

Jury acquits Cornwall woman in slaying of husband

CORNWALL (Special) — Mrs. Elizabeth MacDonald of Cornwall, 29-year-old mother of five children, was acquitted of a non-capital murder charge on Wednesday.

Members of the 12-man Ontario Supreme Court jury left the courtroom at 4.20 p.m. following a 47-minute charge by Mr. Justice W. D. Parker of Toronto.

Some 35 minutes later, they signalled the court that they wished to return. However, because of a divorce suit in progress at the time, jurors did not return to the court until 5.20 p.m.



Mother freed

Mrs. Elizabeth MacDonald with sons Jamie, 3, and Scott, 1

When the not guilty verdict was announced by the foreman, Hubert Quart of Maxville, spectators in the crowded room broke into loud applause.

Mrs. MacDonald brought her hands to her face and sobbed in relief.

The petite brunette was charged following the fatal stabbing of her husband Clifford MacDonald, 37, in a Lancaster cottage owned by her father-in-law, Alex MacDonald.

Mr. Justice Parker, after hearing the jury decision, said they could only have brought in one of two verdicts, referring to manslaughter or not guilty.

During his charge he said: "I think there is evidence of provocation. I think if someone punched a small woman in the face then tried to strangle her, she might well lose her self-control."

"You must take into account the mental and physical condition of the accused," he explained.

"Whatever happened, provocation does not excuse homicide; it means only that murder is reduced to manslaughter."

Mr. Justice Parker observed that Crown-admitted evidence could be considered manslaughter.

"If you accept her story," he added, "she could not be guilty of murder or manslaughter."

Outlines events

Defense counsel B. M. Wilson outlined events leading to the fatal stabbing. He noted that "sometimes on occasion the man became violent."

He asked jury members to consider Mrs. MacDonald's action at the hotel when she left to avoid an argument and then arrived home and promised her father-in-law, Alex MacDonald, she would go right to bed.

He told how Clifford MacDonald, in a "foul, abusive temper" broke into the bedroom, punched his wife in the mouth and, when the father separated them, hit her again. He noted the accused turned to pick up the knife when her husband grabbed her hand.

"Here you have a woman, throttled by the throat, beaten in the face and afraid for her life," he said. "They both bent down to pick up the knife, I think these were normal actions."

He observed that Mrs. MacDonald's evidence was not contradicted.

Crown Attorney R. P. Milligan said: "The Crown doesn't deny provocation."

"Murder," he continued, "may be reduced to manslaughter if done in the heat of passion caused by provocation. Was this not a blow struck by the accused in heat of passion caused by provocation?"

Mr. Milligan spoke to the jury for 22 minutes. Mr. Wilson's charge lasted 32 minutes.

Tells of beatings

Taking the stand in her own defense Wednesday, Mrs. MacDonald testified how her husband worked only part-time during their 14 years of married life and how she was subjected to beatings.

"But only when he was drink-

ing," she sobbed.

She told how she went to see her husband at his painting job on the day of the tragedy, stayed with him until he was ready to leave, and then joined her father-in-law at the Lancaster Hotel.

She said they later went home to have supper and they brought three pints of beer with them.

"Clifford drank his and mine too!" she said.

The three went to the hotel about 10 p.m. and then, to avoid an argument, Mrs. MacDonald left her husband and father-in-law and walked home.

She testified that she arrived home about the same time the men did and went directly to the bedroom, but Clifford kicked open the bedroom door.

"He shouted at me and hit me on the mouth. I asked him to leave me alone. His father asked him to leave me alone. He was so mad! He was just mad!" she sobbed.

"He started to choke me and Dad tried to separate us. I

picked up the knife from the top of the counter. Dad asked me to please put it down. Before I could he started to choke me and hit me again. Dad tried to separate us.

Put knife away

"I put it back on top of the counter. His Dad talked to us for a second. He said we had four lovely children and not to be foolish. I thought everything was going to be all right," she continued. "Dad turned and walked around Clifford to the bedroom."

"I turned to put the knife back in the drawer. Clifford grabbed my arm and turned me around. It fell to the floor and we both reached to pick it up. He had hold of my arms."

"I saw Dad walk behind Clifford and I don't know whether Clifford was going to reach at me or his father. Then he pulled me toward him and that's all I remember," she cried, falling forward on her arms in the witness box.

"The next thing I saw was blood all over the place."

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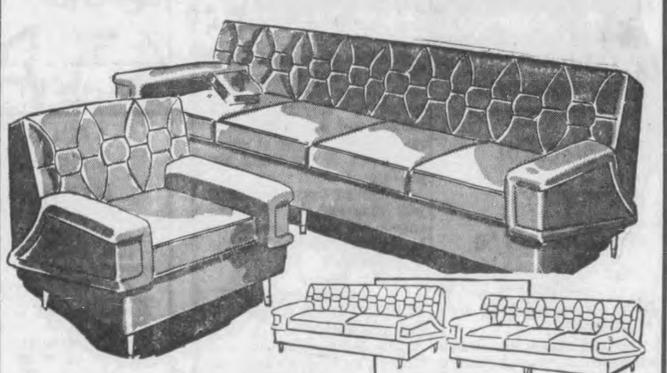
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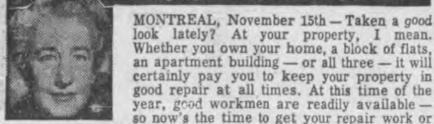
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— by Byrne Hope Sanders



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THIS FALL I'M SHOPPING FOR A NEW CARPET. Before I buy, however, I'll insist on seeing a DU PONT CARPET NYLON GOLD LABEL. They're awarded only to nylon carpets which meet Du Pont's strict standards of excellence in quality and performance. I've learned that nothing tops nylon for tough wear, spot resistance, easy cleaning and lasting luxury.

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DECEMBER WEATHER ISN'T KIND to us, is it? One day it's crisp and cold — the next day may be damp and drizzly. Extreme temperature changes cause most of our winter colds — colds that make us feel uncomfortable and out-of-sorts with nagging aches and pains. That's why I consider wonderful pain-relieving BEN-GAY a wintertime "must". And now there's the NEW BEN-GAY — greaseless and stainless, and every bit as effective as your old long-time favourite. Simply massage it gently into the spots where the pain is most severe ... it penetrates deep and fast to bring welcome relief from chest cold congestion, headaches, neuralgia and muscular strain! Keep Ben-Gay handy any season — New greaseless Ben-Gay with the vanishing cream base.

LET ME TELL YOU about my new margarine discovery ... FLEISCHMANN'S Margarine. There's a big difference between this good-tasting margarine and others you may have tried. Fleischmann's is made only from one hundred percent corn oil, with almost a full cup of liquid corn oil in every pound of margarine. This means that Fleischmann's is high in polyunsaturates ... low in saturates. In fact, of all leading margarines, it has the highest ratio of polyunsaturates to saturated fats. That makes it ideal for modern diets ... ask your doctor about its benefits. One of its biggest benefits, you won't have to ask about ... just taste! I know you'll like the luxurious flavor of Fleischmann's Margarine!

SOMETHING GOOD FOR EVERY MEAL of the day ... and, so often, these good "somethings" begin with a package of TEA-BISK. You see, Monarch Tea-Bisk is an all-purpose mix that can be used for any number of taste treats. One of my family's favourites ... piping-hot, homemade tea biscuits ... and, with Tea-Bisk I can make them so easily simply by adding milk or water. Do buy Tea-Bisk today and try some of the wonderful recipes on the package. And, notice when you buy it, that Tea-Bisk now comes in handy, pre-measured, 1-cup envelopes!

IT'S 'TOPS' IN POPULARITY! Yes, Bright's MANOR ST. DAVIDS CLARET is the most popular red table wine in Canada ... and no wonder. You see, it's a delightful "wine of the country" at a price so low that everyone can enjoy it. Manor St. Davids is made right here in Canada — from grapes grown in the sunny Niagara Peninsula. Delicious with steaks, chops, hamburgers — red meat of any kind. Do try it! I know you'll agree with me that a good meal becomes a gala occasion with the addition of Bright's Manor St. Davids Claret.

MY SISTER-IN-LAW HAS REALLY SOLD ME on the many advantages of CALGON, the wonder water conditioner. For instance, Calgon prevents Hangover Dirt — the film of soil, minerals, soap or detergent that sticks to your clothes. It's like the ring you get in the bathtub. Hangover Dirt makes your clothes stiff and scratchy — colors drab and dingy. But Calgon, the Water Doctor, CURES Hangover Dirt — prevents and removes it naturally without bleach. Calgon conditions water so you need less soap — get clothes softer, more absorbent and really clean. For brighter, cleaner clothes — launder with Calgon.

AT THE TOP OF MY LIST of petty annoyances, I'd have to put clogged-up, sluggish drains ... and they are so unnecessary! Yes, by pouring in just 2 tablespoons of GILLET'S DRAIN CLEANER you can rid your kitchen and bathroom of the sewer germs that lurk in every slow-moving drain. It takes only minutes, yet this simple chore will save you costly plumber's bills and will guarantee you drains that are fast-running, clean and sanitary. Remember that just 2 tablespoons of Gillett's Drain Cleaner in every drain, once a week, is your assurance of immaculate cleanliness!

Calendar

- Today**
- Civic traffic committee, 7.30 p.m.
 - Barbers' conference, Chez Lucien Hotel, 7.30 p.m.
 - Elmvale and Urbantale Sub-division Association, 8 p.m.
 - National Gallery Association, film, "The Reality of Karel Appel", 8.30 p.m.
 - Hull City Council, 8 p.m.
 - University of Ottawa Awards Night, 8 p.m.
 - Ratepayers' meeting, City View Public School, 8.15 p.m.
 - Civic Hospital Board, 8.30 p.m.
 - Little Theatre Workshop, Canadian plays, 8.30 p.m.
 - Ottawa Film Council movie, NRC auditorium, 8.30 p.m.
 - Phoenix Players, "Stalag 17", Fisher Park High School, 8.30 p.m.
 - Bel Air Community Association, civic election candidates, Agincourt Road Public School, 8.30 p.m.
- Friday**
- Liquor License Board of Ontario meets, Oddfellows Hall, 9.30 a.m.
 - L'Institut Canadien-Francais d'Ottawa, oyster supper, 316 Dalhousie St., 6.30 p.m.
 - Elmgrove Arena Council, costume carnival for boys and girls, Elmgrove arena, 7 p.m.
 - Ottawa Technical High School, commencement exercises, 8 p.m.
 - Laurentian High School, commencement exercises, 8 p.m.

Tax lifted for U.S. travellers

WASHINGTON (AP)—The 10 per cent U.S. federal tax on rail, bus and boat fares ends at midnight tonight and a similar levy on air fares will be halved. As a result, travellers can expect to save nearly \$150,000,000 a year.

Eastern railroads and some bus lines will increase their fares to offset the tax change. But all air fares will remain at current levels.

As a result of the tax changes, voted by Congress last summer, the government will incur a revenue loss of about \$170,000,000 a year.

The tax was first imposed during the Second World War to raise revenues and at the same time discourage non-essential use of overloaded transportation facilities.

It was kept on the books long after the war because it was a potent producer of income. Receipts from the passenger fare tax have totalled nearly \$4,500,000,000 since 1941.

Still under direct examination, she testified she ran to a neighbor to try and get help. "Did you intend to use that knife, that night?" asked Mr. Wilson.

"No!" she replied. "Did you love Clifford?" he questioned.

"Yes sir, very much," she answered crying, adding: "I still love him."

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