case shall have been disposed of. The church is a very large one, capable of containing, perhaps fifteen hundred persons, yet it was filed the moment the doors were thrown open, the galleries principally with ladies.

The prisoner, when brought into Court appeared calm and collected. His face exhibited signs of health, and I observed none of that paleness or the wrinkles which it was said a few weeks had brought upon his face and brow. He was dressed with scrupulous neatness, having on a black frock coat, black pants and vest. His appearance is that of a young man, say about 25 years of age, evidently a man of the world, but one who has been accustomed to the better classes of society. His face bears strong marks of intellectual activity, and one would at once imagine his habit to be thoughtfulness and deep study.

THE JURY.—A large number of persons were called and empanelled. The following compose the jury as organized:

Francis F Haynes, Joseph B Allen, Hiram Averill, Brown Baker, Jonathan Clark, Daniel Cunningham, Oren Dowst, David Elliot, Isaac Farr, Harrison Gould, Wm Green, and Harrison Ham.

Francis F Haynes was appointed Foreman.

Each juror was examined and sworn separately, and every point which could be brought to bear against the competency of the persons offered, carefully discussed, by the attorneys and examined by the Court before a decision was rendered. In the case of Theodore C. Allen, who declared he had formed no opinion as to the innocence or guilt of the accused, but who had read some of the newspaper reports of the primary examination, authorities were examined touching the latter ground of incompetency. The juror, however, being peremptorily challenged by the prisoner, he was set aside without a decision being had on the original ground. Thirty nine were examined before the board was filled.

The indictment was then read to the prisoner, to which he pleaded Not Guilty—as on a former occasion—in a decided tone of voice.

The witnesses for the government were then called, and left the room in charge of an officer.

MR. MORRELL'S OPENING ARGUMENT FOR THE PROSECUTION.

May it please the Court and Gentlemen of the Jury:

The offence with which the prisoner at the

bar stands charged, is one of the most important known to the laws. In approaching an examination and enquiring into it, your duties and responsibilities are corresponding to the magnitude of the crime charged. I need not press upon your attention the solemnity, dignity and importance of your office. You are selected to maintain the public laws by convicting the guilty or acquitting the innocent. The oath that has been administered to you contains an epitome of the duty required of you,—as the guardians of the public peace, and of the rights of the prisoner. You are to try the issues presented to you unaffected by any motives but those which should influence conscientious and rational minds. You are to examine the question of the innocence or guilt of the prisoner, without fear, favor, affection or hope of reward, on the one hand, and without the prejudices arising from hated envy or malice on the other.

The crime of which the prisoner is indicted, is murder of the first degree. The statute of your State, in concise and appropriate language, defines the crime of murder (Rev. Stat. ch. 151, sec. 6) "Whoever shall unlawfully kill any human being with malice aforethought either expressed or implied." Sec. 2d defines what constitutes murder in the first degree. "Whoever shall commit murder with express malice aforethought, or in perpetrating or attempting to perpetrate any crime punishable with death or imprisonment in the State Prison for life, or for an unlimited term of years, shall be deemed guilty of murder in the first degree." By section 4th it is made the duty of the jury "Upon the trial of an indictment for murder, if they find the defendant guilty, to inquire and by their verdict ascertain whether he be guilty of murder of the first or second degree."

I have said the prisoner is charged with murder of the first degree, and you will perceive according to the statute I have read to you, in order to sustain this charge, the government must satisfy you that the murder was committed "Either with express malice aforethought, or in perpetrating or attempting to perpetrate," &c (see sec. 4th). The Government assume that the murder was committed "with express malice aforethought."

To render more intelligible to you the statute definition of the crime of murder, it may not be improper that I should explain to you the legal import of the term employed in the statute, "Express malice aforethought."

"Whenever the law makes use of the term 'malice aforethought,' as descriptive of the crime of murder it means simply this: a settled purpose or formed design to do the act 'Malice aforethought' is deliberate premeditation, (2d Chit Cr. Law, 785-4 Bl Com 199)—and the length of time during which the thought of committing the deed is immaterial, provided that in fact he had entertained such thought.

When, therefore, murder has been committed, according to a settled purpose or design, it is in law said to be done with malice aforethought; and whenever murder has been committed according to a formed design or purpose, and such formed design is indicated by external circumstances, showing an intent to do the act,

it is said to be done with express malice. (Russell on Crime, 41)

You are then to inquire and by your verdict ascertain whether the prisoner murdered the deceased, and if so, whether he committed the act in accordance with a settled purpose or design to do it. If you shall so find, he is then guilty of murder with malice aforethought, which is murder of the first degree. The principles of evidence applicable to this prosecution are equally plain.

Entering upon the introduction of evidence on the part of the government, it is admitted to be a settled principle of law that in proportion to the magnitude of the crime charged, is to be the care and caution of the jury, with respect to the nature and amount of testimony necessary to procure conviction. But while you regard this as a pertinent rule of evidence, you must remember that your oaths require you to listen and decide impartially, unflinched by sympathy or prejudice. The burden of proof is on the government. Before you can be called upon to convict, all reasonable doubts of the guilt of the prisoner must be removed from your minds. The presumption of law is, that you have formed no opinion as to the guilt or innocence of the prisoner, who is entitled to the presumption of innocence until found guilty. But while you will faithfully regard these cardinal maxims of the law, you will also bear in mind that it is a provision of these maxims, if from compassion, sympathy, weakness or other improper influences you allow the prisoner to escape because he may possibly be innocent, when by the law and the proof, the probabilities of his guilt are certain.

You are to expect and demand satisfactory proof, and what in law is considered full proof, is that measure of evidence which satisfies the mind of the jury of the truth of the matter charged, to the exclusion of all fair and reasonable doubts. You are not to expect absolute mathematical or physical certainty. This in all judicial investigations is utterly unattainable, and is not required.

When the proof is full and clear, for the jury to acquit upon light, trivial and fanciful suppositions and remote conjectures, is a virtual violation of their oath of office, and is no trifling offence against the best interests of society, to the hindrance of public justice and to the encouragement of offenders.

In this, as in all like prosecutions, a portion of the testimony will be that denominated in law circumstantial facts, although the government may not be able to produce and put upon the stand a witness who saw the prisoner administer the fatal poison; we shall prove other distinct facts, and which facts shall be so connected with the fatal fact that by their own natural force, they will irresistibly produce conviction upon your minds that the individual connected with these latter facts must have been the guilty agent.

The secrecy with which crimes of a flagrant character are generally committed, is such as renders detection and proof of the overt act quite impossible; and yet there is such an intimate coincidence in events, that no event of moment can possibly happen without involving circumstances of such conclusive tendency as

books. All of this being arranged, deceased, on Thursday, received a note from the prisoner to meet him at his office at 8 o'clock in the evening, for the purpose of closing up the agreement.

Having detailed to you the proof that a murder has been committed, the manner in which it was done, and the prisoner's motives, objects, money and the opportunity of doing it, and his seeking the measures and opportunities, there is another species of proof to which I propose to turn your attention, and to which the law attaches the utmost importance, viz: the conduct and declarations of the accused after the murder, and when it is known to him that he is suspected. The law scrutinizes the conduct of the accused so critically that it is made a presumptive proof of either guilt or innocence. And that conduct is an attempt to avoid suspicion by concealing evidence of his guilt—by fabricating false and contradictory statements—by the destruction and removal of proofs tending to show who was the offender. These are such artifices as are commonly according to experience and the maxims of law, resorted to by the guilty. We shall show you not only that the prisoner has attempted to conceal the evidences of his guilt—not only has he fabricated false and contradictory statements, but that he repeatedly attempted to suborn witnesses to testify for him.

When before the inquest, the day after the murder, he denied that he had attempted to negotiate money with any one, when he had in fact been in negotiations with Gilman & Gray. He denied that he had an arrangement with the deceased for money. We shall show that he had. He denied that he wanted an interview with the deceased on Wednesday. We shall show you that he sought an interview,—visited him in the street, and had such interview with him that night in his back office. We shall show you that when he knew that John Mathews had said he wanted money of deceased for speculative purposes with J. Potter, he went to George Gilman, of whom he had attempted to negotiate money professedly for the same purpose, and by offers of large sums of money and other inducements, endeavored to persuade him to go before the inquest and state that he had not wanted money of him. That he attempted to induce Gray to do the same thing. That when before the inquest he stated that he let deceased have two \$100 bills on the night of the murder, and not being able to show where he got but one, he went to Win Hill and tried to induce him to go before the coroner's jury and swear that he let him have one of the bills. He denied that he had any agreement with the deceased for money, or wanted any of him, or that he had an appointment at his office with him on the evening of the murder, or that he had written him a letter. He carried on what he supposed to be a secret negotiation for money, and was to assign to him his books, when a statement deceased was known to make. He had in fact written a letter to deceased to meet him at his office that night.

When by the *post mortem* examination it was ascertained that poison was found in the stomach of the deceased, he caused the acid bottle to be destroyed, and the brandy bottle to be cleaned.

When Flint went into the back office and found the deceased lying upon the floor dead, he was told by prisoner that he had fallen in an epileptic fit, while drinking a glass of brandy—that he had beaten him on the head to carry the idea that he had fallen by the hand of violence in the street, and that he must assist in getting him from the office, or they would be suspected of having murdered him—that after various proposals to carry the body to the river and the street, it was finally arranged to deposit it in the cellar where it was found. That the prisoner went below to clear the way, came up, and carried the body to the place where it was found—that he afterwards returned and removed all traces, as he supposed, of the murder, and remarked that all was right—that Flint then went to the tavern, and not long after prisoner followed. That on Friday afternoon, after the disclosure that deceased was to let him have money, he told Flint there was \$100 under the carpet under the safe, and which he desired him to remove. That after physicians had reported Prussic acid in the stomach of the deceased, he told Flint the empty pinal had better be broken, and requested him to replace the other on the shelf and fill it up with water, at the same time to throw the watch which had belonged to deceased, into the river. We shall show that at the *post mortem* examination prisoner took the direction, removed the stomach examined the wounds on the head and pronounced them fatal—that he poured the contents of the stomach into a bowl, remarking that they seemed of brandy and had better be thrown away.

Thus unconfounded by the deed, with innocent and bloody hands, like the guilty and murderous Macbeth, he

"Bends up each corporeal instrument to the terrible test,"

and with unshrinking fidelity, baffles the searching suspicion of the lookers on, and aims to put beyond the reach of proof the agencies he had employed in the execution of his baneful project.

#### EVIDENCE FOR THE PROSECUTION.

Witnesses for the Government were called, and

*David Shorrey sworn.*—I keep a shop under the office formerly occupied by the prisoner, and did in September last; saw the body of the deceased on Friday morning, Oct 15th; saw a body lying on the wood with the feet out a little way of the door in the cellar; this was between 8 and 9 o'clock I should think; a number of persons were present, among them Mr Doohtle, now dead, and Mr Ira Dooittle; my attention was called to the body by some circumstance; the outside door of the cellar was pushed in, leaving a space about a foot and a half, I should think; the body lay on its back a little inclined to the right side, the feet pointing outward—one, if not both projecting outward from the opening. The doors were very heavy and made to swing inward; the door could go back no farther than it did, on account of wood piled behind it; it is a door made of two parts; I was not present when the body was taken out; it was removed while I had gone to my shop for a short time; I did not



recognize the body, though I knew the deceased when alive; the hat was off the head and lying near by; I think touching the leg; I noticed that the deceased had on clean boots which appeared to have been newly blacked; they might have been slightly soiled, and I think looked as if a person might have walked in them a short distance; there was a black coat on the body the brace on the pants was unbuttoned and the vest and coat had the appearance of being pulled up; when I arrived at the place where the body was, there were the Messrs Doubtles, Mr Savage, Mr Fairfield, and I think a number of other persons.

[Witness took a plan of the room and showed it to the jury the stairway leading from Coolidge's office to his shop on the lower floor.]

The door which leads to this stairway was fastened on my side with an iron bolt, on the doctor's I think with a bolt and lock; the doctor kept medicine and fuel in the cellar, and the door was left unfastened to accommodate him passing and repassing. The cutting board in my shop is now where it was on the night of the murder as is also the stove; I don't know at what time my help left the shop on the night of the murder, but they came to my house a few moments after nine; there were three men and five females who compose my help that came to my house at a few minutes after nine, together with two boys. The boy who opened my shop in the morning was at his work taking off the blinds when I arrived, but I do not know whether or not he had been in the shop; one of the boys is about 16, the other 19 years of age.

*Cross ex*—The partition between the two shops is ironing set up, and lathed and plastered on both sides; a door leads in my press room the control of which rests with one of my lads, and is fastened usually when the shop is closed; they usually stay in this back shop until 9 o'clock when it is closed; I left chairs in certain positions in my shop when I left at night, one of which touched a stove, as shown on the plan; I found the chairs in the morning as I had left them the night before; I had been cutting a coat and left say at about 7 o'clock; I left the coat partly cut; found it in the morning precisely as I left it; the door which leads from my shop downwards is fastened with a small iron bolt, a removal of which leaves a free passage downward. The several inner doors are of the ordinary thickness; the wood which is in the cellar allowed one of the doors to swing back, further than the other; the wood was thrown loosely into the cellar from the outside of the doors; a man would have to stoop considerably to get into the cellar over the wood pile; I found the door of my back shop unhooked in the morning, as had been frequently the case for some time; this cellar door is a basement door, but there are no steps from the door downward; there is access to the cellar by passing through Mr Williams' yard, adjoining

## SECOND DAY.

ATG STA. March 15, 1848

The following evidence was offered on the part of the Prosecution:—

*Joseph Harty, sworn*—I saw the body of de-

ceased on the morning after in the wood cellar; the body was in a sitting position on the wood, facing the door; his right foot I think was behind the pendore, and his left extended out a little at the opening; a man in the street might have seen the body in the position it lay; his vest and pantaloons, as well as coat, were pulled up towards his head; I think his coat tail laid back on the wood, but was not under him or over his shoulder. I noticed that his boots were clean; I think also that his pantaloons were drawn up so as to expose the boot legs; I took the body out of the cellar alone; I could not at first get the body out, but some one went around into Mr Shorey's shop and removed the wood, when I succeeded. The wood was so firm behind the door as to prevent its going back further; I think the wood was piled up about four feet from the top of the door; the coat I think was unbuttoned; first discovered that the dead body was that of Mathews after I had taken it out of the cellar; as I was carrying it along some one said "it is nobody else than Ed Mathews;" I then looked, wiped the froth from his nose and mouth, and saw it was Mathews; I saw him the day before at the Parker House, and on the evening of the same day in front of the Parker House, in a wagon. I noticed that he had his gold watch chain on at the time; I don't know where the body was carried from where I found it, but afterwards saw in the ball in Williams' tavern; I was at Williams' tavern on Thursday night; I don't remember that I saw the deceased's hat at any time; the clothes on deceased were not muddy when I saw them; they were the same he usually wore; I had been riding that day, and remember that it was somewhat muddy; think the ground was rather a light one.

*Cross ex*—Mr Tufts, Mr Simpson, and about thirty others were at the cellar at the time I arrived there; did not measure the distance the door was open, nor do I know whether David Shorey had been there when I arrived; the wood in the cellar was not packed in, but thrown in loosely; the arms of the body were extended when I saw it; I saw no boxes, or lumber about the door; it was an old plank on which we laid the body; I then left the body with other persons and returned about an hour afterwards; there were one or two pairs of steps from Shorey's back shop to the cellar; Puller's store is a half store; very narrow; the wood did not rise from the body towards the stairs, but I think the body was about on the top of the pile, in a sitting position a little tilted backward—the rigid character of the limbs did not allow of the body being taken out at the door, until some of the wood was removed; had it been in a floccid state, I think it might have been removed without disturbing the wood; it was the evening before that I saw him in his wagon at Williams' tavern; there was no light in the tavern except in the bar-room; the stage leaves at about 4 o'clock in the evening; I saw no members of M. Williams' family in the tavern, but saw D. Chase, another gentleman and the driver; I think the froth on the mouth of the deceased was of a yellowish color, the streets were muddy on Thursday evening; there is a crossing at Williams', but it is usually below the surface of the earth in muddy weather.

[Witness pointed out on a plan of the town of Waterville, the position of the prisoner's office in relation to the Parker House, &c, showing also an open space in rear of the block of buildings in which the office is situated.]

*David Bronson, sworn*—I saw the body of the deceased on my return from the Supreme Court. I think it was in a building in the rear of Williams' tavern at which I breakfasted; I did not know the body at the time; there were present about half a dozen individuals, one of them I think Joseph Hasty; the body at the time was lying upon the wood, so near the door that the head was resting upon the edge of the door; the door is composed of two half doors; the body was lying upon the wood the head turned down, the tarpaulin had partly on the head so as to partly cover the eyes; from the right nostril a membrane projected about half an inch, which was filled with air; the coat was raised up close under the arms, as if some one had been lifting it; I can't say whether one of the legs was out at the door or not. Some one, I think Hasty, asked me if the body could be removed before a coroner's inquest was held, and I replied there was no objection, but that all the circumstances ought to be carefully remembered; I discovered no soil upon the boots, or any indications of the body having been dragged there. Mr Flint came along directly; I shortly afterwards ordered my horse and went away; I did not know the body except from hearsay; did not discover that the surface of the hat was broken, did not notice the position of the wood inside the cellar between the outside door and the stairs. The body might have been seen at some distance by approaching it from one direction, but not readily from any other. The part of the door towards Williams was closed.

*Cross ex*—There had been no attempt to remove the body before my arrival, it having been supposed improper by the persons present to disturb it. The wood in the cellar rose above the head of the body I should say; I am not quite certain with regard to the position of the body.

*Cyrus Williams sworn*—I saw the body of Edward Mathews on Friday morning, in the door way of the cellar, at say between 7 and 8. My attention was drawn to it by Mr Lothrop; some half dozen persons were present when I arrived. It lay in a partly doubled up position, with one arm over his head; the dress was drawn up considerably; the clothes were clean. The body could not be readily seen in passing by it; I was not present when the body was taken out, neither did I enter the cellar; I should say the door was open three or four feet; saw the body a second time before it was removed, and afterwards lying on an old plank on a pile of stones near the door; I examined wounds on head; saw no watch on the body at the time, but do not know that the jackets were examined; I first recognized the body as it lay on the pile of stones; afterwards went with the body as it was taken into my hall; was present at the coroner's inquest, and saw the stomach removed by Dr Coolidge, put in a wash basin, and handed to Dr Thayer; Dr Thayer took the basin, smelt of it and said it had a strong smell of brandy; the bowl was afterwards

set down on the board that the body laid on; after a few minutes, Dr Coolidge remarked that I had better take it out, it might scent the room; I took the contents, carried them down the back stairs and hid them behind an old hog's head. They remained there sometime and then were put into the ice house, and kept there until called for by Prof Loomis, perhaps 9 or 10 o'clock. A. M. Dr Plaisted was present when I delivered the contents of the stomach to Prof Loomis; the contents were under lock and key in the ice house, and I had the key in my pocket.

*Cross ex*—I delivered the contents to Prof Loomis at the head of the dining hall on the second story; I had permission of Dr Thayer and the coroner to take the contents of the bowl away; there were present the coroner's jury, the council, and physicians; I saw the contents taken from the stomach; left them out of doors and did not see them again until they were put in the ice house; Mr Soule came in the evening, asked me if the contents were thrown away; told him they were not; he then asked me to put them in the ice house; I told no person where I had put the contents of the stomach until they were locked up in the ice house; there was nothing in the ice house but saw dust; I delivered the contents in the bowl to Prof Loomis; my hostler had lost the key of the stable which fitted the lock of the ice house and could not find it; I therefore could not open the ice house when I took the bowl from the room where the coroner's inquest was held; when I saw the body in the cellar, the feet were extended outward; I cannot tell how long the body was laid in the open shed before removed to my house; I do not know who called the physicians that held the *post mortem* examination, think it was Simon Keil y; I accompanied the body when it was taken into my hall; the hog's head I speak of was an empty one lying on its side; the basin was not covered in any way when I left it behind the hog's head; it was a common earthen wash basin; I do not recollect whether I took it from one of the sleeping rooms or from the hall, think I took it from the hall; Dr Coolidge had boarded with me about four years and kept horses at my stable; he had an extensive practice to which he attended carefully; his general standing was good so far as I know; he has been my family physician since he boarded with me; it was known when I took the contents of the stomach out of the house, but I heard no one speak of it, the place where I deposited the contents of the stomach was not observable by passers by, yet it was approachable; the wash-bowl was a glazed white one which had been used a year or two.

*Prof Loomis sworn*—I executed this and the accompanying plans. [They are the same as those forwarded you with the difference that mine are more in detail. The object of this portion of the examination was to show the position of the shop, office, &c as shown in the drawings and marked.] I received from Mr Williams a bowl, on Saturday noon, Oct 23, at about 9 o'clock, a white wash-bowl containing a liquid; several persons were present at the time; I think Dr Plaisted and M. Shaw; I took it from Mr Williams at the head of the stairs

and was proceeding to my laboratory, when Dr Plaised suggested that it be put in a bottle; I and Dr Plaised proceeded to his shop, put the contents into a bottle, and then proceeded to my laboratory; I went from thence to Dr Bouteille's, taking the bottle with me; I kept my eye on the bottle all the time, and allowed it out of my hands but in one or two instances; I was directed to analyze the contents of the bottle, and applied chemical tests to it first for the purpose of ascertaining if there was a presence of Prussic acid, that being the most volatile of all poisons; the matter was strained through a linen cloth and half an ounce or more placed in a retort and subjected to heat; a portion of the contents had been subjected before to a test and found to exhibit indications of Prussic acid; the test was common cyprus; I took the distilled portion from the retort and divided it into three parts, and placed each in separate test glasses; to one portion I added sulphate of iron, potassium and muriatic acid; when the potassium was put in there was a tincture of blue, when the muriatic or sulphuric acid was added there was a deep blue, which indicated distinctly the presence of Prussic acid; a second portion was tested in a different manner and gave the same result, a presence of Prussic acid; I made another test with the third portion, commencing with nitrate of silver (lemon caustic) which gave a curd'd precipitate; that indicated Prussic acid and several other substances, though the curd'd appearance is produced *only* by Prussic acid, brought in contact with nitrate of silver; this precipitate was dried and placed in a small retort and subjected to the heat of a lamp; had there have been Prussic acid enough present to have filled the retort it would have produced a flame, which did not appear; I afterwards distilled over another portion of the same fluid from the retort, and also washed the solid portion which was left in the cloth through which the substance was strained; this working was added to the substance in the retort, and again a distillation made; I added to the whole of this nitrate of silver, and curd'd precipitate was produced as before but not so dense; this I put into a very small retort, after having been dried; this retort was placed in the flame of a spirit lamp, and another lamp so placed that it would ignite any inflammable gas which might escape; an ignition of a flame was produced which is produced out of the gas which forms the basis of prussic acid; I did not get the flame in the third experiment, but on repeating it on Monday more carefully, it was produced on that same portion of the fluid.

I was present on Sunday at the *post mortem* examination, and saw present Dr Chayer, Dr Noyes, Dr Plaised and Dr Bouteille; the head was forced open, and on exposing the brain, there appeared something which I supposed to be unnatural. The brain was then taken out, and I smelt of it, but am not confident that I detected anything like a peculiar odor; the brain was then taken and put in a vessel for further examination. The abdomen was then examined. The mucous coat of the stomach was found to be very much softened, and other portions very brown. The interior surface of the abdomen was very much corrugated. The

darkest spot on the stomach was confined to a space of about two inches. The spleen was very much enlarged, but was not examined at the time minutely; one of the kidneys was removed for further examination. The liver was blood, from the position in which I stood; the blood that I saw was all virous. The lungs were of a very dark blue color, with the exception of a small portion at the lower point; the anterior surface was more uniformly blue than the posterior surface; this discoloration of the lungs extended through the whole mass.

On Monday there was an examination of the brain, a part of the liver, the lungs, a kidney and the spleen; the substances then examined had the same appearance as the portions of the body examined on Sunday; the spleen was very much softened. No further examination of the lungs or liver was made, but the kidney exhibited no unusual appearance. The brain was found to be very much softened; a knife was passed through it several times, and the interior found to be white. When the thorax was opened, I detected a peculiar odor, which I have no doubt was Prussic acid. I have frequently witnessed the effects of this acid on animals since this examination, having made experiments in order to test the truth of the experiments made on the body of the deceased, and have found that the effects of Prussic acid, when thrown into the stomach in considerable quantities, will produce death in from three seconds to fifteen minutes. An acid which I made, of half the strength of the pure acid, put into the eye of a cat, produced death in ten seconds; the quantity was less than a drop. *I am not able, from experiment to say how soon death could be produced on a man.* In one instance a dog ran, after taking the acid, about 19 feet and fell dead; a shriek might be produced from the effects of the acid, but when ejected into the stomach, it would be the death shriek. The acid always produces on the stomach dark spots, and generally a discoloration of the liver and lungs; I have never seen an instance where the lungs were not somewhat discolored; the blood in the veins is always rendered fluid; I have not always discovered odor from bodies so poisoned, but have observed it about sixty hours after death so produced, when ejected into the stomach with brandy; I have applied the chemical tests I have described, to the animals I have experimented upon, and the results have been in every case the discovery of the acids by the iron test and the copper test, and in one instance by the silver test.

*Cross ex*—Have had considerable experience in morbid anatomy; I have never been a medical student, but have frequently seen dissections performed at the medical college in Philadelphia. Morbid anatomy is not a part of my profession, but anatomy and physiology are sciences I teach; I have attended *post mortem* examinations, but am not aware of an instance where death was caused by poison or apoplexy; the bottle in which the substance was subjected to chemical tests, were placed, I did not examine, but supposed it contained nothing; Prussic acid is a compound substance, which will rust, nor will its parts so combine as to produce the results mentioned in my chemical

experiments; I speak of this as you do of any other well known chemical fact; one of the substances on which compose Prussic acid, will alone produce odor except syanogen, which is a gas—the odor from this is slight; syanogen alone will produce a feeble smell, such as was produced at my experiments; I know of no instance, and know of no authors, who say that Prussic acid may be produced in the stomach by heat, but I think I have seen somewhere that it is said such a result may or has been produced by heat in the stomach; I have found no accredited author who makes such a statement, but know there is such a supposition; almost all substances contain the elements of Prussic acid, but it is not common to find the odors of that acid in the human system so far as my own experience goes, or from what I have seen in books; I know very little about Prussic acid until called upon to make the experiments I have described; in none of the substances which I analyzed from the stomach of deceased and I discovered brandy; I think the oil of vitrol could not be mistaken for hydrocyanic acid.

A journeyed to 1 o'clock P. M.

*Cross ex of Prof Loomis resumed*—Hydrocyanic acid may be produced from various substances; there is a difference of strength to the different parts of this acid usually sold by the apothecaries; that made by a certain chemist will be of uniform strength, that is to say, different chemists produce it by different modes, and usually attach their names to the bottles containing it; the flame arising from Prussic acid is always of the same color; do not know whether Gail says the flame is a purple one with a blue summit not; Christison may call it a rose red flame, I am not able to say with certainty; the experiment was made at about 3 o'clock in the day, but I cannot tell whether it was a clear one or otherwise; the room where the experiment was made, is ordinarily lighted; I know the natural history of the substances I was experimenting upon well enough; Christison says the acid may be found in organic matter in various places where it is not supposed to exist; Guy says that hydrocyanic acid may be found in the stomach; do not recollect whether Guy says the brain has an odor which commonly, resembles this gas; this was the first time I ever experimented on a human subject with a view of ascertaining whether death was produced by poison; I have heard it said that a dose of brandy will kill a cat, but am not aware that it was ever a notorious fact; I pressed a tube into the stomach of the animals I experimented upon, then injected the poison through that tube; and I felt certain none of it could have got to the lungs; the first test that I applied was for Prussic acid though the preliminary tests, when I did not consider solid, were one for morphia, the other for Prussic acid; had there been morphia, an orange red color would have been produced,—failing to produce it, however, I applied tests for Prussic acid, finding inconclusive that at poison; there appeared to be about a pint of the contents of the stomach which I experimented upon, a portion of it very stable and a portion un-

(Witness here described pans of the rooms of Dr Coolidge and Mr Hovey)

The distance from the cutting table is three feet four inches to the wall—the passage way is three feet, or about the same distance; there were several shelves in Coolidge's office, but I did not see the wood box as marked in the plan; Fairfield's house is situated about 8 rods in the rear of these buildings; the plans are not all made from actual measurement; I went into the cellar several times—its height is between five and six feet; the windows in the rear of the building are something more than the ordinary width.

*Dr Pluistead sworn*—Saw the body of Edward Mannison Friday at about 9 o'clock, in Williams' yard and observed two cuts on the head; I was in the presence of several gentlemen at the time; next saw it in the hall of Mr Williams' house, and at this time observed another cut, also a fracture of the skull. Dr Thayer, Dr Coolidge and Mr Flint were present at this time. The scalp was not removed. The cut on the top of the head was perhaps half an inch long, and as deep as it could be before hitting the bone; the flesh was not swollen. I think Dr Coolidge touched the stomach; it was filled with food partly decomposed. The wounds on the head were the result of three distinct blows; I examined the body again on Sunday in the presence of Prof Loomis, Dr Thayer, Dr B utelle, and D. Noyes. We examined the body again and removed the scalp when we found the brain very much congested, of a bush color, and emitting a Prussic acid smell; there was less blood on the brain under the fracture, than is usually found when living persons have received equally severe blows; the liver, the lungs and the spleen were more congested, and exhibited a more bush tone than I ever before saw at a *post mortem* examination—the blood was burned in the vessels and filtered freely when the vessels were cut; I saw Mr Williams give the bowl containing the contents of the stomach into Mr Loomis' hands; Prof L took it and went with me to my office, where we put it in a clean bottle and he proceeded with it to the College; I did not see it after; I observed two or three small cuts on the thigh of the body inside the leg.

*Cross ex*—Dr Coolidge and Mr Flint made the incisions on the body, as is common in such cases, they being jury men; I observed a smell of brandy emitted from the stomach, but no other smell that I noticed; have frequently seen the coatings of stomachs where persons have been addicted to drinking brandy, but this one exhibited quite a different appearance; I thought from the quantity of brandy found in the stomach at the time, that it was sufficient to produce insanity; I gave the contents of one of a darker color than the natural state; the blood was in a fluid state. I saw no arterial stomach to Mr Williams and either Dr Coolidge or Dr Thayer, directed that be thrown out. Mr Williams then left with it; I could see on the brain where the wound had been filtered by the extravasation of blood; the blue color that I saw on the brain extended all over it; the lungs also exhibited an appearance much the same; the interior of the lungs exhibited a deep blue tinge; did not notice whether the brain was harder or softer than is usual.

ly case. The spleen is usually of a darkish red, in this case it was quite blue.

*Cross ex of Dr Plaistead continued*—The examination in the hall was by order of the coroner; I am not able to say how much brandy was found in the stomach of the deceased, but supposed at the time there was enough to have produced intoxication—say one glass, would have that effect on a man not accustomed to drinking; I never bought, never sold and never used Prussic acid, but there was a bottle, perhaps half full, in my shop which had been placed there by a student some years ago; I am not conversant particularly with the smell of the acid.

*D. Noyes sworn*—I saw the dead body of Edward Mathew, on Sunday morning, the 31 day of October last; Dr Thayer, Dr Boutlie, Dr Plaistead and Prof Loomis were present.

Witness's testimony was corroborative of that of Prof Loomis and Dr Plaistead—all points varying from that of the other witnesses named follow.

On opening the body the lungs did not collapse; the right cavity of the heart was found empty; the blood flowed freely from the arteries that were opened, and I observed it was of a dark color; an odor the same as that proceeding from Prussic acid was distinctly noticed to be exhaled from the brain and the stomach; I noticed that the spleen was highly gorged with blood; the tongue at the first examination was protruded from between the teeth, and the eyes were considerably dilated; I noticed the marks of finger nails upon the left side of the throat, but am not able to say as to both sides; the wounds on the thigh might have discharged blood or might not, they were of very slight depth.

*Cross ex*—Have attended *post mortem* examinations where death was by apoplexy, and it resembled this case in some particulars, more especially as regards the fluids; am not acquainted with morbid appearances where persons have died of intemperate habits, from observation it is stated in the authorities that the brain sometimes or always exhales an odor as of Prussic acid; works of authority are Guy and some others; physicians sometimes keep Prussic acids, druggists generally; it is an article of medicine and of different degrees of strength; in the case of apoplexy which I mentioned there was not a large amount of blood on the brain, but do not recollect distinctly how it was in the vessels.

*Dr Hubbard of Hallowell, called*—The ordinary tests of Prussic acid are to reduce it to the form of Prussiate of iron, second scientific of copper and scientific of silver. There are sensible properties of Prussic acid, its odor is one, and I think it about as reliable as would be the testimony of any three human witnesses on a certain point. Were death produced by this acid in large quantities, I should expect to detect the odor, on opening the body, in almost any cavity—one grain would produce death in one or two minutes, I mean a grain of concentrated acid, which would be equal to fifty grains of medicinal acid; I should not expect to detect the odor of the acid in the brain so soon as in some other parts of the system. There is no

distinctive phenomena by which I should judge the death to have been caused by this acid, sooner than by the general bluish cast of the internal organs. Its operation on animals is very quick, producing immediate death; I am certain that the odor of the acid can be discovered 64 hours at least after death, and have heard it stated that it has been discovered seven days after; I am inclined to think the medical faculty do not use it generally; I am not aware whether it deteriorates by age, but writers say it does—that it is very perishable; the medicinal acid is that generally kept by the apothecaries, and is 2 per cent of the pure article; not usual to find it in other forms than in the diluted state; I have heard a description of the wounds said to have been inflicted on the head of the deceased, and am inclined to think they were inflicted after death, from the absence of swelling and from other circumstances; if I were to discern the odor of Prussic acid, I should feel certain that such an acid was there, but cannot say as to mortification of the body containing it; have never discovered the odor of Prussic acid from the brain of a person who died from other causes, but some authors say such is the case; have never known the acid formed by decomposition of substances of themselves but such statements are made by some of the authorities; Christian quotes it in a vague manner; I know nothing of Prussic acid ever being generated in the stomach as a natural process; some thirty years ago this acid was used with great confidence in consumption and pulmonary complaints generally; I once witnessed a case where brandy and Prussic acid were administered together, and 14 hours after, and also 40 hours after, there was no smell of brandy in the stomach, but there was a strong smell of the acid.

*Cross ex*—I know that Dr Coolidge was in the habit of keeping a larger assortment of medicines on hand than a most any other physician of my acquaintance; I am inclined to think that brandy has little or no effect on Prussic acid; should expect to find in the stomach of an habitual toper some changes, but the liver always exhibits marked appearances of the effects of intoxicating drinks; have known Dr Coolidge three or four years; he had an extensive practice, and as a citizen I never heard aught against him. He was esteemed humane, and I always thought him so.

### THIRD DAY.

AUGUSTA, March 16 1843.

The prisoner still continues solemn and collected in his demeanor, exhibiting very little anxiety or emotion. I heard it said last night by an officer who frequently sees him alone, however, that he gives way to emotions of the most poignant character as soon as he leaves the court room. Should he be proved guilty, the circumstances connected with the *post mortem* examinations of the body of Mr Mathew, &c, show a degree of cool-blooded depravity on the part of the accused, which we

can hardly conceive of: Think of a man concerting a plan to murder his nearest friend, and that for scarcely any reason, who, after having committed the deed, goes and deliberately examines the body of his victim, look his murdered companion in the face with all the professional coolness of a surgeon, and actually conducts *post mortem* examinations on the body and you have an idea of the position of the accused in this case. I do not believe that in the whole annals of crime, any thing like a parallel to this can be produced.

As the trial progresses, the excitement increases, and the indignation against the accused occasionally breaks forth with marked violence—I believe that should he be convicted, the populace will demand his immediate execution, so incensed are they at the enormity of the offence charged.

*Dr Noyes recalled*—I saw the bottle when Professor Loomis had, at Dr Boutelle's office—I took the bottle, removed the cork, and on smelling the contents detected an odor of Prussic acid. I presume Dr Boutelle is in Philadelphia, having left Waterville in October last.

*Cross ex.*—I was once a student in Dr Coolidge's office and know that he was in the habit of keeping prussic acid on hand, a larger quantity than is usual with physicians. I should judge; Dr Thomas was a student with Dr Porter, at Waterville; Dr Coolidge maintained a good character, and I know nothing against his character for humanity, though I have heard reports prejudicial to his character, since this tragedy; do not remember, however, whether they were irrespective of this affair; I have been in practice at Waterville and about among the people there.

*Dr H. H. Hill sworn*—I am not much acquainted with the effects of prussic acid on the system; a small proportion of the number of physicians in practice keep it, diluted to about two per cent of the pure article; it produces death very suddenly, acting, as is supposed, on the nervous system; the operations of the heart in one instance I knew of, were retained about half a minute after death had appeared to be produced; the result of this would be to throw the blood out of the left lobe of the heart into the veins, and to produce a staring appearance in the eyes; were the death accompanied with convulsion, I should expect to see frothing at the mouth, in some instances otherwise; the tests of prussic acid are copras, blue vitriol and liquor caustic (lithiate of silver); these tests I should judge to be very positive; I should expect to find the acid in the cavities of the body full sixty hours after it had been placed there; should the contents of a stomach so poisoned be exposed to the open air 24 hours the presence of the acid would be discovered by the tests I have named; in the instance I speak of brandy was given but was not detected in the stomach; judging from the description of the wounds found on the head of

the deceased. I should judge they were inflicted after death.

*Cross ex.*—Never attended the *post mortem* examination of a human subject killed with prussic acid; I should expect to find the odor of the acid more perceptible immediately after death by it than a long time afterwards; there are no morbid appearances produced by the acid which I should so soon rely upon as the other death; I have attended *post mortem* examinations of the bodies of persons who died the most sudden death; I should expect to find the lungs of a person who died of a kind of "rum fit" somewhat gorged with blood; I have examined good authorities, Guy, Christison, but find nothing which would lead me to suppose prussic acid is generated of itself from vegetable matter; the odor of the volatile oil of bitter almonds is similar to that of prussic acid, and the only thing which might, in my opinion, be mistaken for it by the smell; I do not know that this oil is stated to be one of the principal poisons; the morbid appearance I spoke of is a peculiar kind of blue tinge, strongly marked on the lungs, and somewhat on the liver. Prussic acid is colorless when pure; I think it is never generated in the stomach before or after death; certainly not to my knowledge.

*William Tubey sworn*—The prisoner was in my debt at the time of his arrest, to the amount of something over a hundred dollars; I hold two notes against him, one for over \$40, the other \$50, and have an account against him; in March last he wanted to borrow \$500 of me, which he said he would keep five years at 10 per cent if I wished he should; in October, 1846 he called on me at Vassalboro', and again in Waterville in November, and wanted the money; I required security which he did not see fit to give, therefore I did not loan the money; he also wrote me a letter desiring it; sometime after I let him have \$40 in his office, at which time he wanted more, say from 400 to \$500 and said he would give me a note when I gave him more; he rejoined from the first commencement secrecy about the matter; asking that I would let no one know it; I saw the prisoner on Saturday following the murder in his office, and at that time did not ask for the money he owed me; after dinner I called again and asked for the money; he said it was impossible for him to pay it, that he was in trouble, and wanted me to rest easy until he got over his difficulties; that he had \$10 000 or \$15 000 on his books, and that I was perfectly safe; I wanted security but he said he could not give it as he had agreed to give securities to Mathews, and was liable to be called on at any moment; I saw him again in his book office, and think Daniel Moore was in the front one; tried to prevail on him again to secure me, but he stated the same reasons as before for not doing it; told him that if he was called upon to present notes which I wanted as security I would return them to him, but he replied that I might not be there; I had been talking of the uncle of Edward Mathews; made several attempts during that forenoon to get into the office of Coolidge, but found the door locked.

*Cross ex.*—There was nothing said about Mathews in connection with the securities

spoken of; called to get my pay in consequence of the suspicions which attached to Dr Coolidge, and found him much excited, or thought so; have had dealings with the prisoner ever since he came to Waterville, and have been very familiar with him; prior to the accusation knew no harm of him; he practised in my family and had in my neighborhood; in October of 1846 I built a meeting house in Vassalboro', and was there a good deal of the time; at the second time when I called at Coolidge's office saw Baker talking with the prisoner in the back office; think the door between the two offices was not locked; Coolidge asked me to retire from the back office a few minutes, which I did, but he not coming out in the course of half an hour. I went away; I have got my pay of Coolidge by regular attachment, having commenced the suit that day; I think the prisoner had practised in Vassalboro', as well as extensive practice elsewhere.

*David Smilis sworn*—The prisoner is indebted to me by note something short of \$200 for money borrowed in June last I think. [On referring to the note, witness found it dated June 21, 1847, payable on demand—\$5 endorsed on the back of it, as paid.] I live in Winslow; there was no argument about interest on the note; nothing said about it; nor was anything said about secrecy.

*Cross ex*—I live about four miles from Waterville, and have been acquainted with prisoner ever since his arrival at Waterville; his character was good so far as I knew.

*Isaac Britton sworn*—The prisoner is indebted to me by note for borrowed money, something like \$200; I live in Winslow; five years interest and a small endorsement is paid on the note; I once met the prisoner and asked him if he knew the note would be due shortly; he said he did, and asked me if I wanted it; I told him when the interest was promptly paid I sometimes let notes lay over. He paid me the interest the day the note was due, and I never have spoken to him since about it.

*Cross ex*—He has practised in my family and his general character was good so far as I am aware.

*David Moors sworn*—The prisoner is indebted to me by two notes, which are in the hands of Dr Noyes, awaiting dividends; one of the notes was for \$25 the other for \$100; prisoner did not want it known he was receiving money, and I never mentioned it till since this affair happened; have never got a cent of interest; the \$100 note I think was at the rate of 12 per cent interest.

*Warren K Dos sworn*—The prisoner is indebted to me by note \$100; the note is dated Sept 25 h, 1847, and is "on demand." Since this affair happened, \$8 has been endorsed on the note; the indebtedness is for borrowed money which was loaned him at Waterville; nothing was said about the note or interest; live in Sebasticook.

*Cross ex*—The prisoner has practised in my family and neighborhood; his character is good.

*John R Philbrick sworn*—The prisoner owes me \$150, for which I have his note, given in 1845; the interest has been paid, but nothing on the principal.

*Cross Ex*.—The character of prisoner is good; nothing was said about interest but he paid me 12 per cent.

*James A. Goodwin, sworn*—The prisoner was indebted to me on the 20th of Sept in a small amount. Previous to that I had a note against him for something like \$150, given in the winter, and payable on demand; the note was given to settle an account for clothing.

*Job Richards, sworn*—The prisoner owes me between \$400 and \$500, by notes, dated Feb. 10th, 1847 payable on demand, and one dated Aug 1847, payable in eight days; nothing has been paid on these notes, with the exception of \$100, which was paid by letting me have a horse. There was no agreement as to interest on the first \$300, on the last \$50 he was to give me \$5 for the use of it eight days; There was no injunctions of secrecy concerning the loan or loans.

*Cross Ex*—I did expect the \$5 when he asked me for \$50 eight days; I have known accused ever since he came to Waterville, know nothing against his character; he has had an extensive practice in my neighborhood.

*Robert Drummond sworn*—The prisoner owes me \$100 for which I have his note, given in June last; it was for borrowed money and made payable on demand.

*Cross Ex*—I live in Sidney, about five miles from Waterville; the prisoner practised in our family, and I never heard anything against his character.

*Augustine Perkins, sworn*—I am cashier of the Litchie Bank at Waterville; I believe on the 30th of Sept. the prisoner had two notes, one for \$100 and one for \$150 in the bank, which had been over due six or eight months; they have been taken up since by prisoner's sureties. On the 30th of Sept Edward Mathews had a note discounted at the bank for \$1500 (Note was produced and read.) The blank on which the note is written was procured on Thursday at about 10 o'clock, A. M., and in the afternoon I paid the money to Edward Mathews, the surety on the note is Charles P. Mathews; Edward Mathews had a note in the bank at the time, and took up one I think of \$1000 on the Monday previous; the money on the note I hold was made on Thursday, but is dated the Monday previous according to the rules of the bank; on 27th Dec. '47, John Mathews paid \$7.00 on the principal and half of the interest on the note as endorsed; there is also another endorsement on the note, dated March, 1848.

*Cross Ex*.—Prisoner paid up the interest on his notes when called upon, and said he would take up the notes they held very soon.

*Charles R Phillips, sworn*—The prisoner owes me about \$83, I think, \$64 of which is by note, given in March, 1847, and running "on demand." I keep a furnishing store at Waterville; the prisoner applied to me for \$500 in July or August last, for six months, but as he wished me to keep it a secret I concluded not to let him have it. He offered me 10 per cent for the use of it at one time. He had hired considerable money of me two or three years ago, in sums from \$1 to \$100; the last I loaned him was \$100, in June, which has been paid since. Nothing was said about interest, but when he settled he threw down a small

amount, which might have been the legal amount for it.

*James F. Gray, sworn.*—The prisoner is not now to be tried here. In September of 1846 he borrowed about \$200 of me, payable on demand, and it was paid in January last by process of a suit which I commenced. He was to give me 12 per cent for the use of the money; he applied to me in August or September last, for enough to make out \$100 with what he owed me then. At the same time saying he wanted about \$300 in all, to send to Dr Potter, as he was going into a land speculation with him; he offered me \$500 for the use of \$100 six months, and told me he would secure me with his books, by assignment or some other lien; he asked me to say nothing about the desired loan as I think he said he did not want people to know he was engaged in speculations. He told me also, that a week or two before, he had received a letter from Dr Potter. I think this conversation was between two and three weeks before the death of Matthews, at the door of the prisoner's office. I did not tell him at the time whether I would or would not let him have the money, but agreed to see him again; subsequently I met him again, when he asked me about the loan, and I told him. I was not sufficiently acquainted with business matters to do it. He said he would convey his books in such manner as to make it satisfactory, but did not wish the conversation known; he asked me again about the loan on the day that the body of deceased was found. At that time I met him as he was coming from the coroner's request, went with him to his back office; he closed the door and locked it, and we were left alone. He put his hand on my shoulder, and as we walked to the window he started back and asked me if I thought those two men were watching us, pointing to two persons who were sitting in a large back of the office. I replied that I guessed not; he then asked me if I had been at the coroner's inquest; I told him I had not; he said he had and feared he would be suspected; I had lost the notes for the money he owed me and asked him to renew them, having at his promise the day before that he would do it; he replied that he was excited and could not do it that day, but would the next, and asked me to say nothing about his application for money to send to Dr Potter; I was about leaving the office when he desired me to say, and asked me that if I should go before the jury what I should say I had been in the office for; I told him I didn't know; he desired me, in case I should go before the jury to say I was there for the purpose of having my books examined, but I replied that I was pretty healthy and people would not believe it; he then mixed a bottle of medicine and gave it to me; I put it in my pocket and went on; I gave the note to Mr Snaville the owner.

*Cross Ex.*—I am a boatman, sometimes hired and sometimes on my own hook; I am not in the habit of having large sums of money, but I think I could have raised a thousand or so; I had the conversation with the prisoner about the money in the latter part of August, I think; I was a witness at the coroner's jury and there stated the same facts I have stated here; I have

never said I should not have made any disclosures against Coolidge had I not been suspected; nor so intimated to anyone, think, indeed I am quite positive. I was in the village of Waterville on the night of the murder; I left Mr Spaulding's, went to the store house down by the landing at about 1 o'clock; I then went to Williams's and from there to my boarding house and went to bed at about two o'clock; I don't know as I am obliged to tell why I went to the store house in the night; it was known and spoken of in Waterville, on the day I went to the office with Dr Coolidge, that I had been out the night before; I was asked by the coroner, when before the jury, where I was on the night of the murder; I was in the back office with Dr Coolidge half an hour or more; while there, I think Coolidge told me he was suspected of the murder, said something about finding brandy in his stomach; I did not any time ask Coolidge what I should say before the jury, nor did I, in the course of the conversation tell him that I was also suspected or any thing of the sort; the warehouse I went to is about 20 rods from William's tavern; I rode down in a wagon; while at the warehouse I got brandy and drank it. To a previous question whether he had drank anything that night while rambing about, he answered "no," but explained by saying that about that time he had done rambing. I had the key of the warehouse, and the brandy drank was from my bottle which I kept there; I was at Getchell's party until about 1 o'clock in company with some ladies one of whom I have since married; at about half past 1 while going down rods the warehouse I saw Mr James Hill just coming off of the Ticonderoga; at the time I was in the office with Coolidge I did not know that I was suspected, and had no conversation with him respecting suspicion attached to myself.

*Charles Gilman, sworn.*—I have loaned the prisoner small sums of money; about the first of June, 1846 I loaned him \$100, and took his note; he paid it in about 60 days afterwards; in August he borrowed \$50; which he was to pay when I wanted it; this he returned in September; he has applied at various times for small sums, which I did not loan; he owed me nothing at the time of Matthews's death.

*Eben Shaw, sworn.*—Was called as a coroner to summon a jury on the body of Matthews; during the examination noticed a discoloration on the throat of the deceased, more visible on one side than the other; there was a cut across the thigh of the pantaloon below the pocket, which appeared to have been made with a knife; I also noticed that the pocket had been fastened up with a breast pin, and afterwards forced open as was shown by the pin still remaining. Witness was shown a bottle which was brought before the coroner's jury, as he said, by Mr Gray. A man called his name Howe came into the hall and informed me privately that he had discovered some money in a wood pile, and I with a number of the jury went to the spot, and the money was taken out in our presence; the amount of money found was \$150; a watch was exhibited to me, but I do not recollect by whom, but my impression is Mr Allen brought it in; a boy named Butterfield



came in and testified that he found it; there was an appearance of blood upon the back of the watch and on the key when I first saw it; the crystal was also shattered; I observed the boots of the deceased, and noticed that they were clean, giving indications of having been newly blacked; a hat was brought in, which they said was found on the head of deceased, that had blood on it, but I observed no trace of violence on the hat; the clothes were pulled up, the coat buttoned, and I think the lining torn out; I arrived at Waterville at 10, and got a jury in about an hour; Dr. Planted, D. Thayer, Dr. Coolidge and Mr. Flint were the first persons summoned; I cannot say at what time they commenced their examinations.

*Eben Shaw, cross ex.*—I arrived at about 10 o'clock, and the examination commenced about an hour afterward; it was by my order that physicians were called, but I did not select who should be called; don't recollect who directed the taking out the stomach; neither do I recollect who suggested the examination of the stomach; Mr. Boutelle and Mr. Smith remained after the *post mortem* examination had closed; the body remained in the hall, after the first examination some time before taken charge of by the coroner's jury; I stood very near the head of the body while the prisoner was making examinations on the head, and heard him say that he discovered a fracture in one part of the head, which in his opinion was sufficient to produce death; think there were three wounds on the head altogether; did not remain by the body all the time it was in the hall, but the constable had the general charge of it.

*Joseph Hastings, sworn.*—A watch was shown the witness which he did not recognize, but had seen Edward Mathews wear a chain like the one attached to the watch. There was a peculiarity about the chain which he had noticed also about the chain deceased wore.

*Cross ex.*—Could not swear that was the chain Mathews wore the day before his death; but he wore a gold chain that day; I heard a conversation in Chandler's office at one time in which James F. Gray took part, but don't know that I can say distinctly what he said; think he said, however, that he should not have said anything about Coolidge had he not been suspected himself; this I think was in reference to his testimony before the coroner's inquest; Mr. Chaudier requested me a month or more ago, to charge my memory with this remark of Gray.

*Joseph Nudd, sworn.*—There are certain photos in my possession which were found in Coolidge's office in Waterville, (witness here exhibited two small glass bottles,)—they were found in a small chest between the shelves, where were usually kept his most costly medicines; Mr. Flint and the Attorney were present when the bottles were found; this was on Sunday; the bottles have been in my custody ever since; (three letters were shown which witness said were in hand-writing of the prisoner, he should judge.)—I noticed marks upon the throat of the deceased, which were black and blue,—there were two upon one side and one upon the other of the throat; I saw the body in the cellar where it was discovered, not far from 8 o'clock, on the morning of the mur-

der; there were from three to five persons present—La. Gould, David Leighton, and I don't remember the others; I saw the body removed, and at the time noticed a frothy substance which seemed to come from the nostrils and side of his mouth; I noticed the marks on the neck after the body had been taken out and laid on a plank; the prisoner had left some bills with me to collect some time before this, from June to August, or about that time; I assisted in taking an inventory of the prisoner's property no far from a fortnight after the murder, the nominal amount of which, in personal property, was not far from \$1600; this included medicines, &c, but not his books; I paid a note which prisoner owed to Lorenzo Crowell, to Mr. Smith, which was in amount something over \$200; I paid this about the last of January, I think; (an account book was shown which witness said was prisoner's)—there is a charge here which I know, reading thus: "Edward Mathews dr. to cash lent, \$200." I see no date to the charge; I was requested by the coroner to go to the office and get the book; I went there, told Coolidge my errand, and he opened the books and showed it to me; he asked me what they said about his book, and what he ought to say; I replied that if it were my case I should take the truth; when I went for the book he was standing near it, and this charge was there the last one on it; I was in the jury room when he was requested to go and get his book, and as soon as he left I was requested to go after him—he left the chair in which he had been testifying, when he went to the office; during that testimony he stated that he had loaned Edward Mathews \$200, which were charged on his books, but that he took no note.

*Cross ex.*—I went to Coolidge's office at the request of the Attorney general, with him; he (the At. Gen.) was there nearly all day looking over papers, &c. I had taken charge of the office the day before, having had papers to do, being a deputy sheriff. I filed a cask with bottles which were there, and also observed a hatchet and some pieces of a broken jug (Witness described the position of the body when found in the cellar as previous witnesses have done.)

During the week while I had custody of the office several persons visited it, the town committee among others. The inventory I have referred to included the medicines in the office and the library of books; I should think the space between the top of the wood on which the body was found, and the floor above was something over four feet.

*Miller M. Paine, sworn.*—Witness recognized the chain on a watch shown him to be the one worn by Edward Mathews, but could not recognize the watch about the 15th of August Mathews swapped another chain for this one; the watch which Mathews wore would compare with this one very well; have seen this chain a number of times.

*Cross ex.*—There is a peculiarity about the key, also the slide, by which I am able to distinguish it; it is of a peculiar construction.

*George Gilman, sworn.*—The prisoner applied to me for a loan of money while I was standing in the street, one day; he accosted me

with "How are you, George? how are you off for money?" I told him I was poor; he said he wanted to make a raise of \$2000. as he was going into a speculation with Dr Potter—that he had been in one speculation by which he had made 3000 or \$4000. and was going into another; he said he would give me \$500 for the use of \$2000 3 or 4 months; I then left him, and presently while passing his office he called me, and said I had better try and raise that for him, that it would be a good chance for me; Mr Wheeler and Mr Southard coming up, we entered into other conversation; Coolidge then went to wards Williams' tavern, and I coming up shortly after, as he was getting into his carriage, he called me and said he should want the money in the course of a month; that was all the conversation I had with him at the time; he has asked me before to loan him small amounts of money; before leaving him, when in the street, told him I would think of it; drank some cider butters at one time in the Doctor's office, which his boy got for me but never any liquors; talked with prisoner on Saturday morning following the death of Mr. Mathews behind the entry stairs at Williams'; he said that when he was before the coroner's jury they questioned him concerning his application to me for money; I told him that when I heard that he had applied to Edward Mathews for money, I told that he had applied to me; he said that he did not request money of me, but that he told me there might be money made at the West or South, and asked me if I could not fix it somehow so; I told him that I should state it as it was; He then exclaimed, "My God, I'm a ruined man; George, if I can only get rid of your evidence I'm clear—I can prove Edward Mathews a liar, by my uncle in Hallowell; that I was going into no speculation with Dr Potter, and I never wanted money of Mathews. I am doing \$20 worth of business a day, and have no use for money; my reputation will clear me." He said he must get rid of Potter, and also said "My God it is too bad for an innocent man, that he must get rid of my evidence if he could; that he would give anything to do it, and spoke of making me a present of fifty dollars. He wanted me to state before the inquest that the conversation he had with me was, that we might make good speculations West or South.

*Cross ex*—I lived in Waterville at the time, and was 21 years of age in May last; I had dealt in horses some, say to the amount of \$2000 or \$3000 a year; I had a capital of \$500, perhaps \$700 most of which was borrowed, some of it at 7 or 8 per cent interest; I don't know where I could have raised \$2000 at the time Dr Coolidge applied to me for money, but I think he desired such a loan, and hoped to get it of me; I was very intimate with Dr Coolidge; the doctor did not seem to be very much alarmed at the time I saw him behind the stairs, at first, but was very anxious I should go before the coroner's jury and testify as he desired; the conversation behind the stairs was from fifteen minutes to half an hour, during which time some one passed; at this time there was a good deal of excitement in the neighborhood, and Dr Coolidge's name fre-

quently mentioned in connection with the affair; I did not know at that time that Dr Coolidge was watched in all his motions; I am now in the hide and leather business in New York, in company with Mr Miles; I put in \$5000 capital; the business of the firm commenced about a fortnight ago; when in Waterville I collected rents for my father who owns real estate there; when before the coroner's jury I did not state the conversation behind the stairs, as I did not feel like it; my father let me have the \$5000 which I put into the firm where I now am.

*David Leighton, sworn.*—I had a conversation with prisoner on the Saturday after the murder in the entry way of the office; I went into the office previous to this, where was also Mr Richards; he said to the doctor, "what an awful thing this murder is," the doctor said "yes, I have lost mother, brothers and sisters, but never had anything to effect me like this;" I asked the doctor then if he had heard anything new on the subject, and he said he had not; he then touched me on the shoulder and I went into the entry with him, when he said, "I suppose I have got to prove where I got a \$100 bill I let Edward Mathews have, and have forgotten, will you allow me to say I got it of you, and not deny it?" He seemed agitated, and was walking the floor with his arms folded; I went into the Dr's office in the first place to see how he appeared.

*Wm W Goodwin, sworn.*—(A letter was shown witness, which he said he had seen before.) First saw that order in September last, two or three days before the 21st. It was presented to Mr Burnett; I am an apothecary; do business for Mr Burnett at Boston. The order was executed by me in part, and afterwards found among the old papers and rubbish in the cellar.

It was read by Mr Morrill, and reads as follows:

WATERVILLE, Sept 17, 1847.

Dear Sir—Shall I have the pleasure of making you acquainted with Mr Phillips, a gentleman from this village

You will give him an abdominal supporter, measuring 27 inches above the hip bones. Give him that kind that you think will be best. The patient suffers much from a bearing down, and charge the same to me.

Also wish you to send by express the rest of those tubes.

1 oz of Hydrocyanic acid as strong as it can be.

1 bottle of Cologne, opt.

1 lb Zinc Muriate Iron

Also any new preparation that will be worthy of trial.

Yours, respectfully,

V. P. COOLIDGE.

JOSEPH BURNETT, Esq.

☞ Sulphate Quinine 2 oz.

☞ Measure around the hips 25 inches—around the small of the back 25 inches

Perhaps all this measurement will not be needed.

The letter is superscribed

JOSEPH BURNETT,

No 33 Tremont Row,

Boston

Mr Burnett put up the shoulder braces; the hydrocyanic acid I put up myself (Witness recognized the bottle when was a dark colored one). The liquid is colorless, but was put in this bottle to protect it from the light, which injures it. It is of the strongest kind; we imported 4 ounces of it; this is one ounce; this kind of acid is never sold for medicine, the ordinary medicinal acid is much weaker. The demand for this kind of acid is very small; we imported it for the Eye and Ear Infirmary, where I suppose the vapor of it is used, but I do not know in what manner. The bottle is about two thirds full, nearly or quite the quantity we sent. The handwriting on the bottle is my own, and was put there after the liquid was put in; don't remember of ever selling this sort of acid before except in one instance, that was to a physician who wished to experiment on animals. We have only the manufacturers mark to indicate that it is the strongest kind of acid. When I poured the acid from the large bottle into this one, the vapor was very perceptible, and produced giddiness.

*Cross ex.*—I have frequently handled this kind of acid in its medical form—we put it up as often as once a week; it is used by the best physicians in Boston and elsewhere. All the medicinal acid is put up in ounce bottles and labeled, 'minimum dose, one ounce,' that is the strength we always expect to find it. I don't know that we have ever sent any of the acid to the Eye and Ear Infirmary. Fort on the bottle means fortissimus, which is strong; it generally means as applied to our business, 'the strongest,' or 'as strong as it can be.'

*Benjamin Wales sworn.*—(A paper was shown the witness which he said he received on the 18th of Sept last.) I was received by Mr Murrel, and is as follows:

WATERVILLE Sept 19th, 1847.

DEAR SIR:—Will you send me one ounce of the strong Hydrocyanic acid as strong as it is made.

If you have not the strongest, send as strong as you have. Yours &c,

V. P. COOLIDGE.

[Mr Wales is a man doing business at Hallowell.]—[Rep.]

I gave a bottle of the acid to the same man who gave me the order—bottles were shown witness which he thought were not like the bottle he put the acid in; the degree of strength was not put upon the label, consequently I suppose it was the medicinal acid, which is two per cent strength; had it have been otherwise, I should expect to see it marked on the label.

*Cross ex.*—I knew D Coolidge, but had never before received an order for him.

*Mr Goodwin recalled.*—Have to quietly answered orders for Dr Coolidge but never before seen him as Prisoner.

*Wm N Phillips sworn.* I was at the prisoner's office on Sunday, the 13th of Sept; I went to the office to carry a measurement of my wife's person, to have him send to Boston for a supporter; he was writing when I went in; I went with him to the back office and took up a bottle which he said was a very powerful poison, Prussic acid; he said if he should put one drop of it on my tongue I should fall dead as quick as if struck by

lightning. He said he had tried it on a cat; after finishing his letter, he read to me that portion referring to my own business. (Witness was shown a letter which he thought was the one he carried to Boston and delivered to Mr Burnett.) I received the supporter, and ordered the other things to be sent by express. After my return, he was one day standing at my desk writing a direction for some cough medicine, and asked me how the supporter suited; I told him very well; I then asked him if he had got his things, and he said 'Yes, all right.' This was on the 29th.

*Cross ex.*—When in his office did not notice the medicines, but took the first bottle I put my hand on; have known him ever since he came to Waterville, and know that he had an extensive practice; his education was as good as that of young men generally, but I have heard hints thrown out relative to his conduct.

*Dr Jonathan A Smith sworn.*—I live in Vassalboro; I had a small quantity of Prussic acid of prisoner in August last, which I received of him at his office; I could not tell how much acid there was in the bottle from which he poured; I supposed this to be the medicinal acid, as I recollect the odor, and it was prepared for a patient, as he told me.

On cross examination could not swear whether it was taken from either of two bottles shown him.

*Augustine Perkins recalled.*—A quantity of bills were shown witness which he said were of the same denomination, and the same bank as some he had let Edward Mathews have; They are on a Providence Bank and are not generally circulated here; there are six on \$3, two twos, and three fives of Exchange Bank, Providence; of the money I let him have there were \$300 on bank out of the State, and \$100 of bills on banks in the State.

*Cross Examined.* Don't know how much money I paid out that day; am certain bills I let Mr Mathews have were of the Exchange Bank, Providence.

A journeyed to me now at 8 1/2 o'clock.

*Franklin Dunbar, sworn.*—I live in Windso; the prisoner came to me in the sum of \$100—on 30th of Sept last he owed me \$500 \$100 of which was borrowed in January, 1846 and a note given, on which nothing has been paid; he borrowed in the June following \$400, and surety given; John Kendall, who was surety on the note, has since paid it; after the note was given, at the time the money was borrowed, Coolidge remarked that he would give me 10 per cent interest; the money was paid into the hands of Coolidge, though Kendall asked me for it, saying it was for a particular friend.

*Cross ex.*—I live about two miles from Waterville, and have known Coolidge a long time; his character was good, so far as I know and his presence in my neighborhood very extensive.

*J A Goodwin, recalled.*—Prisoner called on me in April at \$400 and said he was willing to pay 10 per cent; I have loaned him small sums at several different times; when he applied to me I told him he could get the money very easily of Mr Daniel Moore, he said he would rather get it of me, as he did not want

people to know he hired money.

*Erastus Butterfield* (a boy about 13) sworn.—I found a watch, I believe on Monday, about four days after Mr Mathews's death, in Dr Coolidge's sleigh top; several pens were present at the time; the sleigh was right over a little office in Williams's shed; I climbed up over the carriage and got into the sleigh, when I found the watch right between the wheel and the seat; I was looking in a stove pipe, and a boy saw a piece of white paper sticking out; I pulled it out and threwed it down—the latter opened the paper and said there was the gold watch; it was then taken and carried into the house.

*Cross ex.*—There were cushions in the sleigh, when I found the watch; I was looking for nothing in particular, but was with some other boys looking around—beside the sleigh there was old stove pipes, and one thing and another in the shed; there was some person that went up into the shed before I did, but he did not stay long when I and a Stocker boy went up; three or four young fellows went up before I did; I went up because I didn't know but I should find the watch or some money—money had been found just before.

*Eben Shaw* re-called.—Witness produced a third paper in which he said the watch was brought into the hall by a man whose name he thought was Allen; the paper has been in my possession ever since I first saw it, with the exception of a little time while it was in the Grand Jury room.

*Cross Ex.*—Various parcels of paper were brought into the hall by different individuals; a member of the town committee brought in a parcel which in every particular resembled this; I think search was made to see how generally this sort of paper was in use.

*Oliver Paine*, sworn.—Witness was shown a quantity of paper which he said he saw in Williams's hotel, brought in by Mr. Tilton, a minister; the watch was shown him, which he said was wrapped up in the paper; said he got paper from Coolidge's office which compared exactly with this, so far as he could see; was a member of the coroner's jury; saw the body of the deceased in the cellar the morning after the death; observed that the neck handkerchief was a little drawn up out of place; found in the pocket of the deceased a small knife, a memorandum book, and some articles of perfumery, which I think are called Catchue's *Aromatic*; saw no money, pocket book, purse, or handkerchief, in the pockets of deceased; saw three rakes on one side of the throat which looked like the rakes of finger nails; they were about three quarters of an inch wide and one inch and a quarter long; they had a reddish appearance, but did not bleed; should think the skin was raised off; witness testified to a cut in the leg of the pantaloon just below the pocket, also to the presence of a bent pin in the side of the pantaloon pocket; testified also to two or three slight cuts in the flesh of the thigh, to the cleanliness of the boots, &c.

*Cross Ex.*—I think there were one or two sheets of paper brought into the room when the inquest was held, similar to that taken from Dr. Coolidge's office, one sheet of which, however, was somewhat larger; I found a lot of sim-

ilar paper at Mr. Crocker's store, also at Mr. Crowell's store; so far as I know it is for sale in the village; the aromatics such as I found in the pocket of the deceased, are used to give the breath an odor, but do not know who suggested the opening of the stomach of deceased; don't know whether or not the deceased was in the habit of drinking.

*Emulus Butterfield*, re-called.—The sleigh-top was brought in and witness described where he found the watch in one corner of it under the seat.

*Daniel Moore, Jr.*, sworn.—The prisoner was indebted to me in Sept. last, by two notes, one for \$125, dated in October, 1845—the other for \$100 in Nov., 1845, both for money loaned. There are endorsements on both notes of interest up to Feb., 1847; the interest he paid me was 12 per cent, and he remarked that was as cheap as he got money elsewhere,—I think this was the rate of interest agreed upon when I loaned the money; the notes have been paid from the proceeds of other notes turned out to me by Dr Coolidge to satisfy an attachment.

*Cross ex.*—I have frequently loaned money at 12 per cent. interest, sometimes at 7; but never at a greater rate than 12. I was present at the Coroner's Inquest and heard Dr Coolidge remark that it was impossible to tell whether the wounds on the head were sufficient to produce death unless the scalp was turned back. Dr Coolidge cut and turned back the scalp, but I do not know who proposed opening the stomach—some one proposed it, it might have been Dr Coolidge or it might not. The body was removed from the room in which the inquest was held, but I do not know how long it remained away. I think it was Dr Thayer who first remarked that the wound on the head was sufficient to produce death, but am not certain.

*Cross Ex.*—I have no doubt that this is Mr. Coolidge's sleigh, as I have often seen him ride in it.

*Addison Smith*, sworn.—Testified to prisoner's signature on several papers shown him; they are statements which were made before the coroner's jury by Dr. Coolidge.

The paper was read by witness and is in substance as follows:

STATEMENT OF COOLIDGE, SATURDAY, 1ST OF OCTOBER

I saw Edward Mathews yesterday afternoon, about 2 o'clock, near Charles Mathews's store; he asked me if I was going into my office; I told him I was; soon after he came into my office; he wanted to hire some money of me; two hundred dollars; said he was going to let two gentlemen have it who were speculating in lands at the West; he did not name the gentlemen, nor where they were from; I said to him, I have not the money to spare; I had rather you would get it somewhere else; but I said if you cannot, I will let you have it; I did not let him have it at that time; he said if he could not get it anywhere else he would call again at 8 o'clock, and wished me to be at the office; he took a glass of brandy which set in a row with other medicines and went out; this was about 3 o'clock in the afternoon; he was in my office from five to ten minutes; I do not know which

way he went from my office; I next saw him a few moments after eight o'clock in the evening; I did not see him between the times above mentioned; when I saw him in the evening, it was at my office; he then came in and said—"Doctor, I must have that money, and I will pay you in the morning; I let him have a one hundred dollar bill that I had of W. R. Doe, of Sebasticook; I do not recollect on what bank the bill was—and one hundred dollars in other bills, making two hundred; he then took his money out of his pocket, and counted it; he had two thousand dollars, including the two hundred he had of me; he then put the money into his pantaloons pocket wrapped up in a paper; Mathews said I have now got the complement for them and am ready, and immediately stepped out of the office; I soon followed him, and when I passed out of the office I saw Mathews in company with two gentlemen with cloaks on, before David Shorey's shop door; as soon as they saw or heard me, they moved off down street, towards Stevens' store; I saw two men that I supposed to be the same above named, near Goodwin's store the same evening before I saw them in company with Mathews; they were strangers to me; I had never seen them before; I was not so near as to distinguish their faces or describe them; I was in Dow's Tavern in the evening about 7 o'clock. I stepped in to see the Register; I saw Charles Mathews in the door; I think I did not have any conversation with him at that time; I might have said "good evening;" the day before, that is the day before yesterday in the afternoon, I had a conversation with Edward Mathews about signing a note at the bank with him; it was at my office; he came in and said, I have got some money to raise—and said, will you sign a note with John Mathews for \$1500 to the bank; I said, No, at once; it was four or five o'clock in the afternoon; no one was present; deceased wished to keep the business a profound secret; wished me to tell no one for my life—meaning both the purpose he wished the money for, and the fact that he had applied to me to sign the note; I never received any letter from Dr Potter informing me that I could make a great speculation, and never communicated any such fact to deceased; I think I received one letter from Dr Potter within two months; not quite two, certainly not more than one; have not within one week past received any letter from a person in Cincinnati; in the letter I had from Dr Potter he spoke of speculation—and said if he had \$5000 he could make \$1000 in six years; I once swapped notes with deceased; he had my note for a safe I bought of him, and I gave him for it a note against Hodgden; in a few minutes after I left the office as I have before said; I returned to it once afterwards, in the course of the evening, say at about nine or half past nine, I again left the office and went into Williams' hotel to call Mr Flint; I wanted him to look up some cases in the books; he returned to the office with me; Mr Flint stayed there about one hour, and went away about ten or eleven; I soon after left the office and went to bed at Williams'; this morning at four o'clock I went to Mr Bassett's in Winslow; I returned, and at six o'clock I started to Skowhegan; I had no call last evening to

visit my patients abroad; I did not write any note to deceased last evening or at any time deceased did not solicit me to become interested with him in any speculation; when deceased was in my office Wednesday afternoon; he appeared to have drank too much; I did not notice he was under the influence of liquor—at any time yesterday; I received a letter day before yesterday from my brother in Greenwood, Mississippi; I have had a consultation with George Gilman about a speculation, but did not solicit him to join me in it. It was in relation to lend west and south; I do not recollect that I asked him to lend me money; I have looked for letters from Dr Potter since I testified as above in relation to letters from him, and find none later than April; I have received letters from him since that time, but cannot find them, nor can I tell how recently I have received them, I have my day book which I now exhibit; I made the charge of two hundred dollars to deceased this morning after I returned from Skowhegan.

#### V P. COOLIDGE.

There is also a certificate with the names of N. P. Coolidge and Stephen Thayer attached, signifying concurrence in the opinion of Dr Plaistead relating to his testimony before the coroner's jury, concerning the *post mortem* examination of the body of deceased.

*Cross ex.*—This narrative was made from answers to interrogatories put principally by Mr. Boutelle, and I believe is just the language he made use of, he sometimes adopting the language of the question, sometimes making use of language of his own; all his testimony was taken down, for the reason that at that time he was suspected of the murder, or supposed to have more knowledge of the affair than some others; he knew that he was suspected and told that he could have many witnesses called to testify where he was on that night; a Mr. Robinson was called at his suggestion; I do not know that persons were appointed to watch Dr Coolidge but such was the report; the course of the examination was such as must have caused Dr Coolidge to suppose he was suspected; I knew that committees were appointed to search the town, and that the town was divided into districts, in one of which was situated Dr Coolidge's office; these committees were appointed on Friday, the first day of October, and requested to proceed immediately with the search; the doctor did ask particularly that Mr Robinson should be examined and testify where he was on Thursday evening, but he did not desire that Mr Flint should be called; he left at a certain point of his examination, and went to his office for some letters—on his return he brought his day book, and exhibited it, saying, I think, that he made the charge of \$200 against Mathews since he went out, but of this I will not be positive; the doctor's testimony was read to him by me, after he had related it, and he pronounced it correct with one exception, in which case I have made a correction.

*Elbridge L. Getchell sworn*—I saw the prisoner and Edward Mathews on Wednesday afternoon, Sept 29 h, opposite the store of Mr Phillips; I wanted to see Mr Mathews and therefore hailed him; he came across, and while I was in conversation with him, Dr Coo-

lidge came up and told him he wished to speak to him; he left me and went in the direction of Dr Coolidge's office, in which direction also the doctor had gone a few moments before.

*Benjamin Ayer sworn*—I was at the office of Dr Coolidge on Wednesday afternoon, Sept 29th, and saw Mr Ding'ey and Mr Flint; asked them where the doctor was; had been there but a short time when Edward Robinson opened the door and locked in; while I was in the front office Dr Coolidge and Edward Mathews came out of the back office together, and Mathews entered into conversation with myself and the others present; the doctor went down the stairs, remarking that he was going to Winslow to see a sick child, but returned and called Mr Mathews out of the door; they were together a minute or less, when Mathews opened the door, and I heard the doctor say to him, "keep dark," "all right," or something to that amount.

*Cross ex.*—I think the expression was, "keep dark." Mathews was in my store on Thursday afternoon, an hour or more; he was lively and social, but I could not say whether he had been drinking; saw him again just before dark, going up the stairs; had not seen him in my store often; think this was the first time he was ever in it; I observed that he had on a watch when in my store, and a gold chain. (Watch and chain found in the sleigh were exhibited, but witness could not identify them as belonging to the deceased.) When I saw deceased in the evening, he was passing Ticonic block, going up street.

*Julius A. Barlett sworn*—I saw Edward Mathews on Thursday evening at about half past 6 o'clock, at Mr Chick's store, opposite Williams' tavern. This was the first time I had seen him since he returned from Brighton. We had some conversation together, walked leisurely along by the Parker House, down to Mr Smith's store, the building at a few doors below prisoner's office; we returned back on the same street, and when very near the Parker House, he crossed and spoke to some person; he then proceeded further along, went into Mr Chick's store, and I into the barber's shop. A man named Carter was with me; we both (Carter and I) had on cloaks at the time. I knew prisoner from having met him several times in company, but had no intimate acquaintance with him. I think he had never seen Carter before; he is a classmate of mine in college.

*Cross ex.*—This was four or five weeks after the commencement of a new term, I had been absent during the vacation.

*Ripley P. Simpson, sworn.*—I saw deceased at the Parker House on the Thursday evening before his death, in company with some other young persons; noticed that he had his boots blacked at the Parker House that evening. A little before 9 o'clock he left the Parker House and went in the direction of the prisoner's office. I have no means of knowing precisely what time it was when he left the Parker House but remember that the 9 o'clock bell rang a few minutes after he left.

*Cross ex.*—Mathews left me on the doorstep; saw him go up the street a few rods; a person going into Main street would go in the same

direction; went in that direction myself; it was rather a dark night; think the streets were quite muddy; there is a private avenue leading into Main st, but it is somewhat further than the regular street.

*A F Tilton sworn*—Witness identified a watch shown him as the one thrown down from the shed back of Williams' tavern by the boy Butterfield. It was enveloped in this paper when thrown down; after discovering what it was, I carried it up into the hall where the coroner's jury were in session. (This was on Tuesday.) I think Mr Shaw the coroner took the watch from my hands, when I carried it into the hall.

*Cross ex.*—The excitement which had been occasioned by the death of Mr Mathews caused me to approach a cluster of persons who were standing in the yard back of Williams' tavern; the watch was thrown upon the ground from a height of ten or twelve feet and I picked it up, am enabled to recognize the watch from the blood on the back of it; the stains are not so deep now as they were when I first saw it; have known Dr Coolidge something more than three years; know nothing against his general character prior to this transaction.

*George Lincoln sworn*—Was in Mr Shorey's shop in Waterville on the night of the 30th of September, and left soon after the 8 o'clock bell rung; some young men were with me in the shop until I left, when we all left together; there were 5 girls in Mr Shorey's employ who worked in a room above; the room I was in was on a level with Dr Coolidge's office; there is a passage to the upper room not connected with the room I was in; during the evening I heard persons ascending and descending the front stairs, who I supposed went into Dr Coolidge's office, as I do not know where else they could have gone; between my room and Dr Coolidge's office there is a space the width of the stairs and two partitions lath and plastered on both sides; Mr Shorey keeps goods and works himself in the store below.

*Cross ex.*—The doors to the back stairs are usually left unfastened to accommodate the back shop; have a very distinct recollection of 500 steps on the stairs on the evening I refer to, because two boys were playing checkers at the time, and fearing some one was coming into the shop where we were, the noise was noticed and the chequer board thrown under the bench; Barton, one of the boys employed by Mr Shorey, came up from the lower shop at about 8 o'clock into the shop where I was; we kept our wood in the cellar underneath Mr Phillip's store, and as we used it, usually took it from that part of the pile nearest the stairs; I do not know whether Carter's room in the upper part of the building was open that evening or not; heard no persons ascend the upper stairs.

*Herrick Barton, called.*—On the night of the 20th of September, I was in Mr Shorey's front shop, until nearly 8 o'clock; I closed the front shop before I left in the evening, and then went up stairs; I did not go into the lower shop I locked the door and hung the key up on a nail; the girls had left the upper shop prior to this.

*Cross ex.*—The door between the shop and the upper room where the girls worked was

left open; that between the shop and the entry was closed; I was not before the coroner's jury at Waterville; the body of the deceased, when found, was lying in such a position that I think I could have seen it had I been standing on the floor at the foot of the stairs; I looked that way; I did not see it when I went down to get wood to build a fire with in the morning.

*James Hill sworn*—I saw the prisoner on the night of the death of Mr Mathews, on the street next to the river, which street runs parallel with Main street, it is in the rear of the the buildings occupied by the prisoner; when I saw him he was going north, and I in an opposite direction; after I passed him I turned round and saw him again; this was a short time before ten o'clock; I then went across the bridge, and returned at about 10 o'clock, when I saw Joseph Hasty and another man going down street in a wagon; I then went up Main street, and when opposite the bank, a dog I had with me commenced howling and ran across the street between two buildings, in one of which is Dr Coolidge's office; the dog came to me again after I had passed the common.

*Cross Ex*—I was close to the bank when the dog howled and ran across the street; it is about a mile from where I met Dr Coolidge to where I went in Winslow and know the time from the fact that I heard the town clock strike 10 soon after I crossed the bridge; it was sometime after the death of Edward Mathews, say three weeks, before I named the circumstances of having seen Dr Coolidge on Thursday evening in Water street; when I did name it was in the presence of a young lady I was walking with when I met the Doctor.

The cross-examination of this witness was very much in detail but nothing important was elicited which is not stated above.

*Joseph W Freeman sworn*—I saw Dr Coolidge on Thursday night at about half past 8, or 9 o'clock, on the platform of William's hotel; he came there looked through the sitting room window, passed off the platform and went away; Mr Flint and Emily Williams were sitting in the room at the time, as I know from having passed through the room fifteen or twenty minutes before.

*Cross Ex*—I left the sitting room, went into the bar room, and from there to the door, were I stood talking with the hostler; I think the sitting room window was curtained but do not know; I did not notice his dress at the time, or whether he had on an outside coat; I did not notice where he went when he left the platform; I did not testify before the coroner's or the grand jury, but first spoke of it accidentally to Mr Moore the late Attorney General.

*John Bowles sworn*—I saw Dr Coolidge on the evening of Thursday, under Mr William's hall; I was there greasing the ax-trees of a coach as he came up and passed me on the left, and went towards the door which leads to the bar room; as he passed I said "Hullo, doctor," he replied "Hullo," and passed on; this was at about a quarter past 9 o'clock.

*Cross ex* It was not uncommon for the prisoner to be passing about the house, as he boarded there; any person coming from Main street would go through the same door he went

through; he did not appear agitated at the time; I harnessed the doctor's horse for him the next morning at about 4 o'clock, as he ordered, he saying he was going to Winslow to see Mr Barrett; a messenger who had called him was just going away as the doctor called me.

*Nelson Adams sworn*—I saw Dr Coolidge on Friday morning after the death of Mr Mathews, at Williams' bar-room, at about four o'clock; I had been in the bar room a few minutes when he came in from out of doors; a man soon came in and inquired for Dr Coolidge, and I told him he had just passed out; when I saw him he was coming from the direction of the stable, and from the shed where the watch was found; he called John Bowles and said he wanted his horse; no other persons were present.

*Cross ex*—The Huntress stage had just left when Dr Coolidge came in.

*George L. Robinson, sworn*—I saw the prisoner at about 11 o'clock in the evening; he came into the bar room and asked me to call him at 6 o'clock the next morning. I next saw him at about half past 4 o'clock the next morning, as he came into the bar room and desired me to order a breakfast for him. I had not called him; he soon called up the hostler and went away; The week before the death of Mr Mathews, the Doctor asked me if I knew when Mr Mathews would be home from Brighton; he also again asked me, and at the same time inquired if I knew how much money he took to buy cotton with; I told him I understood he took \$200 from the bank; he told me that when Mathews came home he wished me to let him know, as he wanted to see him on his return; on the Wednesday before his death I saw Mathews in the street and went to the office to tell the doctor; at one time he said he had lent Mathews some money that he did not take a due bill for and felt uneasy about it, this was, he said, the reason that he wished to see him; when I went to the office I saw Mr Flint, Mr Dingley and young Getchell.

*Cross ex*—No person slept with Dr Coolidge; know nothing of an exchange of notes between Mathews and the Doctor, or between the Doctor and Hodgden.

*Asa Fernald, sworn*—I was in Dr Coolidge's office on Thursday forenoon, and saw Mr Flint, Mr Dingley and Getchell the office boy; while I was there Mr Mathews came in and remained a short time; I saw Mathews take nothing from the safe, or any other place in the office.

*Edward S Getchell, 13 or 14 years of age, sworn*—I saw Edward Mathews in Dr Coolidge's office on Thursday, but do not know what he came there for; I once saw a letter in the office for a Mathews, but do not know whether it was Edward Mathews and do not know when it was taken away. When I came to the office the next morning at about eight o'clock I did not build a fire, but noticed there was a fire in the stove about 9 o'clock; I first saw Dr Coolidge that morning drive up to Williams' and get out of his carriage; saw a spot on the carpet near the door which opens into the back office, and called the attention of Mr Flint and of Mr Dingley to it; Mr Flint stooped down and scratched it with his finger nail; I

should say the spot was as large as my two hands; saw a hatchet there, the one I was in the habit of using to split up my wood with.

*Cross ex.*—The piece of carpet on which the spot was, was a separate piece one width, and stretched across the floor of the office; the spot I speak of was not immediately in front of the door, but close to the book case, within a foot of it; don't know the color of the spot, neither do I know it was not there the day before; this was, however, the first time I discovered it. I did not see Mr Baker in the office that morning. Mr Flint, Mr Dingley, the Doctor and myself, each had a key of the front office.

*Amasa J Dingley sworn.*—Saw Mr Mathews in prisoner's office on the afternoon of Wednesday prior to his death. He came in with Dr Coolidge, and went with him into the back office, the Doctor locking the door behind them. He (Mathews) stayed there a short time then went out, the Doctor soon following him; I was then a student in Dr C's office; I once saw a letter in the office directed to Edward Mathews; I left the office on Thursday evening at a quarter to 6 o'clock; there had been some conversation between Dr C. and me about procuring a subject for anatomization. He said there was a man in Clinton who had fits and would make a good subject; on Thursday he said to me that the man in Clinton had died, and he should like to get the body; I told him it was so far I thought it would be dangerous to attempt to get it; he said he did not want any help to get a subject when he went after one, that he was hell on a subject when he got started; I came to the office the next morning at about 9 o'clock and saw a spot on the carpet. (A carpet was exhibited on which witness failed to discover any spot.) This looks like the carpet, but there is no spot on it such as I saw in the office—the office boy first discovered the spot. There was a cork in a closet in the office, which I had seen previous to the death of Mathews.

*Cross ex.*—I did not remain in the office usually in the evening, except on Tuesday evenings; I do not know whether the office had been swept or not on the morning I saw the spot on the carpet; Dr C, and Mr M were together in the back office about fifteen minutes; when we had the first conversation concerning the procuring of a subject, Mr Flint was present, at the last no third person was present; never saw experiments on animals; the Doctor was away from the office most of his time, whether on professional business I don't know; when the first conversation took place between the Doctor and myself concerning the procurement of a subject, I do not know whether he or me commenced the conversation; but at the last interview I commenced it myself.

*Edward L. Getchell, re called.*—A hatchet was shown witness which he said he did not recollect ever to have seen before; that it was not the hatchet he had used in Coolidge's office; the hatchet that I used was about the size of this and about as dull, but I don't think this is the one.

*William Howe, sworn.*—I saw Mr Flint on the evening of the 30th of Sept. last in the sitting room of the hotel, at about half past nine o'clock, and was in his company twenty

or thirty minutes when he left and went into the front entry which leads towards the bar room; he had a lamp in his hand when he left the room; I found on the 4th Oct. last in the wood-shed a quantity of money, tucked down by the side of a joist stud; the amount was \$155, it was in a position where it might have been seen without removing anything by any person locking that way; I had however been seeking in that vicinity previously in company with the coroner.

*Cross ex.*—Flint and Emily Williams were playing back gammon in the sitting room when I went into it; Flint went out first, and in about five minutes Miss Emily followed.

*Charles K Mathews, sworn.*—I saw Edward Mathews at the Parker House a little past 8 o'clock on the evening of his death; we were together at a small party there when he called me to his side; he then left the room to go to Coolidge's office, (last part of the answer objected to by Evans, ruled competent and noted.) He said, as he was no going (objected to by Evans.) He said he supposed it was time for him to be going to Dr. Coolidge's office, as I understood it; he then left, and that was the last I saw of him; he left the house at one time prior to that, and when leaving said he was going to see if he could see any thing of the Doctor; the space of time between his leaving the house the first and last time, was 15 or 20 minutes; he was absent the first time long enough to have gone 10 or 15 rods if he had walked spy; I saw him at the barber's shop at about 6 o'clock, the last time prior to that; previous to this I had seen him at my store; he came to my store the first time in the forenoon, having a letter with him which was from Dr Coolidge, as I know from the signature; the body of the letter was in Dr Coolidge's handwriting; the last I saw of the letter, Edward put it about his person somewhere, and I did not see it again; have seen Dr Coolidge write prescriptions and know his handwriting; the letters was read by Edward Mathews.

*L M Morrill.*—What were the contents of the letter?

Objected to by Evans, argued and ruled out.

Paper shown witness which he said he saw on Thursday forenoon; it is a note given to the bank for money received; my name is upon it, and was signed there in the presence of my father and Edward Mathews; after I had signed the note, Edward took it and went out of the store, going in the direction of the bank; when he came back to my store in the afternoon, he had a pile of money in bank bills: did not examine the money, but there appeared to be a large amount; he remained in my store a very short time then: before this, while in my store, he wrote an instrument on a blank which was a blank for a mortgage of personal property: it was filled out as would be any instrument for conveying personal property: I looked over his shoulder as he read the instrument to me: he then put it about his person; and that was the last I saw of it: (paper shown and recognized: this was written in my store before the other: (reading of contents objected to by Evans) Edward was in my store at the time he wrote the instrument referred to an hour or an hour and a half. he put



the money he showed me in his pantaloons pocket, I think, but am not certain it was not some other pocket: the form book from which he wrote the instrument, he also put into one of his pockets: saw him pin up one of his pantaloons pockets while in the store.

*Cross ex.*—I saw Dr Coolidge write a prescription once at my boarding house, and know it was his writing from the peculiar style of the letters: saw some letters which Dr Boutelle said were in his hand, that he saw him write; have also seen other writing of his since then, since the instrument was written; the letters which Dr Boutelle said were his were not signed by him, but were a parcel thrown into the post office of a fair: have a distinct recollection of seeing Edward Mathews put the money into his pocket, and pin a pocket, but am not certain it was the pocket he put the money in: it was in the evening when I went to the Parker House: don't recollect whether I have before testified in regard to Edward's calling me to his side in the Parker House in the same language I have used today, but did so testify before the coroner's jury in effect; left the Parker House at about 11 o'clock, and have the impression that it was then star light; the prescription I saw Dr Coolidge write was for me; I was confined to my bed at the time, but don't recollect whether it was the measles or cholera morbus; I had both diseases in the course of the summer; my eyes were not sore when I had the measles; The blank which Edward Mathews took from my store was a printed form; am not certain whether I saw the Doctor write the prescription I mentioned, but am certain that it was written in the room, and that I read it; looked at the pile of bills Edward had but did not count it; he took a piece of paper in my presence, and wrapped up the bills, previous to putting them in his pocket.

Question by Blake.—What remark did he make at the time?

Objected to by Mr Evans, and ruled out.

I am a cousin to the deceased

\* *William Mathews, sworn*—[Mr Mathews is Editor of the Yankee Blade, Boston]—I am brother to the deceased; am administrator on his estate and have custody of his papers; found among his papers a mortgage of an interest in the Yankee Blade, conveyed to Mr Norris, one of the partners; have examined all the deceased's papers within the last 8 weeks, and preserved such as were useful, destroying the others; I found most of his papers in his travelling trunk and writing desk: he was in business with Philander Soule of Clinton, or about commencing business with him. He had been residing with his mother at Water-ville, previous to his death.

*Cross ex.*—I received his writing desk when I was sick in the latter part of October last, or in the early part of November; it was sent me with some account books and a bundle of keys; his travelling trunk contained many papers, some of which were burned, the useless portion of them; I was in Boston at the time of the death of Edward Mathews; the trunk was locked when I received it; am a brother to the deceased.

*Chas K. Mathews recalled*—Question by Mr

Morrell. What were the contents of that letter?

Mr Evans—Your Honor, I object.

Ruled competent, and witness proceeded:

"The portion that I distinctly recollect was, 'Come to the office this evening and arrange that business, but *reval it not for your life*;' the latter part underscored with a very heavy dash; I looked over Edward's shoulder as he was reading the letter, but the first part did not make impress on enough on my mind to cause me to say whether he read correctly or not.

Question by Mr Morrell.—What were the contents of that paper?

Objected to by Mr Evans, discussed, authorities cited, and ruled out.

*John Mathews sworn*—Question by Evans, "Have you been in attendance here during the examination of the other witnesses?"

Ans—I have been for the last two days.

Evans—Then I move that he be not allowed to testify.

While waiting for books to refer to, Mr Soule was called.

*Philander Soule sworn*—I live in Clinton; had agreed to go into partnership in trade with Edward Mathews; was in partnership with him in a small drove of cattle, which he took to Brighton; about \$1800 was paid out for the drove; saw the deceased at my house on Wednesday night; on the Thursday morning following he left, previous to which however he took a book of forms and looked for—[Evans—No matter what he looked for; may it please your honor, I object]; I myself looked for some forms of assignments, and saw him open the book at the place where were forms of assignments and mortgages; the book (the Business Man's Assistant) I think he took with him; I next saw him stretched on a board in Mr Williams' hall; Dr Wright, I think was examining some marks on the neck; I examined them also, and placed my thumb nail on them to see how it would agree with those prints; there were three on one side of the neck and one on the other; when Edward was examining the books he made some remarks.

Question by Mr Morrell—What were those remarks?

Objected to by Evans, and ruled out.

*Cross ex.*—Do not know whether or not Dr Wright is a regular practitioner; some of the cattle sold by Edward were bought by me, and some by him, and some by Mr Stumpson; know nothing of the amount of money the cattle brought, except by means of records kept. (Witness exhibited the hat, boots and pantaloons which deceased had on when he left his house in Clinton; there were marks of blood inside the hat, and some spots of blood on the pantaloons); I got these articles of clothing at the house of deceased's mother, I think the Sunday following his death, and have been in my possession ever since; they appear the same now as when I first got them.

Authorities were read by Chief Justice Shepley and Evans with regard to the testimony of Mr John Mathews, and a decision rendered that he was a competent witness. He then took the stand and testified as follows,—

I saw Edward Mathews on the afternoon before his death in Charles Mathews' book store, also the same day in the forenoon at the same place. (A paper was shown witness). This is a note on which my name appears as principal with Edward Mathews. I came into the store at about 4 P. M. and saw Edward Mathews writing at a desk, he left that desk and came into the front part of the store where was another writing desk and showed the writing to me; it was of the tenor of a mortgage deed; I signed this note in the presence of my son, at his book store. I once held a note against prisoner for \$100. for money borrowed on which he agreed to give me 12 per cent interest and so wrote the note, but I objected to that and the interest was stricken out. I saw prisoner on the day after the death of Edward in the street and walked with him to Williams's hall, when I asked him if Edward Mathews was in his office the night before; he said "yes, he was in my office twice." I asked him if he came there to loan him (the Dr) money. He said "No, he came to borrow money, and I loaned him \$200 which I did not take a due bill for but charged it on my books, as he said he should pay it the next morning. It was then objected that I should put more questions to him.

*Cross ex* — When I came into the hall with the Doctor, a number of persons were present, you (Mr Noyes) were there yourself and are the person who objected to my questioning Dr Coolidge; two or three questions were put to Dr C. before I questioned him but by whom I don't recollect; I do not know that there was an organized meeting in the hall, and do not recollect that I was requested to leave it; I do not recollect that you (Noyes) told me all persons except the committee of search must leave the hall, but do recollect that Mr Boutelle told me it would be proper for me to remain in.

*Thomas Flint sworn.* — On Thursday evening the 30th of Sept, at 6 o'clock, or between 6 and 7 I returned from a visit to Canton, took my tea and went to the office; after sitting there a short time Dr Coolidge came in, and we commenced talking about procuring a subject, for dissection, Dr Coolidge opening the conversation on that point; he said he had made arrangements with Charles Staupole to procure the subject, that he would probably be there at 8 in the evening, and if he did, said he wished me to leave. At about 8 o'clock the door of the office being locked, some one came and knocked; the door was not opened, and shortly the doctor asked if I supposed that was Charles; shortly went out of the office, to my boarding house (M. Williams's) where I found a child (in company with its parents) who had a blistered head; examined the child and sat down to play backgammon with Mrs Williams. At about 9 o'clock I took a lamp and was going to bed when in the entry I met Dr Coolidge, who said he wished me to go to the office with him. He blew out the lamp; I sat it down, and went with him; he unlocked the office and I went in; there was a dim lamp on the stand. After he had locked the door he stood before me and said "I am going to reveal to you a secret which involves my

life; that cursed little Ed Mathews came in here and went to take a glass of brandy and fell down dead; he now lies in the other room; I thumped him on the head to make people believe he was murdered." I sat down on a rocking chair when Dr Coolidge asked me what we should do with him; replied that I did not know; he then said "We must get him out of the office," and said he wished he was in the river; told him I did not think we could get him there, it was rather high; a place back of the building was then spoken of, but finally I told him we could not safely carry the body farther than the cellar, that was as far as I would go. He objected to that, as he said he feared it would be found; told him it would probably be 7 o'clock the next morning; after waiting a moment he took the lamp and went to the door of the back office and turned round as if for me to follow, which I did; went into the back office with him and saw an old pair of drawers lying folded up, on which was an impression made as if by a man's head, near the drawers was a spot on the floor which had the appearance of blood partly wiped up; then passed on to the back window, which was raised as high as it could be; front of this window was a temporary counter, and between this and the window I saw the body; Dr Coolidge then took the lamp and went down into Shorey's shop and opened the door; after he returned he asked me if I did not think it best to put something around the head; told him I did not know but it was; he then took the body and dragged it out from behind the counter; noticed at this time that the hat was pressed hard on the head; he then said it was best to take off our boots, which we did; put on another coat and went to take hold of the feet but he told me I had better take hold of the shoulders, that I could carry them better than he; I then took hold of the hands and noticed that the arms were stiff; we then carried the body in that position down stairs; when we had got part way down the body slipped and the coat was drawn up partly over his head, the arms were also drawn up; we carried the body down through Mr Shorey's shop and left it on the wood pile near the outside cellar door; Dr C. then took the hat off and let it remain near the door; we then returned to the office; Dr C. took the lamp, went below to see that all was as before, and returned; after his return he wiped up a spot from behind the counter and took the towel and the pair of drawers and put them in the stove; he then asked me what it was best to do; I told him to go on with his business and let the matter come out if it would; he said "I can't suspect me can't say, and my popularity is too great," he said he was going away to Skowhegan and told me I must come to the office before breakfast and see how things were; that there was a cask in the closet which ought to be headed up; I then started to go home and asked him to go with me, but he said it was not best that both should go together; I then went home, and as I was going in met George Robinson who asked me where the Doctor was; I told him he would be in by half past 10, and asked him what he wanted of him; he said there was a Mr Morse who wanted to see him; he remarked that it

was nearly half past 10 then; I took a light and went to my room, and shortly Mr Baker, my room mate came in; when the first bell rung in the morning I got up and went to the office, where I found a note requesting me to sweep both offices, that he had found a shir button there; I destroyed the note and then swept the offices; while doing this I saw the same spot of blood I had seen the evening before, also a spot in the m-h board under the window; I saw some aromatic substances on the floor called *cochas aromatique*, I think; I then went to the head of the case and saw some spots of blood on that, which I rubbed off; while doing this I heard some one open the post office, and I then replaced the case and put a hoop which had been knocked off, into the stove; when I noticed there was a fire; I then went to my breakfast, and on my return shortly after, saw Edwin Getchell the office boy, sweeping the carpets; he noticed the spot on the oil cloth carpet near the old case; he was sprinkling the floor at the time; I told him he might sprinkle it and sweep it up; I soon went out of the office and left Edwin there sweeping; shortly after I let the big was found; I was called out to go to M<sup>r</sup> Boutelle's office, and on my return Edwin called my attention to a spot on a piece of woolen carpet near the inside door and bookcase. I examined the spot and found it was blood, I also saw on same a few hairs in the blood.

Between 11 and 12, I saw Dr C. in his carriage near Dr Thayer's office; Dr T. was then talking with him; I went to them and told Dr C. of the circumstance of my being called to Dr Boutelle's office; Dr C. then driving away, I turned and went back to the office; as I went into the office I saw Dr C. charging Edward Mathews with \$200; he took the account book and went out of the office saying he was going into Mr Williams's hotel; I remained a short time when I was summoned to attend a Coroner's jury at the hotel. Before I left, Dr C. came in and handed me a sum of money from his pocket book, and asked me to put it in my pocket, saying they might ask to see his pocket book and did not know but there was too much money in it; shortly after, they were assembled in Mr Williams's hall, and preparations were in progress for a *post mortem* examination. Dr C. sent me for his instruments to perform the examination with; I brought the instruments and they were used in the examination; I was then sworn with Dr Plaisted, Dr Thayer, and Dr Coolidge. Dr C. did the cutting and I assisted him when he desired it. After he had finished I sewed up the cuts which were made, and was then sent out of the hall.

Sometime after Dr C's return from Skowhegan he gave me a letter to destroy which I did, by tearing it up and throwing the pieces into the street; after the *post mortem* examination I put the money which Dr C. had given me into a wood pile in Mr Williams's wood shed; after they got through with the *post mortem* examination and was relieved from the Coroner's jury I went into the office and Dr T. came in; he said there was \$1600 under the carpet under the iron safe, and wanted me to take care of it; I did not know what to do

with it, but he thought it would be safe in my trunk; I did not remove any of it then; after supper I went in and removed a part of it which I put in my pocket, and together with a small quantity of money which he had given me in the afternoon, put in a crevice near the door which leads to Mr Carter's printing office. In the evening saw Dr C. and he told me that he wanted a part of that money. After this Mr Baker and Dr C. went to the office, and I went up street. On my return Mr Williams told me I had better go to the office, that Dr C. was there taking on and I had better go and quiet him. Then I went to the office and found Dr C. very much agitated; he expressed a wish to see Dr Thayer, and I went to Dr Thayer's house and called him; he went with me to the office and talked with Dr C. a short time, when he appeared more calm; Dr T. then left, and Dr C. went to the house in company with Mr Baker; went to the house shortly after; Dr C. went to his room asking me to go with him; I hesitated, but finally went to his room; he then took the money he had given me, selected some of the bills, put them into his pocket book and gave me others from his own pocket book; we then went to bed and talked about taking care of the money, and concluded it would be safe in a jug kept in the office; don't think either of us slept much that night; in the morning I put the money in a jug, and put it with other jugs and bottles in a shop in the office.

A jurned to 2 o'clock.

#### AFTERNOON SESSION

On Saturday forenoon I washed Dr C. to go out to Clinton and visit a patient; he did not wish to go but told me I had better; went and in the afternoon returned, when he transferred his property to me, the business being done by Mr Baker and Mr Chandler; we were together a good deal in the afternoon, and talked more about the property than anything else; in the evening I wished him to take care of the money he had given me, but he did not seem inclined to; then went to the office, broke the jug, and threw the money contained in it into the stove; the next morning I and the boy Getchell examined a hatchet that was in the office, but found no decided marks on it; I brushed a cloth on the book case near the door and discovered a small spot of blood upon it; that forenoon the selectmen had searched the office; that night after I and Dr C. had gone to bed, he importuned me very strongly never to record what I had discovered; the conversation turned upon the evidence before the coroner's jury; on Saturday night the chief conversation was about a letter which was written to Edward Mathews and testified to before the coroner's jury; asked him if that letter was in existence and he said that it was not; that on Friday night he went down and took it from the bag and destroyed it; the next day Squire Noyes was called in as his adviser; on Monday he (Dr C.) told me there was a bottle at the office that had contained prussic acid, and that it ought to be destroyed; I asked him what bond it was, and he told me one that I had not seen; I replied it no one has seen it "why do you wish to destroy it?" he said William Phillips has seen it; I told him that Squire Noyes thought the bottles had bet-

ter be left on the shelves as they had been; at his urgent request that I should fill up the bottle that came from Burnett, (for he said some of it had been used) I went to the office, filled up the bottle out of the one that came from Hallowell, threw the cork with other old corks away, and destroyed the Hallowell bottle; I then put the bottle which came from Burnett on the shelf, but subsequently put it into my trunk having heard it suggested that in his rage Dr C might destroy himself; the doctor told me the brandy bottle ought to be rinsed and the water in the sink thrown out; I took the cork out of the brandy bottle, but did not rinse it; the water was subsequently thrown out; on Sunday night he told me that he wished I would take the watch from his sleigh in the loft and throw it into the river; this I declined to do telling him I would follow no further, but that matters must come out as they would; on Monday of the week following the death, the Doctor's books were transferred to Squire Noyes, as I understood, for the benefit of the Dr's creditors, the papers transferring the property to me having been destroyed; I slept with the Dr two or three nights following the death of Mr Mathews, at his request, and on Sunday night, when I did not sleep with him, I think Mr Baker did; I had never slept with him before; often when he was with me he urged me not to divulge what I knew, and on no occasion expressed fears that I might so divulge.

*Cross ex.*—I am in my 24th year; have resided at home most of the time or attended school at North Yarmouth, with the exception of the time I have been with Dr Coolidge at Waterville; have, however, spent five months in Philadelphia, attending medical lectures; I left Waterville, came here, have been from here to Philadelphia, returned from Philadelphia home, was here in time to attend the trial, went home; afterwards left again for Philadelphia, and returned from there a week ago. I partly disclosed to my father, a week after the murder, the facts I have testified to today, in my room at Williams's Hotel; I afterwards disclosed some part of it to Mr Baker, as we were coming down here; I was called to Mr Boretelle's office to answer questions with regard to business said to have been transacted between Mr Mathews and Dr Coolidge; was also asked about a letter directed to Edward Mathews, and stated that I saw one so directed in Dr Coolidge's office. I first gave an account of what I was doing on Thursday evening, before the Grand Jury; told them that I was in the office on that evening examining books in order to get a correct idea of an important case the Doctor had at Skowhegan; dont recollect what was afterwards asked me particularly; was under oath; did not state there what I have stated today. A second time when before the grand jury I signed a paper containing the testimony I had delivered, when before it the first time; did not state to the jury anything about the money, the watch, or about washing out the stains from the floor; I was under an oath, but I can't respect the oath; dont recollect that I told his matter to any one before I told it to my father; recollect being in Dr Coolidge's office with you (Evans) and Mr Noyes on Sunday or Monday evening, but do

not recollect to have pointed out the books I was reading, when called to the office by Dr Coolidge on Thursday night; do not recollect of ever having said that when I came there the body of Mathews was not there, and that I never saw it there; think we went down the back stairs into the cellar with you and Mr Noyes; dont recollect that I ever pointed out to you or anybody else the impossibility of taking the body down the back stairs, but wont say that I have not so done. I have never had a guarantee that I shall not be prosecuted in this case. Gen Simons and my father have told me that if I would testify in this case, all the leniency would be shown me which the circumstances of the case would allow; communicated to Mr Baker what I did communicate to him while we were riding down from Waterville to attend the Grand Jury. I having been summoned before it; know nothing of how Dr Coolidge came to send to Boston for this acid, and first saw the bottle and opened it when it arrived by express from Boston; smelt of it to satisfy my curiosity; it was labelled Prussic Acid, and I had no doubt it was Prussic Acid. This acid has invariably the same smell. No experiments, with Prussic acid were made in that office to my knowledge, none in my presence; I became acquainted with its odor there, from having seen and examined it; when the bottle came from Boston, I put it in a place where we kept all our smell bottles; I think Dr Coolidge was not then present, and do not know that he knew where the bottle was put; I will not say that I did not tell the prisoner's counsel on one occasion, that the bottle was precisely as Dr Coolidge left it there, but do not think I ever said so; I do not recollect telling the counsel that there was no fire in the stove on that Thursday evening; I will not say whether I told the counsel that the shutters were open and the windows uncurtained on that evening; there was only a small hand lamp which gave but little light in the office; no other light was made; we went down with the body in the dark, having no light; Dr C. was ahead when we started—I do not know whether he was ahead all the way or not; I dont know that we touched anything on the way; I could not see the body after we laid it on the wood pile in the cellar; we had to stoop a little in going on to the wood pile; I dont know whether my hat was on or not; I struck my head on the floor above before we had laid the body down; I was about an hour away from my boarding house; the hat of the deceased was on his head when we went down the stairs, but was taken off by Dr Coolidge and laid beside the head, as I know from having felt of it as it lay there; I heard some one go into Gen Fairfield's as we were taking the body down stairs; I took the money I found under the carpet and put it in the jug without ascertaining the amount; when I put the money in the wood pile I did not know of that under the carpet; when I put that that had been in the jug in the stove, there was a fire in it, and I put the money in the fire; to the best of my knowledge the money was burned.

Dr Coolidge rode from the place where he was to the office, when I, on my entering found him making a charge in his day book; I

dont know whether Dr Coolidge had been to the ball before this or not, or whether the inquest had then been held; when he took the book he said he was going to the ball; I dont know that I ever gave anybody a different account of the manner in which the body was carried down stairs; I dont recollect that I ever told any person it was taken down in a sack; I and Dr once had a conversation in regard to my buying him out, and I expressed a desire to do it; I had not the means to buy him out, but never said I could not get money from my father to do it with; I had expressed a desire to have a subject for anatomization, but not often; know some thing of the effects of Prussic acid, but have never read Christein on that subject; I know nothing of the deceased ever drinking brandy in Dr C's office, except from the setting of the liquor, and what I had had from the boy Getchell; I noticed on Thursday that about one third of the brandy was gone; the bottle held a quart; I think it was empty on Friday morning; I cant say how much brandy was in the bottle on the evening you (Evans) and Mr Noyes were there; dont recollect of saying anything about brandy on that evening, or of being interrogated as to why the brandy was not analyzed; I dont know whether there has ever been brandy put in the bottle since or not; I gave it to Mr Nudd, just as I was going to Philadelphia; the bottle was replenished from time to time out of a jug we kept under the counter; I think I filled it on Wednesday myself; we had frequent use for brandy; on Thursday noon it was about one third gone, but I do not know who used it; when the boy Getchell told me the brandy was gone I interrogated him about it; I was at the office a great part of Thursday forenoon but saw no person drinking the brandy; I think I had as good an opportunity to have seen any one drink of it as the boy.

It was Getchell who called my attention to the spot of blood on the carpet; I found a few hairs in it stuck together with dry blood; the spot was about the size of a man's hand; I think Quigley was in the room at the time, but will not be certain; cant say whether he, if he was there, saw me pick up the hair, or whether the boy Getchell did or no; dont know that I scratched the carpet with my finger; might have done so; during the day while there alone, I examined it more closely, and rubbed it a little with my hands, but did not obliterate it; I pointed it out on Sunday to Mr Nudd, and Atty Gen Moore; it was plain to be seen then; had no acquaintance with Mr Moore before; was before the Grand Jury twice; Mr Moore gave me no assurance of security; Mr Baker slept with me in the same bed on Thursday night; got up first but do not recollect whether he was awake or not; had some conversation with Baker after we went to bed, but cant tell what we talked about; did not sleep at all that night, nor did I get up during the night; heard noises in the house quite often, but cant say they were unusual noises; heard the stage when it went as I supposed; went part way down Shorey's back stairs in the morning when I went to the office, to see how things looked; the letter that I destroyed was on Friday; it was given to me by the doctor while I was standing at the door

of the office; did not observe money in the pocket book at the time; dont know as any one was in the office at the time; he met me at the door as I was going in or out

The bottles of acid that I took out of the office I kept in my trunk one night; I told on Saturday or Sunday that I took the bottles away, but at the time no one knew it; I never made any experiments with prussic acid in Dr C's office or any where else; never upon a cat or a turtle, and never saw such experiments in the office or out of it; do not recollect that I was asked of Mr Boule if I knew where Mathews was the night before; I was in his office a very short time; this was quite early in the morning; he took me into the back office and asked me several questions but nothing as to where Mathews was. I had one key of the office on Friday evening; there are four keys to the office. When I went to my room on Thursday night Mr Baker was not there, but came in as I was partly undressed; I slept on Friday and Saturday night with Dr Coolidge, but do not know whether I did on Sunday night or not; it was on Monday or Tuesday night that four of us slept in our room; the curtains of the office were not down when I went there on Thursday night, but Dr Coolidge put them down. It was just as we were ready to take the body down stairs that I heard Gen Fairfield's gate shut. The money that I put into the crevice near the door of Mr Carter's office, was given me before that that I put in the jug. I never counted the money given me by Dr Coolidge, and dont know the amount. I have no particular reason for not taking all the money out from under the carpet when I took a part. When I exchanged money with Dr Coolidge, he said he wanted me to take some foreign bills and give him River bills in exchange, as they would be less suspicious if he wanted to use them. Had never seen the bottles of acid that came from Hallowell. Dr Coolidge was not out of the office while I was there on Thursday night, except when we took the bag down, and when he went down alone, just before. I had not seen the bottle open which came from Boston after I opened it on its arrival, except when I opened it to fill it up; dont know how many of the aromatic matters I found on the floor of the office, and never saw Mathews have anything of the kind; never had any conversation with Mathews about my desire to buy out Dr Coolidge; was enquired of by several persons at the coroner's jury as to whether I knew anything about the death of Mathews, but did not inform them; dont know what I told them; think it was on Wednesday that the Doctor expressed the most fears that I should divulge; wrote to my father on Wednesday, and on the Thursday afterward he came down. The two letters I wrote to my father were taken by Mr Blunt, the driver; did not mail any letters to my father.

Question by Noyes — Boarded 11 weeks with Mr Noyes. 5 weeks at Williams's

Miss Emily Williams sworn — I saw Thos. Flint at my father's house on Thursday evening at about 8 o'clock, in the sitting room — there were several persons present, among them a gentleman and lady with a child, who

ter be left on the shelves as they had been; at his urgent request that I should fill up the bottle that came from Burnett, (for he said some of it had been used) I went to the office, filled up the bottle out of the one that came from Hollowell, threw the cork with other old corks away, and destroyed the Hollowell bottle; I then put the bottle which came from Burnett on the shelf, but subsequently put it into my trunk having heard it suggested that in his rage Dr C. might destroy himself; the doctor told me the brandy bottle ought to be rinsed and the water in the sink thrown out; I took the cork out of the brandy bottle, but did not rinse it; the water was subsequently thrown out; on Sunday night he told me that he wished I would take the watch from his sleigh in the loft and throw it into the river; this I declined to do telling him I would follow no further, but that matters must come out as they would; on Monday of the week following the death, the Doctor's books were transferred to Squire Noyes, as I understood, for the benefit of the Dr's creditors, the papers transferring the property to me having been destroyed; I slept with the Dr two or three nights following the death of Mr Mathews, at his request, and on Sunday night, when I did not sleep with him, I think Mr Baker did; I had never slept with him before; often when he was with me he urged me not to divulge what I knew, and on no occasion expressed fears that I might so divulge.

*Cross ex.*—I am in my 24th year; have resided at home most of the time or attended school at North Yarmouth, with the exception of the time I have been with Dr Coolidge at Waterville; have, however, spent five months in Philadelphia, attending medical lectures; I left Waterville, came here, have been from here to Philadelphia, returned from Philadelphia home, was here in time to attend the trial, went home; afterwards left again for Philadelphia, and returned from there a week ago. I partly disclosed to my father, a week after the murder, the facts I have testified to today, in my room at Williams's Hotel; I afterwards disclosed some part of it to Mr Baker, as we were coming down here; I was called to Mr Boretelle's office to answer questions with regard to business said to have been transacted between Mr Mathews and Dr Coolidge; was also asked about a letter directed to Edward Mathews, and stated that I saw one so directed in Dr Coolidge's office. I first gave an account of what I was doing on Thursday evening, before the Grand Jury; told them that I was in the office on that evening examining books in order to get a correct idea of an important case the Doctor had at Skowhegan; dont recollect what was afterwards asked in a particularly; was under oath; did not state there what I have stated today. A second time when before the grand jury I signed a paper containing the testimony I had delivered, when before it the first time; did not state to the jury anything about the money, the watch, or about washing out the stains from the floor; I was under an oath, but I can't respect the oath; dont recollect that I told his matter to any one before I told it to my father; recollect being in Dr Coolidge's office with you (Evans) and Mr Noyes on Sunday or Monday evening, but do

not recollect to have pointed out the books I was reading, when called to the office by Dr Coolidge on Thursday night; do not recollect of ever having said that when I came there the body of Mathews was not there, and that I never saw it there; think we went down the back stairs into the cellar with you and Mr Noyes; dont recollect that I ever pointed out to you or anybody else the impossibility of taking the body down the back stairs, but wont say that I have not so done. I have never had a guarantee that I shall not be prosecuted in this case. Gen Simons and my father have told me that if I would testify in this case, all the leniency would be shown me which the circumstances of the case would allow; communicated to Mr Baker what I did communicate to him while we were riding down from Waterville to attend the Grand Jury. I having been summoned before it; know nothing of how Dr Coolidge came to send to Boston for this acid, and first saw the bottle and opened it when it arrived by express from Boston; smelt of it to satisfy my curiosity; it was labelled Prussic Acid, and I had no doubt it was Prussic acid. This acid has invariably the same smell. No experiments with Prussic acid were made in that office to my knowledge, none in my presence; I became acquainted with its odor there, from having seen and examined it; when the bottle came from Boston, I put it in a place where we kept all our small bottles; I think Dr Coolidge was not then present, and do not know that he knew where the bottle was put; I will not say that I did not tell the prisoner's counsel on one occasion, that the bottle was precisely as Dr Coolidge left it there, but do not think I ever said so; I do not recollect telling the counsel that there was no fire in the stove on that Thursday evening; I will not say whether I told the counsel that the shutters were open and the windows uncurtained on that evening; there was only a small hand lamp which gave but little light in the office; no other light was made; we went down with the body in the dark, having no light; Dr G. was ahead when we started—I do not know whether he was ahead all the way or not; I dont know that we touched anything on the way; I could not see the body after we laid it on the wood pile in the cellar; we had to stoop a little in going on to the wood pile; I dont know whether my hat was on or not; I struck my head on the floor above before we had laid the body down; I was about an hour away from my boarding house; the hat of the deceased was on his head when we went down the stairs, but was taken off by Dr Coolidge and laid beside the head, as I know from having felt of it as it lay there; I heard some one go into Gen Fairfield's as we were taking the body down stairs; I took the money I found under the carpet and put it in the jug without ascertaining the amount; when I put the money in the wood pile I did not know of that under the carpet; when I put that that had been in the jug in the stove, there was a fire in it, and I put the money in the fire; to the best of my knowledge the money was burned.

Dr Coolidge rode from the place where he was to the office, when I, on my entering found him making a charge in his day book; I

dont know whether Dr Coolidge had been to the ball before this or not, or whether the inquest had then been held; when he took the book he said he was going to the ball; I dont know that I ever gave anybody a different account of the manner in which the body was carried down stairs; I dont recollect that I ever told any person it was taken down in a sack; I and Dr once had a conversation in regard to my buying him out, and I expressed a desire to do it; I had not the means to buy him out, but never said I could not get money from my father to do it with; I had expressed a desire to have a subject for anatomization, but not often; know som thing of the effects of Prussic acid, but have never read Christein on that subject; I know nothing of the deceased ever drinking brandy in Dr C's office, except from the settling of the liquor, and what I had had from the boy Getchell; I noticed on Thursday that about one third of the brandy was gone; the bottle held a quart; I think it was empty on Friday morning; I cant say how much brandy was in the bottle on the evening you (Evans) and Mr Noyes were there; dont recollect of saying anything about brandy on that evening, or of being interrogated as to why the brandy was not analyzed; I dont know whether there has ever been brandy put in the bottle since or not; I gave it to Mr Nudd, just as I was going to Philadelphia; the bottle was replenished from time to time out of a jug we kept under the counter; I think I filled it on Wednesday myself; we had frequent use for brandy; on Thursday noon it was about one third gone, but I do not know who used it; when the boy Getchell told me the brandy was gone I interrogated him about it; I was at the office a great part of Thursday forenoon but saw no person drinking the brandy; I think I had as good an opportunity to have seen any one drink of it as the boy.

It was Getchell who called my attention to the spot of blood on the carpet; I found a few hairs in it stuck together with dry blood; the spot was about the size of a man's hand; I think Quigley was in the room at the time, but will not be certain; cant say whether he, if he was there, saw me pick up the hair, or whether the boy Getchell did or no; dont know that I scratched the carpet with my finger; might have done so; during the day while there alone, I examined it more closely, and rubbed it a little with my hands, but did not obliterate it; I pointed it out on Sunday to Mr Nudd, and Ait'y Gen Moore; it was plain to be seen then; had no acquaintance with Mr Moore before; was before the Grand Jury twice; Mr Moore gave me no assurance of security; Mr Baker slept with me in the same bed on Thursday night; got up first but do not recollect whether he was awake or not; had some conversation with Baker after we went to bed, but cant tell what we talked about; did not sleep at all that night, nor did I get up during the night; heard noises in the house quite often, but cant say they were unusual noises; heard the stage when it went as I supposed; went part way down Shorey's back stairs in the morning when I went to the office, to see how things looked; the letter that I destroyed was on Friday; it was given to me by the doctor while I was standing at the door

of the office; did not observe money in the pocket book at the time; dont know as any one was in the office at the time; he met me at the door as I was going in or out

The bottles of acid that I took out of the office I kept in my trunk one night; I told on Saturday or Sunday that I took the bottles away, but at the time no one knew it; I never made any experiments with prussic acid in Dr C's office or any where else; never upon a cat or a turtle, and never saw such experiments in the office or out of it; do not recollect that I was asked of Mr Boutele if I knew where Mathews was the night before; I was in his office a very short time; this was quite early in the morning; he took me into the back office and asked me several questions but nothing as to where Mathews was. I had one key of the office on Friday evening; there are four keys to the office. When I went to my room on Thursday night Mr Baker was not there, but came in as I was partly undressed; I slept on Friday and Saturday night with Dr Coolidge, but do not know whether I did on Sunday night or not; it was on Monday or Tuesday night that four of us slept in our room; the curtains of the office were not down when I went there on Thursday night, but Dr Coolidge put them down. It was just as we were ready to take the body down stairs that I heard Gen Fairfield's gate shut. The money that I put into the crevice near the door of Mr Carter's office, was given me before that that I put in the jug. I never counted the money given me by Dr Coolidge, and dont know the amount. I have no particular reason for not taking all the money out from under the carpet when I took a part. When I exchanged money with Dr Coolidge, he said he wanted me to take some foreign bills and give him River bills in exchange, as they would be less suspicious if he wanted to use them. Had never seen the bottles of acid that came from Hallowell. Dr Coolidge was not out of the office while I was there on Thursday night, except when we took the bag down, and when he went down alone, just before. I had not seen the bottle open which came from Boston after I opened it on its arrival, except when I opened it to fill it up; dont know how many of the aromatic matters I found on the floor of the office, and never saw Mathews have anything of the kind; never had any conversation with Mathews about my desire to buy out Dr Coolidge; was enquired of by several persons at the coroner's jury as to whether I knew anything about the death of Mathews, but did not inform them; dont know what I told them; think it was on Wednesday that the Doctor expressed the most fears that I should divulge; wrote to my father on Wednesday, and on the Thursday afterward he came down. The two letters I wrote to my father were taken by Mr Blunt, the driver; did not mail any letters to my father.

Question by Noyes — Boarded 11 weeks with Mr Noyes. 5 weeks at Williams's

Miss Emily Williams sworn — I saw Thos. Fitt at my father's house on Thursday evening at about 8 o'clock, in the sitting room — there were several persons present, among them a gentleman and lady with a child, who

the office, where he remained until about half past 10, looking up medical cases in the books in reference to a case the doctor had at Skowhegan, he stated that the doctor was sitting at a table with him; also that no one else was in the office; he did not state how long it was after his return to the town before the doctor came in; he was called again before the jury on Saturday, and interrogated with regard to what he saw about the office; with regard to a letter also; he at this time declared that he had seen nothing to throw suspicion on the doctor, and that he knew of no circumstance which would lead to the detection of the murderer; all of his testimony was not taken down on either occasion, as Mr Smith stated it was strictly negative, and not necessary to be recorded.

*Cross Ex*—I think I have not stated all that was said and not reduced to writing.

*Joseph Marston sworn*.—Was one of the coroner's jury and heard the examination of Thos Flint; he was minutely examined as to his knowledge of the murder in any respect, and he replied that he knew nothing about it: one reply that he made was, that when he went to the office after having been called from Mr Williams's, he found the office lighted as usual, and the door to the back office open; he also said he saw nothing unusual on the floor; said he could give no information of any character which would lead to the detection of the murderer; said he was employed on that evening in hunting up cases in the books, and that the doctor was sitting with him at the table; am not certain whether he stated at what time the doctor returned to the tavern after he did, but think he mentioned about half an hour; he was examined at two separate times before the coroner's jury; have the impression that he said he saw deceased in the street on Thursday afternoon, but that he did not see him after that.

*Cross Ex*—Do not undertake to give Flint's language exactly, but this is the substance; am not quite certain that he did not say that he saw deceased in the office, but think not; was present when John Mathews testified, but do not recollect what part, if any of his testimony, was taken down; he testified to one fact, I am certain, and that was with regard to his signing the note; don't recollect what he said about Dingley being in the office that day, but think he said Dingley was there; he said he left the office at 8, and returned after 9 sometime.

*Benjamin Ayer sworn*.—I resided in Waterville at the time of the death of Mathews, and frequently heard Flint say that he knew nothing about his death; these replies were frequently repeated, from Wednesday to the Thursday of the following week; he said he had no knowledge whatever of the affair, and could give no information with regard to it; I was frequently with him and the doctor at the hotel; I saw Flint on the morning that the body was found, back of the building; some one suggested that the body might not be dead; Mr Flint went to the deceased, took hold of the hands, said they were cold, and that the person was dead; this was before the body was removed from off the wood; the space from the top of the wood to the floor, I should say was about 2 1/2 feet; it was not three feet; the woodpile sloped off towards the cellar stairs as well as

towards the door; people frequently visited the doctor's office in the evening; I assisted in making a schedule of the doctor's effects, and recollect pretty nearly the amount; it was not far from—(Objected to and ruled out, the Court remarking that the schedule would be the proper evidence)

*Cross ex*—I was not on the spot when the body was taken out of the cellar, and do not know whether the wood was thrown back or not, after the body was taken out; I frequently interrogated Mr Flint as to his knowledge of the murder, because suspicions had rested on the doctor, and I told Flint that I wanted the facts to come out; was not boarding at the time at Williams, but stopped there on Monday night, and on two or three nights following; on a certain night Mr Flint, Mr Baker, myself, and Dr C. were in one room all night, making out a schedule of the doctor's effects; the prisoner talked of this affair at the time, and said he thought it rather a hard case that he should be accused of the murder; do not know at what time Flint's father came to Waterville, but know he was there on the Thursday night following the death of Mr Mathews.

*Direct examination resumed*.—I was on a watch raised to search the town, and was back of the building where Coolidge's office was, myself, one night; should think Coolidge was watched in his actions during this time pretty carefully.

*Samuel Brown sworn*—I reside in Buckfield; knew the prisoner in the fall of 1841, while he was a student at medicine with his uncle; he remained until he came to Waterville, with the exception of a time while he was attending medical lectures at Hanover; I knew him quite well while he was at Buckfield; his character was very good; he kept school once in our town.

*Cross ex*—I can't state at what time precisely he left Buckfield; never knew of his establishing himself in the practice of medicine elsewhere than in Waterville.

*John Simmons sworn*—I reside in Canton in this State; have known the father of the prisoner 25 years; prisoner was born in Canton, and I knew him from his hearth till he left for Luckfield in 1841; he lived with his father most of the time until he was 20; he obtained his education at the town school, and of his uncle, who was a literary man; report said that he attended medical lectures at Hanover; in his early years he worked on his father's farm, and acquired and maintained, so far as my knowledge extended, an unblemished character.

Adjourned to 2 o'clock.

#### AFTERNOON SESSION.

*Isaac W Wheeler sworn*—I was employed by Mr Nudd to make out a schedule of Dr C's property, soon after his arrest, and was assisted by Mr Flint; I had heard that Flint had testified before the grand jury, but had not heard what he testified to; Flint told me at this time that they put a sack over the body before taking it down stairs; we were employed together two or three days, but before getting through he went away; when employed in this work, Flint filled up a pocket case he had with such medicines as he wanted; they were stated to be expensive medicines by the bills.



*Cross ex.*—Flint filled up about a dozen phials; I remonstrated at the time, thinking the time occupied in filling up the medicines might be worth more than the medicines; he said he carried the body down in a sack. (Witness explained the apparent discrepancy in his testimony, by saying Flint told him the body was put in a sack or a sack put over the body) I have spoken of this circumstance in the street, and to Mr Noyes—perhaps to other persons.

*Daniel Baker sworn.*—I reside at Waterville, and on the 20th of September last, was boarding at Williams's hotel; Mr Flint and Dr Coolidge boarded there also. While at the breakfast table I heard of the death of Edward Mahews, and with Mr Kelly went to the place where the body was found; several persons were there, among them Dr Hoyt; I had conversation with Mr Flint at the time the coroner's jury was held frequently, and he invariably told me he had no suspicion as to the murder; I went to Dr C.'s office in the early part of the day, and we went from there with Mr Flint to the office of Mr Boutelle, when he went into the back office and remained some ten minutes; I was in the office of Dr C. in the evening (Friday) and saw Mr Dingley and Mr Flint there; Dr Thayer came in, by request, in the same evening; on Saturday, in the forenoon, I was in the office of Messrs Boutelle & Noyes, where I am studying; in the afternoon I was in Dr C.'s office most of the time with Mr Flint and Mr Paul L. Chandler; there was a good deal of excitement about and a good deal of suspicion; on some morning after Sunday, I called on Mr Flint at Mr Williams's, for the keys of Dr C.'s office, he gave them to me, and at the same time asked me if I would pour out the contents of a pail which stood in the office; I went to the office with Mr Chandler, unlocked the door, found the pail but did not pour out the contents; I went to Mr Flint and asked him why he washed the contents thrown out, and he said because that a fortnight before he had experimented with Prussic acid, and some of it might be in the pail; I think he (Flint) poured out the contents of the pail afterwards.

Mr Flint and I came from Waterville here together to go before the grand jury, when about four miles from this town, he said, "I suppose I have got to testify against Dr Coolidge," but did not say what he should testify; I asked him if he knew any thing personally of the crime alleged, and he said no; I staid with him until towards night the next day, and went back with Mr Howe; Flint remained, I have the impression.

*Cross ex.*—I have the impression that it was Monday evening that I and Chandler went to Dr C.'s office—we went then to look round as we had frequently done, but I remember of no particular object we had in going there; we finally, after consultation, concluded we would not turn the water out, but let Flint turn out his own slop; the slops were somewhat dark colored; I enumerated to several persons the fact that Flint commented to me about the slops.

At the time Flint and I were riding together, he said he had got to testify against the doctor that the crime was enormous, and he thought it must come out; that perhaps the doctor would

have to be hung, and that it was rather a hard case; he said, I recollect, that he knew nothing personally of the affair; I have no recollection of ever having said to Flint, that to testify what he knew would be disastrous, but did say to him that we were bound to tell all we knew; Flint asking me to turn out the contents of the pail might have excited suspicion, but I saw nothing in the contents of themselves to raise suspicion.

On Monday night I slept with Dr Coolidge in his room, on Tuesday night also; on Wednesday night Dr C., Mr Flint, myself, and Mr Ayer, were together in one room; on Thursday night I slept there with Dr C. and Mr Ayer; when people came to the door that the doctor did not wish to see, I tried to keep them out of the room, more particularly those that came on professional business; I have no recollection of ever having said, "It would not do for the doctor to talk with people, as he might commit himself;" on Saturday I wrote a bill of sale conveying Dr C.'s horse to Mr Flint, at Mr F.'s request; the request to make the bill of sale was made to me by Mr Flint in the atty under Williams's hall; the parties were asked particularly if this was a *bona fide* sale, and they replied that it was; I at any rate so understood it; the bill of sale was burned on Thursday, in the presence of Mr Flint, and I think in the presence of Dr C. also; it was burned because it was deemed a lawful way of getting rid of the instrument; the property was then disposed of by assignment; I know nothing of Mr Flint putting bottles in his trunk; there was a case of instruments missing and it was said they were taken, but by whom I know not—since this don't know that they had in reality been taken; I told Dr C. on Sunday night that I had heard that the contents of the stomach had been analyzed; I know that the assignment of Dr C.'s property was made to Mr Parker and to Mr Phillips, and that they declined it; they assignment was finally made to Mr Noyes while he was absent, I believe to Lewiston; I have not been in the court room since I was ordered out, nor heard any of the testimony; I have read the testimony, however, pretty thoroughly up to Friday.

*Chas E Stewart, sworn.*—I reside in Gardiner, and saw the deceased at Gardiner on the morning prior to his death; also saw him the evening before in a room smoking and playing cards—gambling; he had a considerable sum of money which I saw him exhibit once during the evening; there were four persons in the room altogether at the time; do not know where he went after he left the room; one of the persons who was in the room was a stranger there at the time; have seen the deceased gambling on other occasions than the one mentioned.

*Cross ex.*—Watch shown, which witness identified as the one he had sold deceased at Gardiner in August last for \$75. I took a note for the payment, all of which has been paid except \$5.

*Henry Smith, sworn.*—I saw the deceased at Gardiner the evening previous to the night of his death, at the Cobessee house; did not see him drink there, but think he was intoxicated; think it was half past 10 or 11 o'clock when I first met him, and about two hours after when

I left him; he was quite as much intoxicated, I think as I had ever seen him before; didn't see him exhibit to any one besides myself any large sums of money; when I first saw him it was at the door of the house; and he invited me to his room; John Stacklold, who is now in Boston, was in the room as well, together with my clerk, a man named M. Corby.

*Cross Ex.*—All the persons in the room were acquainted with each other, and with Mathews; recognized the watch shown him, and to a question "Did that ever belong to you?" by instruction of the Court answered, "I can't say that it legally ever did."

Evans—What sort of an ownership did you ever have in it, or when?

Wil.—Well, sir, I own it now; I won it of Edward Mathews, in a bet.

Evans—What did you bet against it?

Wil.—(Taking a watch from his pocket) this piece of property that I hold in my hand.

Evans—How many bets did you make?

Wil.—One.

Evans—Who were the umpires?

Wil.—Edward Mathews and myself.

Mr Noyes, (attorney in the case), *sworn*—Was present on Monday or Tuesday evening at the office of Dr. Coolidge in company with Mr Flint and yourself (Mr Evans); Flint was asked if he was present in the office on the Thursday evening of the death, and he said he was, and pointed out the place where he sat, and where Dr. Coolidge sat; he stated that on that evening the blinds and the curtains were open; we then went into the back office, and he pointed out where the acid bottles, as he said, sat on the morning after the death of deceased.

There was a meeting in the brandy bottle which looked like brandy, and which he said was brandy. He told us that the bottles were exactly as they had stood the day before.—Said nothing about having removed any bottles, and said, I think to one of us, that he found nothing extraordinary in the office in the morning after the death. I am assuaged of previous effects for the benefit of such persons as become creditors to him within thirty days prior to the date of assignment. The assignment was made without my knowledge.

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In the cross examination of Mr Noyes he stated that suspicions were strong against Dr. Coolidge at the time the assignment of his property was made to him.

Mr Evans now desired to read from Guy & Christians, some passages in relation to the effects of chemical action on Prussic acid which he said would go to show that witnesses who had testified here, had not read all that was contained in those works relating to the matter. The Court denied that reading from books other than books of law was not admissible, on the ground that the authors of those works were not under oath when they were written. Mr Evans said he would not undertake to say that the practice in the Courts of

Massachusetts and New York was more correct than the practice here, but that in those Courts such readings would be admitted.

Mr Chief Justice Shipley, apparently somewhat offended, replied that he adhered to his decision, and intimated that Mr E. had made use of improper language; whereupon Mr E. arose and feelingly disclaimed any intention of casting imputations on the Court, but argued the right to read from the authors he had mentioned. The Court however, adhered to its original decision.

Mr Noyes now read the statements made before the coroner's jury, of Thomas Flint—A. J. Dingley and Geo. L. Robinson. The matter of these statements has all appeared in the evidence before reported.

The counsel for the defence stated that a large number of witnesses were present, who would testify to the good character the prisoner had uniformly borne, but the government agreeing that such was unquestionably the case, the defence gave notice that the cause should rest here.

Mr Noyes now introduced the following additional testimony for the government:

*Phislander Soule.*—I had a conversation with Mr Baker at the Mansion House on Thursday or Friday last; while sitting by his side I said to him that some one at the coroner's inquest stated in my hearing that Coolidge made certain remarks about not analyzing the contents of the stomach of the deceased, and believed it was he (Baker) who had stated it; Baker said no; but I'll tell you what I did say; I said that Monday evening after the murder was the first time I had suspected Coolidge. He also added that something had been said about Prussic acid in the stomach of the deceased, and that he offered \$300 there was nothing of the kind there, but that he would pay \$5 towards having the contents carried to Brunswick and analyzed; that it would be useless as the acid would escape before the contents could be got there; I also conversed with Baker about what Flint said in relation to the slops, and told him that Flint said that he [Baker] emptied the slops from the washbowl into the pail; Baker replied that it was so.

*Cross Ex.* I was a relation of the deceased; considered him a member of my family, and have taken a great interest in the trial; I conversed with Baker for the purpose of getting information of him if possible.

*Joseph Nudd,* recalled. Witness testified that he found two bottles in Coolidge's office about the same size, one of which was labelled "brandy" and empty; the other, which had no label on it, was about a third full. [The bottles were produced and exhibited in court.]

He testified that Dr. Coolidge's sleigh was highly gilted and had flowers on it, but on cross examination stated that he believed it had

been painted since. [It was black when exhibited in Court.]

*Dr Hubbard, recalled*—The essential oil of bitter almonds is said to be a deadly poison, and it has an odor like that of prussic acid; it is prussic acid in its native state, combined with vegetable matter.

The testimony on both sides being concluded, notice was given that Mr Evans would commence his argument to-morrow morning, whereupon the court adjourned to that time.

AUGUSTA, March 21, 1848.

MR EVANS' ARGUMENT.

At the opening of the Court, Mr Evans spoke in substance as follows:

I am now about to perform, gentlemen of the jury, as best I may, the last duty which devolves on me in behalf of the unfortunate man at the bar, the last that I or any person will be permitted to say in his behalf, and would to God that duty devolved on other lips than mine. I feel deeply the awful responsibility which rests on me and you, and I have not failed to notice the impression made on your minds by the proceedings before this Court.

You will enter upon the case, gentlemen, having in your minds what is the duty of the Government. You are not to weigh the preponderances of evidence, but to be convinced beyond all doubt of the guilt of the prisoner, before you can be called upon to pronounce that awful verdict which shall consign him to an ignominious death.

This case presents many extraordinary circumstances. That the deceased came to his death on the night of the 30th of Sept, there can be no doubt; that there was an attempt made by some persons or person to convey the idea that he was murdered there can be no reasonable doubt; but who ever heard of a murderer attempting to emblazon his guilty work upon the public mind. Whoever perpetrated the awful deed, attempted and used all the means in his power, to fix suspicion on others. Do you believe, Gentlemen, that the prisoner at the bar would have taken the course it is alleged he has taken, in order to fix suspicion on himself? Do you see any motive he could have had in the commission of the deed charged, and he a man of ample means, enjoying the confidence of the community, and always having sustained the most unblemished character. The whole transaction is shrouded in mystery, and this dark deed, for a dark deed has been committed, may only be brought to light when the earth as well as the sea shall give up its dead.

You cannot fail to have observed, gentlemen, the extraordinary manner in which the learned gentleman who have managed the prosecution of this case for the government, have proceeded. You have noticed that witnesses testified only in answer to interrogatories, and you cannot have failed to see the course we were obliged to adopt to prevent this singular mode of procedure. After examining about sixty witnesses and laying particular stress on the most trivial circumstances, you have seen the

only witness placed on the stand who testified to anything like circumstances worthy of note. He was kept back for the very reason, and no other, that they knew he was not a creditable witness, and that he was not to be believed. I therefore propose to argue this case, without taking into consideration all this extraordinary testimony.

Gentlemen have been placed on the stand to testify to the effects of Prussic acid, undoubtedly one of the most deadly of all poisons, but we find them possessed of a very limited knowledge of the action of poison. They are not toxicologists, nor do they profess to be. The action and effect of poison is not a part of their profession. Physicians are not chemists so much as they ought to be, and chemists are not toxicologists. But admitting there was a large amount of poison in the matter analyzed by Professor Loomis, you do not know it was the matter taken from the stomach of Edward Mathews. Mr Williams does not know that no person was looking at him when he took the contents of the stomach of deceased and placed them behind the barrel, whence he took them 20 hours afterwards, and for the first time put them under lock and key. There might have been a hundred eyes looking at him. You do not know that substances were not placed in that bowl during the night they were laying in the open air, but you do know that the acid bottles were taken from Dr Coolidge's office on that very night, and are there not strong reasons for suspicion that the poison was then put in the bowl, in which were the substances analyzed by Prof Loomis? Are not these things probabilities—are they not very possible, and do they not weigh heavily in your minds.

It has been shown you that hydrocyanic acid in one of the most volatile of all substances, and that it was most likely to have been found on the opening of the body, but here all the witnesses testify that on opening the body of the deceased, they discovered no odor that would lead to the suspicion of the presence of any such poison. There is no proof that there was any poison in the body at all, and it is very questionable whether the matter analyzed by Prof Loomis was the contents of the stomach as they were taken from the body.

Now, with all respect to the scientific gentlemen who have conducted these analyses, I say they were not experienced men in such matters—they confess they were not, and it is a maxim which we find in the books that no man is fit to make an experiment which is to be relied upon unless he has often experimented before. A very learned gentleman, not a chemist, as he avows, not a toxicologist, as he avows, with some knowledge from books, and less from experience, testifies that he believes the chemical tests to be as certain as the testimony of those witnesses on the stand, but on questioning, he does not know that there are not other substances which may not be acted on in precisely the same manner as Prussic acid, and yet he thinks his experiments are as much to be relied upon as the testimony of three witnesses on the stand. It is as much to be relied upon as the testimony of three Dutchmen or three Mahometans, whom the Courts do

not understand. Why have we not had here one who could have testified from a knowledge of books, not from an ignorance of them—one, who is not only one of the most eminent chemist in New England but in America? I had hoped we might have had him here; why he was not brought forward I am not able to say.

There is very great reason to believe that the deceased, indeed we know it, had been indulging in the use of brandy, on the day of his death, as well as some days before, and we find in his system just the morbid appearances that might be expected to be produced from such indulgence. I do not wish to speak harshly of the dead, my duty is to the living, and I mean to do it. And we are told these morbid appearances are not much to be relied upon—furthermore, they are not to be relied upon at all. The learned gentlemen who have conducted the experiment on the stomach of the deceased talk as if the sciences they profess had been reached. Why, the very appearances they testify to are of modern discovery. I know that it is common for scientific persons to speak as if they knew what they affirm beyond a doubt, there is a pride and desire to be considered more learned than others, but how different from him who had made more scientific discoveries than any other man of any age, who on his death bed said: "I do not know what I may seem to others, but to myself, a child who has been all his life picking up pebbles on the shore, while the great ocean of truth lies unexplored before me."

The day may come when the fallacy of the tests which have been sworn to here will be exposed. I trust that in my time and yours many discoveries will be made which will serve to throw light on those sciences now quiet in their infancy.

If there be any truth in the evidence of the learned professor, the basis of the acid which is said to have been found in the stomach of the deceased, is contained in the very bread of which we partake, and is it not very probable that decomposition may produce the acid itself. Yet we have no proof there was any acid there, or if there was, the evidence as to its locality is most contradictory. One observed its odor in the brain, another did not notice it in the brain but in the throat; while more did not notice it at all. And yet if there was Prussic acid in the system at all, what proof have you that it was placed there by the prisoner. None at all, not a particle.

A great deal of proof has been intended to show you that the prisoner took extraordinary means to procure large quantities of Prussic acid. He did send to Boston for such an acid, it is true, but in the same letter ordering the acid he desires any other new medicine worthy of trial. It is simply a proof of his desire to keep up with the spirit of the age, and we find that he was supplied with liberal quantities of the very best of medicines of all kinds. If the prisoner exhibited a disposition to keep up with the times more than other physicians around him, I pray you it may not be set down as a circumstance against him. We grant he had the means of producing the death; he should have, and no physician should be without them. The prisoner was of too investigating a mind

not to have about him everything that could assist in a thorough knowledge of his profession. He did not procure these poisons secretly as he might have done, but wrote for them openly, signing his own name, and it appears to me that if he was plotting the awful deed charged, he would have endeavored to conceal rather than display circumstances which would go to prove his guilt. That is not the way crimes are committed.

The conduct of the accused, before and after the death, they refer to. The learned counsel told you that he should prove that the prisoner endeavored to conceal evidence of his guilt—How have they shown this? Who was it that suggested the removal of the scalp? who the opening of the stomach? It was he. We find no one of the physicians who says he suggested these investigations. It was the prisoner—no one else. We do not find that he was anxious to have the contents of the stomach destroyed. He told Mr Williams they had better be removed from the room, because the smell was disagreeable; but if he was anxious they should be destroyed, why did he not follow Mr Williams, or watch where he put the bowl, or if that polluted testimony to which I shall have to come by and bye, is to have one feather's weight, why did he not tell his ready agent, Flint, to watch Mr Williams, and to put some neutralizing substance in the bowl, or in the body when he sewed it up. He had the means in his hands and knew their use; and he had an agent by his side ready to do his bidding. Who believes that such precautions could not have been taken by a guilty person? When, some time after, it was mentioned to him that there might be poison in the contents of the stomach, he answered by inquiring if they were preserved, but he expressed no anxiety about it; and when it was suggested that they be taken to Brunswick to be analyzed by Professor Cleveland, he answered that if there had been poison there, it would escape before it could reach the professor—just such an answer as he or any other experienced physician should have made. Is this a circumstance which goes to prove guilt?

Is it to be believed that for the paltry sum of \$1500 he should commit this heinous offence, and that is set down as the motive. We acknowledge that he had borrowed money, but he had ample credit, and could always procure it. He, like a great many other men, did not wish it known how much or to whom he was indebted. He did not care that all his business should be known. No one was pressing him for money, for Mr Noyes testifies that he has collected out of the prisoner's debts, \$1600 in a few days, and from the best men in the place. If he had wanted \$1500, could he not have procured it in 16 hours?—most certainly he could. And as another proof of the fallacy of the motive set up, the government have themselves shown that he was to borrow, and could have borrowed of the deceased the sum mentioned. Does this show that he was reduced to such an extremity as to require the commission of the heinous offence charged? We find that he had ample ability to pay all his debts, and how much more we do not know.

I think you can perceive in the testimony of

Grey, Gilman and Leighton, a very particular circumstance. They all speak of transactions as happening at the time of the murder—as if the murder had already been proved. They ought to have more respect for themselves and the tribunal before which they testify. They spoke unadvisedly, indiscreetly, I hope unthinkingly. Now Gray appears here in quite a suspicious position. He had himself been wandering about that night, and I think contradicts himself in a small circumstance it is true, but he does say that he would not have testified against Dr Coolidge had he himself not been suspected. The learned counsel has told you that as to Gilman, it was an idea perfectly ludicrous that Dr Coolidge should have thought to borrow of him a large sum of money. He was a young man without means, and so known to the prisoner. When suspicions were hovering around the prisoner, and when laboring under intense excitement and anxiety, it may be that the prisoner wished Gilman to testify in the manner he says; I know it will be said that innocence held up its head, is bold and firm: I know that martyrs have died for the truth; but I know also that Judas, a man before apparently as pious as any of the followers of the founder of our religion, denied his master when on the first occasion put to the test. An instance happened in a neighboring state of two brothers who were convicted of the murder of a man, and when circumstances gathered thick around them, confessed the deed, but before the execution took place, the man supposed to have been slain appeared, and proved by his presence the falsity of the confession. It was better that the truth should be told on all occasions and under all circumstances, but we find mankind weak, and we must judge of persons as they are, not as we might wish to find them. Alas for the weakness of our race, we are not what we could wish to be. The Almighty has seen fit to constitute us as we are.

And I beg leave to call your attention to the circumstance that witnesses endeavor in some way or another to connect any circumstances with the transaction. If Mr Mathews went down Main street, he went to the bank, as if he went there after money. If doctor Coolidge was seen one evening at the boarding house, under the hall, he came from the direction of the shed where the watch was found. In the first case Mr Mathews was going in reality as much in the direction of Bangor as in that of the bank, and doctor Coolidge had been seen undoubtedly coming from under the same hall, a thousand times before.—Great stress is placed on the circumstance of the watch being found in Dr C.'s sleigh—Does this connect Dr C. with the transaction? No. It rather disconnects him with it. Would he have secreted the watch in his own sleigh when there were a thousand other and better places where he might have put it. When the watch was found, people were searching, and persons had been seen to go into the loft where the sleigh was stowed away, before it was found. Might not some one who was anxious to throw suspicion on him have placed the watch there before the boy found it?

There is nothing more unreasonable than to attempt to connect the Doctor with this matter from the circumstance of his having got up early in the morning and gone on professional business. Every physician who has testified here on the stand, has done the same thing. Had he not have been a physician, not in the habit of being called in the night it would be another thing.

Why were these bottles brought here, why the clothes, why the carpet, all of which prove nothing. There was a hole in the pantaloons, it is true, under the pocket, I did not examine it minutely. I did not think it worth the while, but if I saw it rightly it was not a cut as testified to, but a tear. And after all, I can't see what those pantaloons were exhibited for. Can't you see how they were torn? The body was drawn across the wood pile, and what more is reasonable than to suppose the pantaloons might have caught on a splinter and thus been torn? It is all plain enough, and there I pass it by.

How about the letter on which so much stress was placed. A witness testified that there was a letter written to Mathews desiring him to come to prisoner's office and not mention it for his life; no date is given, no evening specified, and one witness testified that he had seen the letter on Tuesday and Wednesday in the office. Besides, the witness who testifies to the handwriting of the Dr knows it only from having seen a few lines of hieroglyphics written for an apothecary, and while the witness was sick in his bed. He had, however, seen something that was said to be written by the Dr but in a disguised hand. It was a letter written once at a fair, and any person who is acquainted with this sort of amusement, knows that such letters are usually written in disguised hands.

Now let us look at the circumstance of Mathews' having been seen to enter the back office with the Dr. Mathews was somewhat in the habit of drinking brandy, and what more natural that when intending to take a social glass, they should shut the door. There was motive enough.

I think my learned friend has read from that greatest of the world's dramatists. He quotes *Macbeth*. I think he has read *Macbeth* also for more purposes than his quotation, for it also said that on the night when the king was slain the elements were in commotion, noises were heard in the air, &c., and we have had good testimony that though there were no particular commotions of the elements, a dog did howl, most strangely, as he had never been heard to howl before. He must have read further of the works of the great dramatist, for it is there written, and I believe it is a historical fact, that when the argument was made before the dignified jury, who were considering the death of Cæsar, his robe was brought in and shown, and that the grave Senators were called upon to

“See what a hole the envious Casca made,  
How ran the dagger,” &c.

Is not this all stage effect, and display, calculated to impress on your minds, prejudice and bias?

Having now gone over the circumstances which have been introduced, do you not find them too flimsy and too unconnected to be seriously considered as proof of the guilt of this defendant?

It now being 1 o'clock, the court adjourned for one hour. In the afternoon Mr Evans continued—

I have very nearly concluded the observations which I deem important. Gentlemen, upon the various circumstances connected with this case, but I might extend them very much. This is not, however, my purpose, for while relying upon your candor, your judgment and your experience, I have endeavored to go over the matter in the plainest and simplest language. I may not have touched on all the circumstances, for I have not looked at any notes, but knowing the industry of the gentleman who are to follow me, I will again look at some of the prominent features of the case. By referring to the minutes of my brother, I see that I was wrong if I stated that Burns swore to nothing more than that an operation was performed on his finger in Coolidge's office. He said that he saw Mathews there, but how does that connect Coolidge with the commission of this horrible crime with which he is charged.

It will be contended that Mathews was murdered in that office by Dr C. on a certain evening. It will be contended that such has been proved. Now, let us see. Mathews was seen at 9 o'clock; he was seen to go into Main street, and that was the last time he was seen alive. The young men who were in the room near Coolidge's office at 10 minutes past 9 o'clock heard no noises there, and it is probable they would have heard them had any noises been made. At a quarter past 9, Dr C was seen by Bolles, the hostler, in the yard of Williams's tavern, and there appeared nothing unusual in his demeanor. According to their witness, Flint, at half past 9 he went to the office and found the dead body, with the limbs rigid. In 20 minutes from the time the rooms around the office were occupied, the body is found cold in the back room. At 8 o'clock the deceased was alive at the Parker House. He went out, it is true, but returned. Up to 10 minutes past 9 we have a right to assume he was alive, and now at what time was this awful tragedy enacted? The whole thing is too impossible of itself, even if it stood on better and firmer ground. There is not a circumstance in the whole case which is not easily explainable, and circumstantial evidence, to be of value, must be so positive, that it cannot be explained in any other manner than the one alleged.

Suppose a man is found wounded in a close room by a bullet—and a person accused was seen on the day of the murder, going secretly to that room with a loaded pistol, and such fact sworn to by one witness—another witness swears that he saw the accused purchasing powder and bullets—another that he saw him go to the room—another that he saw him coming from the room, and another that no other person could have gone to the room, with the circumstances added that the pistol was found in the pocket of the deceased, discharged. Here

is a chain of circumstances—each part sworn to by different persons, but so enumerated, that the whole can be traced from one end to the other. This you will say is good proof;—as good, perhaps, as would be the testimony of one credible witness on the stand. But have we such a chain here. Up to Friday night, were you as well satisfied of the guilt of the accused, by the circumstances related, as you could have been had one credible witness testified to his guilt?

Mr Evans here read certain authorities, touching on the nature and force of circumstantial evidence, with regard to the legal construction of the chain of circumstances, necessary to be made out before conviction can follow on such evidence.

The humanity of the case is such that, formerly in England, a man charged of a capital offence, was not allowed counsel to speak for him. You will think this rather severe, but why was it? It was because juries were not allowed to convict until the case was made absolutely certain. Mr E read case 14 of Starkie on Evidence, showing where a servant girl was convicted on the strongest circumstantial evidence that could be produced in almost any case, and it afterwards turned out that she was innocent.

Mind you, gentlemen, I am speaking without reference to the evidence of Flint. Admitting that the murder was committed, might not some other person than the prisoner at the bar have committed the act. This is a matter worthy your most serious consideration, and I cannot too strongly impress it on your minds.

Referred to two other cases in Starkie, with reference to the rule of law in regard to the *corpus delicti*, [whether the person supposed to have been murdered be really dead.]

Gentlemen, if my strength permitted, I might pursue this train of remark much further, but I do not know that I should make the case much clearer. You are not to convict, you cannot, until every reasonable doubt is dispelled from your minds. You are not to say that if there be nine hundred and ninety-nine chances of guilt against one of innocence you will convict, but you cannot transcend mathematical calculation, you must be absolutely and positively certain.

In reference to the testimony of Flint he said: The law tells you, and rightly, that you must have unpolluted testimony, that of credible men, but I confess I was much surprised when with unblushing coolness Flint came upon the stand, and acknowledged himself guilty of some of the highest crimes which the law punishes severely. Had he have been indicted, as he is liable to be indicted, or convicted, he would not have been allowed to be heard here. By his own confession he is an accessory to a murder, and by the same confession, is guilty of the crime of perjury. I allow it is competent to place him upon the stand, but the books tell us that unless such testimony be corroborated in material parts, it is not to be considered as in any degree valid. (2d and 3d Cowan & Phillips, &c. One case was cited where the wife of an accomplice was not allowed as a competent witness.) The law will not permit either life or

property to be put in jeopardy on such testimony. Is there security for life, or property, or anything, if testimony coming from polluted lips is to be credited for a moment. What say the books? The moment a person is convicted of the crime of perjury he is not to be believed in any case or under any circumstances. I think you do not wish to rely on this testimony. You will say to the government, we will not be the means of taking away the life of a man until you give us substantial evidence. You have a right to demand proof free from all suspicion, more especially such suspicion as this. A perjury has been committed by this witness, on his own confession. You have as full knowledge of it as if the copy of an indictment found against him were presented or read to you, and you know you are not to receive the testimony unless substantiated in material facts. This evidence is not substantiated at all by other testimony, but is contradicted in a most material matter. Either Flint or Hill lies, for while Flint and the prisoner were enacting this most horrid tragedy in the prisoner's office, Hill saw Dr Coolidge walking leisurely along by the river.

AUGUSTA, March 21, 1848

My last despatch was made up while Mr Evans was speaking with reference to the testimony of Flint. He reviewed that testimony most carefully, and as the phrase of the legal profession is, most essentially "picked it to pieces." He, of course, placed great stress on the fact that Flint had perjured himself before the Grand Jury, and was accessory to the murder, &c, but not satisfied with that analyzed most thoroughly all the testimony Flint had sworn to.

I hold it to be impossible said he, that the body could have been taken from Dr C's office, through the alleys to the cellar without having disturbed the cloth on the cutting table, or in some way altered the arrangement of the chairs or rubbish in those alleys. The body was never taken down that stairway, it could not have been from the very nature of the case; it was placed in the cellar through the outside door. It must have been, I hold, it could not have been otherwise. What could have induced Flint to endeavor to fix this crime on his late tutor I know not. I have not to inquire, nor will I suppose the hope of succeeding him in his business, could have weighed with him in the matter. I will not attribute to him so base a design. There is enough on his account of wickedness already. Could I believe the whole of this testimony, Flint's and all, I would stand here and ask you to acquit the prisoner on the ground of insanity, for I cannot believe that a sane man, on whom character had ever stood unblemished, as the counsel on the other side are willing to admit, and as we could prove by thousands of witnesses were it necessary, would in his sober senses, go about the commission of so awful a deed and scatter the evidences of guilt all around him.

I reluctantly leave this subject, fearing, trembling, that I have but too feebly discharged

my duty. Enough rests on me, but more on you, gentlemen; we are not in an ordinary Court of Justice. We are in a temple dedicated to the Most High God, where prayer and supplication are wont to be offered up to high heaven. The solemnity of the place and occasion should impress on your minds the importance of the matter which you are selected from among your fellow men to adjudge. When your verdict shall have been rendered, this vast assemblage will dissolve to be called together no more on earth, but will again assemble and on that great day, foreseen by the exile of Patmos, who in the record of his vision said, "I saw the dead, both small and great stand before God—I saw the books opened and the dead, both small and great were adjudged out of the books." When that day shall arrive, gentlemen, may you stand before the great tribunal unspotted from the blood of your fellow man.

Notice was here given that the witnesses in the case were discharged from further attendance, and Hon Mr Blake commenced his closing plea for the government:—

After paying a merited compliment to the eloquent gentleman who had just addressed the jury, and remarking that the government always was required to make out a case in prosecutions of this description, he immediately commenced a review of the evidence.

He placed considerable stress upon the circumstance that the body was found on the pile of wood in the cellar, dressed in clothes that were not soiled, as showing that the murder could not have been committed in the streets, which it will be recollected were very muddy at the time. The outside door of the cellar was opened 12 or 14 inches, and could not be opened farther on account of the wood back of the door. The limbs were rigid, and it was with difficulty that the body, with the limbs in their original state, could be taken out through the outside door, circumstances which, in his opinion went to show that the body could not have been put in the cellar through that door.

Passing from this subject he went on to the inquiry, was there poison in the body of Edward Mathews, on the morning when it was found? In order to show there was poison he reviewed the evidence touching that point, but suggested no new idea with reference to it, other than there could be no possible object in putting poison in the bowl which contained the contents of the stomach, while lying behind the hoghead in Mr Williams' shed, even if any person other than Mr Williams knew it was there.

In reviewing the testimony of Professor Loomis, founded on researches in books on chemistry, he complimented that gentleman's skill in his profession, and dwelt with considerable force on the improbability of his being mistaken in the analysis made of the contents of the stomach of deceased. While urging this point, the hour of adjournment arrived, and accordingly the court adjourned until tomorrow morning, at 8½ o'clock.

AUGUSTA, March 22, 1848.

At the opening of the court, Mr Blake resumed his argument for the government.

I am inclined to think, gentlemen, that you

entertain but little doubt that the stomach did actually contain a large amount of poison, as Professor Loomis tells you there was, under the solemnity of an oath. We therefore pass from that to the inquiry, was there poison in the body? We find that the brain was softened, that the blood had left the heart and was distributed through the veins—that the lungs were highly charged, and that in the lower part of the stomach there was a purple spot, indicating the presence of some corrosive substance. Dr Hill and others, who did not see the body say they should expect such appearances, but do not think them absolutely certain. Medical men who have experimented on the bodies of animals find similar appearances, just as they, from their experience, expected. It has been agreed that the food which animals live upon differs from that partaken of by men, outcrops live on animal and vegetable substances, and the appearances of the stomach in dogs experimented upon, are exactly such as were expected. I acknowledge these indications are not quite as certain as that twice two make four, but they are very indicative of certain facts.

Dr Thayer and Dr Plaistead discovered the odor of Prussic acid in the brain of the deceased, and one of them in the thorax. Now there is good proof that it was there. Dr Smith testifies that he remembered the odor of Prussic acid from having smelled it while a student 18 years before, and Dr Hubbard tells you that he should consider the odor as certain a test as any other. These, gentlemen, are what the lawyers call aspects. They were under oath, and from their experience and their standing in society are entitled to belief. Dr Hubbard tells you that he has examined a great many bodies and never detected the odor of Prussic acid in them unless put there. He does not believe this acid is ever generated in the stomach, and says, as does also Dr Hill, that there is no respectable authority to prove the acid is ever so generated. I do not see how you could have better evidence than this of the presence of poison in a body, unless you yourselves were to see the poison placed there.

With regard to the quantities of Prussic acid the prisoner had in his possession, with that he had already on hand, and that he purchased of Wales, he had more in his office at the time than he could have used in the course of his lifetime, without that purchased at Burnett's, in Boston. What did he want of all this poison? and the latter bottle, too, a substance never used in the practice of medicine. What was the object, what the design? If he had wanted it to prescribe for patients would he not have got the two per cent. acid, the strength of which he knew. Mr Goodwin tell you he does not know the strength of the strongest acid, therefore, there is no point to start from in the dilution of it, did you believe he wished it for dilution. This strongest acid is not safe to be used for any honest purpose of medicine, the prisoner must have known it, he did know it.

Edward Mathews was seen to enter the prisoner's office on the evening of his death; he had then, as the prisoner himself says, \$1800; and the next morning he was found poisoned

in the prisoner's cellar. Now, who killed Edward Mathews? Is the story of Flint is not true, what is the truth in the matter? Why is it not shown where Mathews was on that night after he left the office of the prisoner? This is all circumstantial evidence, it is true, but do you want, could you have stronger evidence founded on circumstances, than this.

It is a truth that has been stereotyped in the experience of the world, "that murder will out." It may be a slight circumstance that the doctor said the poison would escape before the contents of the stomach could be got to Brunswick, but how did he know it would escape? Arsenic would not escape, nor would morphine. They would have remained for years. But Prussic acid escapes readily—it is a volatile substance, and how could the prisoner have known that the poison, if in the contents of the stomach would escape, unless he knew the character of the poison?

Mr B. here cited two cases from Starkie on Evidence, and the case of the State of Maine vs. Sager, tried some fifteen years ago, as illustrations of the kind of circumstantial evidence required to convict. While going on to say that the evidence in the latter case was not so strong as in this, yet the defendant was convicted—Mr Evans arose and objected to such argument. He did not like that comparisons should be instituted in this case—the jury that convicted Sager had nothing to do with this case. He had a right to refer to the case, but he had no right to say how strong the evidence was without introducing that evidence as a matter of law. The court sustained Mr Evans' position.

Mr B. resumed—Thomas Flint has under oath given you a detail of what he saw on the night of the 30th of September. It is a horrible tale, a frightful story, but I believe it to be true. Flint, after being called by the prisoner, went to the office, when there the prisoner locked the door, and facing Flint, says, "I am going to reveal to you a secret which involves my life. That cursed little Ed Mathews came into the office, went to take a glass of brandy and fell down dead." I will not attempt to describe the feelings of Flint—thunderstruck, astounded, he remained speechless. After recovering somewhat from the shock, various modes of disposing of the body were suggested. Finally it was taken to the cellar in the manner described, thrown on the wood, and left in the position in which it was found in the morning. Have we not made out a case here? I am sorry we have so done—I am sorry that a man whose prospects were so fair, and who had borne such a good character, should so have fallen. But the Grand Jury having found an indictment against him, it is right we should investigate the matter, and it is right the facts should come out. This testimony of Flint's is of the sort the defence tells you is the most valid. It is positive, and I do not find a single important point in which he is contradicted, but many in which his testimony is corroborated. What was his appearance on the stand? That certainly was well enough under the circumstances—was it not exceedingly good? He was questioned as to the whole course of his



life, and not a single circumstance brought out in the course of the cross examination, which did not show his character to have been good through his youth upward. Not a circumstance could be brought against his fair fame up to the time of this transaction. The death being proved, the testimony of Thomas Flint alone is enough to convict the prisoner upon—and how much more weight ought to be attached to it, if it is sustained by corroborative facts and circumstances.

The prisoner was a man in good practice, whose character stood fair—a man much respected in the town where he belonged. When Flint came in and heard the astounding fact that the body of Edward Mathews was lying in the back room, he was struck with such astonishment he did not know how to proceed. He might have believed no murder had been committed, or if he did, was it safe for him to rush to the street and give the alarm had he desired to do so? There were blows upon the head of the deceased, and had Flint have given the alarm, he at the same time would have proclaimed his tutor a murderer. Had Coolidge any motive not to commit a second murder, and might he not have stricken him down had he approached the door? Had he the means, we know not. I know not what you would have done under such circumstances, but I pray God you may never be called upon to pass such a scathing ordeal.

The conduct of Flint, gentlemen, it is somewhat difficult for us to look at it in the correct light I believe that he either thought his friend and tutor innocent of a murder, or else that through fear he did not dare to divulge what he knew. He has been guilty of an offence, it is true, for which he has reason to repent in sackcloth and ashes—he has committed moral, if not legal perjury, by swearing as he did, negatively it is true, before the coroner's jury; but the fear of implicating his friend, and laboring as he did, under the deepest excitement, is some excuse for him. Men of nerve, perhaps, would have done otherwise, perhaps they would not. After reflection, and after having seen his father, for it appears in evidence that he did write letters to his father, and that his father came to Waterville, he takes the proper course and discloses the facts in his knowledge, just as he ought to have done. The blame rests on him only that he did not make the disclosures before. The testimony of accomplices in crime should be supported by other testimony, most certainly, but Flint was not an accomplice in this murder—he knew nothing of it until after it was committed. He was an accessory after the fact, but not an accomplice.

I do not know that anything I can say further is necessary in this case. I do not know that if I shall close here, I would not have performed my duty and my whole duty, but there are some other circumstances in the case which I will touch upon. Edward Mathews procured from the bank \$1500. He put it in his pocket, went to Charles Mathews' store, and there took a book of forms and commenced writing a mortgage—he took that book of forms, and with it in his possession went towards Dr Coolidge's office. Have you not a right to infer that the book of forms and the money had

something to do with some transaction with Dr Coolidge? We have it in evidence that Mathews went from the Parker House to the prisoner's office in the evening, and we have the confession of the prisoner that he was there, because he says he loaned the deceased on that evening two hundred dollars. Well, he was in the office, now what was transacted there. The deadly portion was administered to the unsuspecting victim, with serpent-like subtlety; under the guise of friendship was transacted this most heinous crime. After the deed was committed, the corpse was taken from the closet, but being found too small, the idea of placing it there was abandoned—the window was opened, but it struck the prisoner that blood might be found upon the casing, and that was abandoned; he went to the river, but finding it altogether unsafe to convey the body thither, he returned, went to Williams's and there meeting Flint, takes him to the office, and the body was removed and deposited in the manner Flint has stated. This is the true state of the transaction, circumstances prove it, and you cannot reasonably believe it to have been otherwise.

The matter of character, gentlemen of the jury, is entitled to some weight. It has been testified to by two witnesses from Oxford county, and two or three from Waterville, that he did sustain a good character, but have not some circumstances been developed which tend to show that his habits were not altogether correct. He had a large practice, and of the most respectable character, yet we find he was most desperately pressed for money, and in one case offered \$500 for the use of \$1000 six months. He borrowed money of every one who would loan it to him.—his notes laid over at the bank. His income though large, was not sufficient to procure him the luxuries he desired, and allow him the indulgence of those appetites and passions which had become pressing from habit. I acknowledge there is an absence of sufficient motive in this case, for the commission of the murder, there even is an absence of sufficient motive for any murder ever committed, but a man was in the coolest blood murdered at Salem for a thousand dollars. A thousand dollars was not sufficient motive, but the act was committed. The founder of our religion was betrayed for thirty pieces of silver; this was not motive enough for the commission of the act, but it was committed. Nor can character be always relied upon, for we know that Arnold, who had ever sustained a good character, proved a traitor of the darkest dye; and it must not be forgotten that Washington, who was a good judge of character, placed the most implicit confidence in him. Previous good character should carry its weight but it must be weighed with caution.

Mr. Blake then adverted to the facetious manner in which the learned counsel (Mr Evans) had referred to the quotations from Shakspeare, adding some of his own, and in closing, invoked the jury, as honest men to give a verdict such as the law and the evidence should dictate, without regard to the punishment that might follow. He could only say that should a verdict of guilty be returned, the prisoner would await in confinement, his sentence one year,

and that execution would then follow or not, something to the public mind should dictate. After referring to the peculiar importance of the case, and the solemnity of the place in which the trial had been holden, he concluded, and the Court adjourned to the afternoon.

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AFTERNOON SESSION.  
CHARGE TO THE JURY BY CHIEF JUSTICE WHITMAN.

The Honorable Judge adverted to the custom in cases of this nature, of keeping the jury away from connection with their fellow men, while hearing the evidence, and said he thought the course particularly correct in this case, where there had been more excitement and interest manifested than he had ever before witnessed.

After explaining the bearing of the different counts in the indictment, he told the jury that it would be competent for them to convict on a single count without reference to the others.

He also explained, by familiar comparisons, what is meant by the term malice, as applied to criminal actions, and told the jury that should they find the prisoner guilty, they must say whether it be of murder in the first or second degree, always remembering that the presence or absence of malice should form the basis of their decision. At the same time he told them that the sentence in one case would be death, at the expiration of one year's imprisonment, in the other imprisonment for life.

In the present case he said the last seen of Matthews was that he went to the office of the prisoner and in the morning following was found dead in a cellar under the prisoner's office, killed by Prussic acid. It was proper that the testimony should be carefully weighed with regard to the Prussic acid, as to whether the prisoner might not have taken or procured the acid elsewhere. The fact that persons would commit offences without a motive, should be borne in mind, and applied to this case with all due force. In regard to the testimony of Flint, he desired the jury to consider whether that, although he had perjured himself before the coroner's jury, in swearing as he had done, he had not gone contrary to his interests, and been forced to do it from compunctions of conscience. How much weight was to be attached to his testimony should he have decided on this consideration, as well as on the basis of corroborative circumstances.

The government had endeavored to make out a motive for the deed, supposing that the prisoner was in very embarrassed circumstances, while the defence had endeavored to show that he was abundantly supplied with money. The proof with regard to this point should be carefully considered.

The prisoner had said that he had loaned the deceased \$200 to be paid the next morning. What use the deceased might have for \$200 for so short a time when he had \$1500 or more in his pocket, was a circumstance entitled to some weight.

Perhaps as strong a circumstance in the case as any the government had made out, was that the prisoner had purchased a large quantity of Prussic acid, some of which was not fit for the

purposes of his profession. It would be competent for the jury to inquire for what purposes these large amounts of poison were purchased. It would be well to consider whether this sort of poison was kept by any person in the town of Waterville, except the prisoner. No proof has appeared that any of the physicians or apothecaries there had it in their possession.

Was it probable that the prisoner had put Prussic acid in the bowl containing the contents of the stomach, while it was lying behind the hog'shead under the shed? Would he have any object in so doing? If the acid was put in there who could have done it—who had such acid, for what object could it have been put there? These he considered weighty circumstances.

He had full faith in the chemical tests of Prof. Loomis and the other "experts." Their testimony was entirely legal.

There was a communication from the prisoner's office to the cellar—the prisoner's clothes were not soiled, as would probably have been the case had he been knocked down in the street. In considering circumstantial evidence, indications of his character had force which ought to be considered.

The testimony of Flint was corroborated in some parts, in others it was contradicted. Whether the presence of Dr. C. at the inquest when Flint testified falsely if he had testified truly here, had an influence on his mind, or whether he was actuated by fear, should all be considered in weighing his testimony.

Having touched on these prominent points of the evidence, and the circumstances growing out of such auxiliaries to the testimony in the case, he admonished the jury to weigh and amply consider each and every point, and return such a verdict as after mature deliberation they should find.

At half past 3 o'clock, the Court adjourned to 5 1/2 o'clock, at which time a verdict may be declared.

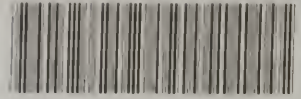
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## VERDICT OF THE JURY.

Our correspondent informs us, by Telegraph, that the Jury brought in a verdict of "GUILTY OF MURDER IN THE FIRST DEGREE." Some circumstances have just come to light that may postpone his sentence—and perhaps cause a new trial. The intimations are said to be of a serious nature. A report prevailed at Portland, brought by the driver of the Augusta stage, that Dr. Coolidge, after verdict was rendered, committed *suicide*.



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