ANOTHE FINED AFIEL

By Charles Wilkins

For American Mark Harshbarger, it had been a successful hunt in the Newfoundland wilds. Until his wife shot him. Dead. Three years later, his family is still searching for answers. And justice.



ark Harshbarger's last glimpse of the planet he loved took in a magnificent tract of Newfoundland's northern wilderness, the bruise-coloured vestiges of a September sunset, and, in the dwindling light of dusk, the sight of his beloved children in the front seat of a

pickup truck about 65 yards away. It is a jolting reminder of the uncertainty of human destiny that it also included his wife, Mary Beth, standing in the bed of the pickup dressed in hunting camo, her face obscured by a Leupold VX-7 scope and her finger on the trigger of a .30-06 Weatherby Mark V Deluxe—aimed directly at him.

A few days earlier in Meshoppen, Pennsylvania, where the Harshbargers lived, Mark had confided to his friend Chris Osmun, perhaps in jest, that he suspected

Mary Beth, who just weeks earlier had dramatically increased his life insurance, would one day line him up in the crosshairs. "At least it'll be quick," he had told Osmun, a reference to the fact Mary Beth is a deadly marksman, able at 1,000 yards to consistently put 10 straight rounds into a three-inch group.

And Mark was right about it being quick. In virtually the instant the bullet left the gun, it tore through the 42-yearold's sternum, exploded his heart and spine, exited between his shoulder blades, and disappeared into the spruce swamp behind. The Harshbargers' hunting guide, Lambert Greene, who was nearby, told police that the moment the gun went off "you could hear the air rush out" of Mark Harshbarger.

Mary Beth's behaviour in the seconds that followed would on the surface suggest her abject horror, a deep sense of self-recrimination, over what she had done. "Oh, God!" she screamed repeatedly as her children stared wide-eyed from the truck and her husband's brother Barry, who had accompanied the family from Pennsylvania, came running. "I've killed my love! I've killed my love!"

Final photo: Mark and Mary Beth Harshbarger

and their children, then eight-month-old Elijah James and Myrah Lee, then four, with Mark's

black bear the night before he was killed

There are those who would argue that Mary Beth's love for Mark had already died, or had at least been distorted beyond recognition. But when they arrived at the scene in the chilling darkness, the RCMP, assuming an accident, were sympathetic to her, and generous in accepting her explanation that she had

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"OH GOD!" MARY BETH SCREAMED REPEATEDLY. "I'VE

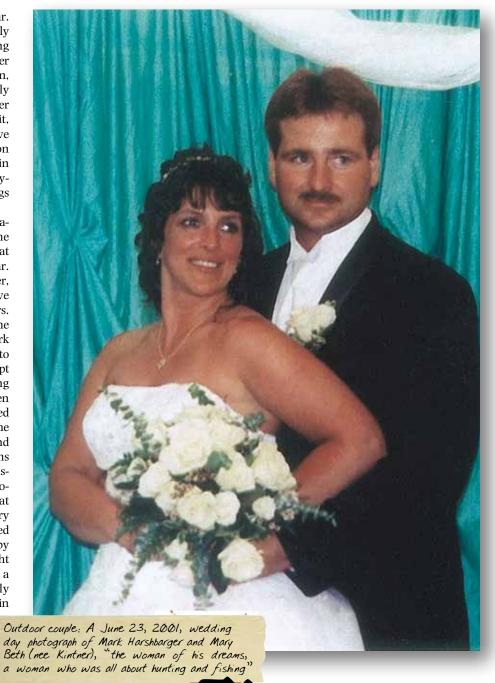
thought her husband was a bear. "At that point, you can hardly blame the guys for not thinking foul play," said an RCMP officer familiar with the case. "I mean, what woman would intentionally shoot her husband in front of her own children?" On the face of it, an all-American family in love with the outdoors had been on the hunting trip of a lifetime in an epic landscape. It was storybook material, not the makings of murder.

What's more, Mary Beth's explanation was consistent with the family's hunting ambitions that day—they had been after bear. Mark had shot one a day earlier, and his intensely competitive wife was determined to get hers. To help make that happen as the legal hunting light waned, Mark and Lambert Greene circled into the spruce woods in an attempt to flush a bear into the clearing where Mary Beth waited. When Mark himself eventually emerged into her sightlines, she raised the gun, centred on her target and squeezed the trigger. For reasons that will probably never be discovered. Barry, one of two people who might have seen what was happening and stopped Mary Beth, had temporarily wandered away from her along a nearby logging road. Greene, who might also have had time to call out a warning, was lagging slightly behind Mark, having stopped in the woods to urinate.

What the police could not have known on that mid-September night in 2006 was that this was not the first time Mary Beth had

aimed a gun at someone and fired, although it was the first time she had taken a life. Nor could they have known she had a lust for money and had recently increased Mark's life insurance from \$150,000 to \$550,000. Or that she had an insidious history of violence and mental instability. Mary Beth had once, for example, driven a vehicle, at speed, into the house of an ex-lover; had strangled to unconsciousness a teenaged girl who had shown the temerity to talk to her then boyfriend; had put a bullet into the leg of a man whom she believed had crossed her in a relationship.

And the stories go on.



or years, the worst of Mary Beth's bipolar tendencies had been controlled by pharmaceuticals, if barely. However, when pregnancy forced her off medication in 2005, her antics escalated to the point where she ended up incarcerated in the psychiatric hospital in Carbondale, Pennsylvania.

"She was as unpredictable around Mark as around anybody else," says Mark's 51-year-old brother, Dean Harshbarger, an environmental archeologist who, at Mark's request, once lived briefly with him and Mary Beth in an attempt to support

KILLED MY LOVE! I'VE KILLED MY LOVE!"

Mark in his marital struggles. "I once saw her slap Mark's face so many times and so hard that he was bleeding from the corners of his mouth. I don't know why he took it from her. He didn't have to. He was a big guy, about six-foot-two."

Mary Beth herself is a substantial human being, with vesuvial black hair and a face that, while seductive in its way, might, for all its warmth, have been chipped out of pink quartz. Her voice, a gravelly baritone, emerges not so much from her larynx as from some implied inner cave where she is perhaps closest to what an associate calls "the intimidating person she seems to need to be." Judging by recent photos and television footage, the 44-year-old appears to have gained considerable weight since, say, her bridal photos were taken nearly a decade ago.

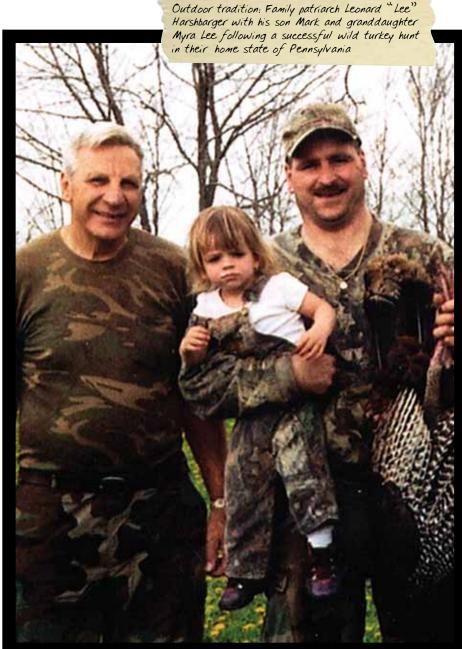
"She always said she was the alpha dog, the one in charge," says Dean. "And I'll tell you, she does like to control people—by bullying." According to Dean, Mark seldom talked about his problems with Mary Beth. "He'd gotten into this, and he was too proud to admit that it was a disaster."

Mark's sister Sharon Chorba, who lives with her husband and sons on a farm in the Scranton area, makes it clear the family is not suggesting the police should have suspected something sinister the moment they got to the scene of the shooting, "Not at all," she emphasizes. "I mean, this woman can feign sincerity when she has to. I'm sure she was very persuasive with them. And they knew nothing about her past." Chorba says the family is, in fact, very pleased with the way the police have handled the shooting in the months since. Like others, though, she wonders why the circumstances around the incident went virtually unexamined at the time. why no one raised alarms about the fact that an experienced hunter and marksman—the sort of person who spends fortunes and travels days on end for the love of hunting—was firing at a target that, by her own claim, she hadn't clearly identified, at an hour of day when she admitted she shouldn't have been hunting.

As Dean is quick to point out,

two of the foremost rules of hunting safety are that you do not hunt when it's too dark to see properly and that you always identify your target. "This woman had been hunting obsessively since she was 12 years old," he says. "She knew the safety rules inside out."

Mark's father, Leonard "Lee" Harshbarger, is a former conservation officer and a retired regional supervisor with the Pennsylvania Game Commission. The 76-year-old says he saw a lot of infractions in his days as a game warden, and believes strongly that if Mary Beth could see her target well enough to put a bullet into it, she should have seen it well enough to know it was not a bear. Not only that, he says,



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THE RCMP, ASSUMING AN ACCIDENT, WERE SYMPATHETIC

"Mary Beth was using a light-gathering scope at close range in what we understand from the police report was still partial daylight." According to RCMP documents, the shooting took place at 7:55 P.M., 24 minutes after sunset and six minutes before the end of legal light for hunting.

Another veteran hunter, Newfoundland conservation officer Les Ball, shares Lee's opinion. Within two hours of the shooting, the RCMP called Ball to the scene near Buchans Junction, not in his capacity as a CO, but as a member of the local search and rescue team. "We were equipped to set up a command post so that security could be maintained through the night," says Ball, who drove 14 kilometres out into the bush along a frightfully potholed logging road to reach the site of the incident. "When we got there, the body was lying untouched where she dropped him on the mosses and soil. We took charge of it for the night and then transported it out the next day when the police had finished their work in the woods."

This past September, Ball returned to the wilderness site in precisely the sort of weather and at precisely the time of day Mary Beth had shot her husband. He parked his truck on precisely the spot where the pickup had been parked on the evening of the shooting and paced off the 65 yards across the clearing to where Mark had fallen. Ball stood on the ill-fated ground and, in his Newfoundland lilt, said, "Are you going to tell me that, at this distance, in this light, with nothing more than this little bit of grass hiding the man's lower legs, the woman couldn't see at least something of what she was shooting at?"

Ball also questions Mary Beth's stated perception of what she saw through her scope before firing the fatal shot—a "dark mass bobbing up and down, weaving from side to side." Her description, he says, suggests she believed a bear would or could walk out of the woods on its hind legs. "If she knew anything about bears, she'd have known that it's only in the circus that they stand up and walk around. To see a creature walking around upright should have been all the evidence she needed that it wasn't a bear—not that it was!"

Ball adds, "I really don't know why they were attempting to flush out a bear anyway. The normal way of hunting bear is to set up in a blind. It seems like a very strange way of going about things."

or Lee Harshbarger, one of the bitter ironies of his son's death is that he had tried to persuade Mark not to travel to Newfoundland in the first place, because of the walloping expense. His son had recently spent hundreds of thousands of dollars building a new house with Mary Beth, and was pinched for

cash. "With licences, guides, travel, all of that, the trip was going to cost something like \$10,000," says Lee. "I said, 'Why don't you just stay home and hunt here for free?'"

Indeed, Mark had pretty much decided not to go. Then Mary Beth got involved and persuaded Reg White, the owner of Moosehead Lodge, a few kilometres east of Buchans Junction, to drop his price on the grounds that the family would sleep in their own camper and cook their own meals. "Looking back, I just find it spooky how badly she wanted to get up there," says Dean Harshbarger.

But it was Mark, rather, who most relished the upcoming journey, the opportunity to show his young children a new country and landscape, and to take them aboard the massive sea ferry running between Sydney, Nova Scotia, and Port Aux Basque, Newfoundland.

Despite his apprehension about the trip, Lee admits to knowing well why hunters crave getting to Newfoundland, where on occasion he has hunted himself. "The landscape is so gorgeous," he says, "and the moose and black bears are so huge and plentiful."

Ironically, the bear that Mark shot on the day before his death was anything but huge. Seen in a photo of the family on the last night of Mark's life, the black carcass instead appears rather small. "It was certainly no monster," says Les Ball. "It's a long way to travel to get one that size."

At the mention of the bear, Lee recalls that on the night before Mark and Mary Beth left to drive to Newfoundland in the family camper, Mark stopped by the house where Lee lives with his partner, Carol Bawiec, on the outskirts of Wilkes-Barre, Pennsylvania. "He came to borrow my utility trailer so they could haul a deep-freeze up to Canada to bring back the meat from the hunt." The couple had tags for moose, caribou and bear, and if they had each got one of everything, they were going to have what Lee describes as "a lot of meat." What haunts him now is that just before Mark left that night, as he was standing in the driveway, he said, "Dad, you should see Mary Beth shoot. Boy, she's good."

"I often think back to that," says Lee. "It's so painful, and of course, so true." Mark explained to his dad that, at 250 yards, his wife could hit a tiny plastic pill bottle no wider than an inch. "He'd had a lot of problems with her," says Lee, "but he loved shooting—he was a crack shot—and he was proud that she could shoot, too."

In fact, shooting and the outdoor life had been at the heart of Mark and Mary Beth's relationship from the moment they met in 2000. At the time, Mark was working successfully in asbestos abatement, clearing schools and other buildings of harmful insulation. One day in June 2000, 35-year-old Mary Beth Kintner was helping her dad cart scrap metal out of a school where Mark was on the job. The two began talking about the outdoors and the next day went fishing during their lunch break. A few months later, Mark, who was 36, left the relationship he'd been in for 12 years, and the following June he and Mary Beth were married. At their wedding reception, in her bridal gown, Mary Beth showed off her skills by shooting clay pigeons at the family farm in Meshoppen. "As far as Mark was concerned," says Dean, "he had found the woman of his dreams—a woman who was all about hunting and fishing,"

Any of Mark's friends or relatives will tell you the same thing about him, that he all but lived for hunting and fishing, that he loved animals, loved rivers and forest, loved being out on the Susquehanna River or hiking in the nearby Poconos. "I don't know anybody who did more hunting than Mark or took more joy from it," says Sandy Wolfe, the woman with whom Mark was living when he met Mary Beth. Lee says,

TO HER IN THE CHILLING DARKNESS Shooting scenario: Photographed from the spot Mark Harshbarger fell, a pickup marks the place from where the fatal shot was fired; (inset) Newfoundland conservation officer Les Ball

"Mark and I would go out for the day, shooting turkeys or geese or whatever, and he'd always say to me as we were getting home, 'Well, Dad, another fine day afield!' It was his trademark farewell."

The Harshbargers have for decades been one of Pennsylvania's foremost hunting and fishing families, as well as vocal public proponents of land conservation and sound ecology. Mark's dad and uncles Lester and Harold were the first brothers to graduate as conservation officers from the Ross Leffler School of Conservation, and all three went on to prominent careers with the Pennsylvania Game Commission. Dean Harshbarger is a consultant to 11 of America's most active and progressive land conservancies, buying up privately owned property and committing it to sound ecological use. Given the Harshbargers' solid reputation and outdoor pedigree, Mary Beth found in her marriage to Mark what Dean calls "a new measure of affirmation, even status."

While the marriage worked well at first, by every account, it disintegrated after a year or so into a minefield of chaos and uncertainty. "For one thing," says Dean, "Mary Beth had such a terrible temper. And she couldn't stop spending. She was adopted and was, I guess, insecure and seemed to have this need to have more and better things than everybody else—boats, vehicles, chandeliers, furniture, guns." According to Dean, during the brief period when he lived with Mark

and Mary Beth, the couple had more than 60 firearms in the house, including a .38 Special hidden above the ceiling tiles in the kitchen and a shotgun under Mary Beth's side of the connubial bed.

Despite Mary Beth's harsh attitude toward him, Mark is reputed to have been the only person able to control her tantrums. "She'd fly off the handle, go ranting around, threatening everybody," says Dean, "and he'd calmly take her out in one of the farm Jeeps, and they'd get back a while later, and she'd be as quiet as a lamb. I don't know what it was, but he had some leverage with her. He seemed to know something about her past, some secret, and he could control her with it."

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THE MARRIAGE DISINTEGRATED AND A MINEFIELD OF CHAOS

ad Mary Beth perpetuated even a fragment of her initial outpouring of grief on the night her husband died, she might have eluded eventual suspicion, and the incident might have been permanently framed as an accident. But within hours of firing the fatal shot, she displayed a remarkable sense of detachment from the trauma and consequences of her actions. Indeed, her first phone call was not to family but to the plumber/electrician

who had been working off and on at the expansive new house she and Mark had built on her deceased step-parents' farm. It wasn't until 1 A.M., when his brother Barry phoned their sister Sharon Chorba, that Mark's family finally got word of the tragedy. "All he told me," says Chorba, "was, 'I'm phoning to let you know that Mark's gone.' I said, 'Gone where? What are you talking about?' And he said, 'Mark's gone. He's been killed. There's been an accident. Mary Beth shot him while we were hunting.'"

According to Chorba, she offered to fly up to Newfoundland to help Mary Beth. "I figured she'd be in pieces and wouldn't be able to cope," she says. "I thought maybe I could drive back with Barry, or something, and that she could fly back with the kids. But she said very flatly, 'No, I'm fine. I'll just drive back.'"

Grief-stricken herself, Chorba waited two hours before driving over to Wilkes-Barre to tell her dad and Carol Bawiec. "When she came in," says Bawiec, "we knew by the look on her face that something terrible had happened." Lee claims he understood even before his daughter spoke that her news involved Mark. "Somehow, I just knew that the problems he and Mary Beth were having couldn't go on forever and that something had come unravelled."

Meanwhile, in Newfoundland, RCMP Constable Doug Hewitt and his fellow investigators quickly ruled the shooting an accident and, within 36 hours, cleared Mary Beth to leave the country, a free woman. "She's a remarkably strong woman," Hewitt said at the time. "She's holding up very well."

Barry, however, was not holding up so well. The day after the incident, he told his wife, Linda, back in Pennsylvania, that he was heartsick and wanted nothing more than to get on a plane and come home. "But then something happened," says Dean. "Between his call to Linda and a point late the next day, he changed his mind and decided to drive home with Mary Beth." According to Chorba, the first thing Barry told his wife when he got back three days later was that things had changed, and he thought that they should go their separate ways. "It was as brutal as that," says Chorba. "At first, Linda couldn't believe it, thinking it was just the stress. But Barry went right over to Mary Beth's and started living with her and the kids, and he's been living there ever since."

Asked if it had occurred to the family that perhaps Barry and Mary Beth were in a relationship before they left for Newfoundland, Lee says, "Unfortunately, yes, it has, and it's a very painful thought." Dean says he's fairly certain Barry travelled to Newfoundland solely because of Mark's desire to have him there as an additional control on Mary Beth. "Mind you," he says, "Mark had teed off on Barry in the weeks before they left because Barry had been spending so much time up at the farm while Mark was off at work. So, who knows?" What the family does know is that, in the days after Mark's death, Barry gathered a group of his relatives together and told them he felt Mark knew when he left for Newfoundland that he probably wouldn't be coming back "and that if he was okay with that, we should all be okay with it."

On the night Mary Beth and the children reached home in Meshoppen, Lee and Carol Bawiec offered to come immediately to the house to help. "I asked her what she'd like me to do, thinking I could, say, mind the kids while she talked to the family, or made funeral arrangements, or whatever," says Bawiec. "And she said to me very coldly, 'Yeah, you can mind the kids—we've got all this meat in the cooler that needs butchering.' And that's all she said." At best, Mary Beth offered a cursory greeting to Lee, and expressed no sorrow over what had happened. "She just went out and started butchering these caribou that she and Mark had shot," says Bawiec. "I said to myself, Something's not right here."

A day or two later when Mark's body arrived in Pennsylvania, Mary Beth had it

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WITHIN HOURS AFTER THE FATAL DISPLAYED A REMARKABLE SENSE

cremated immediately—before the family had a chance to view the remains. "Mary Beth just didn't want us to see him," says Lee, adding he was unable to get a copy of the death certificate from the funeral home. When he finally did receive an official registration of death from the chief medical examiner's office in St. John's, he theorized that Mary Beth had wanted to keep it from him. "The death was marked a homicide, which of course to us suggests murder," he says. "The phrasing may be nothing more than standard terminology when someone has been killed by someone else, but I suspect she knew it would catch our attention and get us thinking." What's more, the shooting was described as an "incident," not an "accident," which might also have raised the family's suspicions.

At the memorial service for Mark, Mary Beth barely spoke to the Harshbargers, showed no signs of emotion or regret, and has since instructed her children, Elijah James, now three, and Myra Lee, now seven, not to speak to Lee and Bawiec under any circumstances. "One day Lee and I and Dean and his girlfriend saw Mary Beth and Barry and the kids in a restaurant," says Bawiec, "and we kind of waved to the kids, and they waved back rather tentatively. But on their way out, they all just marched right past us without saying anything. It's very hard on Lee not to have any contact with his grandchildren."

In the days after the memorial service, when news began circulating that Mary Beth had taken up with Barry, she made several late-night visits to a Meshoppenarea bar, and made a show of flirtatious behaviour with the bartender. Meanwhile, the Harshbargers went to work, attempting to convince the RCMP—indeed, anyone who would listen—that there was more to the case than had been revealed during the original investigation.

And the police were responsive. However, a pair of re-enactments of the shooting, nearly a year apart, using Mary Beth's gun and scope and under light conditions that approximated those on the night of the shooting, proved inconclusive. Like Mary Beth, the officer sighting through the scope reported seeing only "a dark mass, weaving from side to side." Again, there is the suggestion that if Mary Beth had known more about bear behaviour—or indeed if the police had—there would be less confusion about the fact that bears in the wilds do not walk around on their hind legs.

With a dossier of new information, a pair of RCMP officers, including Constable Hewitt, travelled to Tunkhannock, Pennsylvania, during the winter of 2008 and interviewed dozens of people who they believed could cast light on the case. "Oh, they got an earful," says Dean. "They left here feeling quite differently about the case."

n April 2008, on the basis of their findings, the Mounties finally filed charges against Mary Beth Harshbarger—not first-degree murder or even manslaughter, as Mark's family and others might have hoped, but careless use of a firearm and criminal negligence causing death with the use of a firearm. The latter carries a maximum penalty of life in prison and, more importantly, is an extraditable offence. "If the charge had been murder," observes a Newfoundland RCMP officer, "there never would have been a conviction. But they believe they can get her for the lesser charge—she was certainly negligent. And she did cause death."

By the terms of Canada's extradition treaty with the U.S., the RCMP asked to have Mary Beth extradited to Newfoundland to stand trial. At her first hearing in federal court in Scranton last February, she was ordered to surrender on March 13 to U.S. authorities, who would in turn hand her over to the RCMP. She appealed, but lost and was again ordered to surrender, this time on April 27. In a move that has further delayed proceedings, Mary Beth's lawyers appealed yet again; the challenge currently remains undecided before the U.S. Court of Appeals for the Third Circuit. If that fails, her final legal gambit is with the U.S. Supreme Court. In the meantime, Mary Beth remains

SHOT, MARY BETH OF DETACHMENT

free on a \$100,000 bond, with her travel confined to the U.S. Middle District of Pennsylvania. "It's funny," says Dean. "When there was first talk of charges being laid, she was quite arrogant about it all—said she'd be happy to go to Canada to prove her innocence. She doesn't seem to feel that way anymore."

In reality, it's difficult to determine what Mary Beth Harshbarger feels these days. Local television reporter Andy Mehalshick considered her feelings so unpredictable that when he inter-

viewed her on her property last year, he informed State Troopers, who opted to wait at the end of her driveway, out of sight, so they would be nearby if her behaviour got out of hand.

Today, there is a carved stone memorial to Mark Harshbarger deep in the woods overlooking the Susquehanna River that he loved so dearly. Engraved on the stone is Mark's trademark daily assessment of his time in the wilds: "Another fine day afield." This past September, the Harshbarger family met at the memorial to mark the third anniversary of Mark's death. Twenty kilometres away, at Meshoppen, Mary Beth has erected a stone bench

to honour her late husband. During her televised interview with Mehalshick on WBRE Eyewitness News—an interview conducted on that same stone bench—she said, "I loved my husband very, very much, and he loved me, as much." There was no mention of her battle for Mark's life insurance, a fight she would eventually win, making her more than half a million dollars richer.

Perhaps the most pathetic individual in the entire story, 54-year-old Barry Harshbarger, drives Mark's vehicles, accompanies Mary Beth to town, and works around the grounds of her home. "I hear he's been bragging in town about how good the sex is with her," Dean says of his older brother. "It's absolutely sickening."

"It's sad is what it is," says Lee. "I didn't lose one son—I lost two."

Meanwhile, back up in Buchans Junction, Newfoundland, no one is talking. No one seems to know anything about the case. The Long Range Mountains glower in the distance to the



first extradition hearing last January

west, the sea roars to the north, and the seasons come and go. Moosehead Lodge owner Reg White is particularly reticent. His operation is implicated in the September 14, 2006, death of Mark Harshbarger inasmuch as the guide the lodge supplied should have been with the shooter and might thereby have prevented Mark's death. Asked recently if he believed Mark would be alive if guiding regulations had been followed to the letter on that fateful night in 2006. Lee said. "Of course he would be—a guide doing his job would have been right beside her and wouldn't have allowed her to

shoot." Lee has also hunted out of Moosehead Lodge. "When we came across a moose in the woods," he says, "my guide was right there with me. 'Shoot now!' he said. It was very precise. A good guide doesn't leave too much room for error."

When told by the RCMP at the district headquarters in Grand Falls-Windsor that he could seek civil damages against the lodge and its owners, Lee responded that he wasn't "that kind of person." And at any rate, he told them, "It wouldn't bring Mark back."

For now, Mary Beth is not talking either. Nor is her lawyer, Paul Ackourey of Scranton. In the wake of her first extradition hearing, more than 100 guns—from English pistols to Second World War Japanese rifles—were removed from her home. But no one removed the .30-06 Weatherby Mark V with which Mary Beth killed Mark Harshbarger. That gun was seized as evidence at the time she shot her husband and. like the RCMP and the Canadian judiciary, now sits in Newfoundland, waiting for her return.

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