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Murder Case Goes To Jury This Afternoon

Addressed by Counsel for Defence and Crown Prosecutor This Morning—Judge's Charge Partially Delivered—Some Rebuttal Evidence.

The case of the King vs. John Paris, charged with the murder of Sadie McAuley on August 2, has now reached its final stages and will go into the hands of the jury this afternoon. The defence rested its case this morning, counsel for the defence and the crown prosecutor addressed the jury, and Judge Barry was well along with his charge to the jury when adjournment for lunch was made at noon.

The evidence of three witnesses called by the crown in rebuttal was presented this morning and had to do with the date on which Paris was rowed across the river.

Another large crowd besieged the court house this morning, attempting to get a glimpse of the prisoner. Crowds unable to get into the room, gathered around the windows and gazed curiously at the prisoner as he sat at the end of the long table, taking a keen interest in the proceedings. Times were would look out of the window at the spectators, and frequently grinned at them. Throughout the session he remained in a somewhat morose manner which has marked his attitude all during the trial.

When he took his seat, Paris banteringly remarked to a newspaper man at the table that he hoped the reporter had slept well last night.

On the opening of the court, roll was called of the entire petit jury panel, and those who were not sitting on the Paris case were informed that the court would adjourn at the conclusion of the present trial and would sit again on Monday afternoon at 2:30 o'clock, when they were warned to attend.

Defence Concluded.
Mr. Vernon said he did not intend to call any more witnesses, but would rest his defence. He said that yesterday, while at Mr. Gerow's, he understood the judge to intimate that there was no evidence that Paris had no moustache. His Honor then had his notes read, which showed that Walter Humphrey had testified that Paris had a beard and a "little moustache." Dr. Wallace said he had some evidence in rebuttal.

Called in Rebuttal.
James Williamson, 37 Watson street, West St. John, was called. Referring to a statement made by the prisoner that the witness had rowed Paris across the river on August 4, Williamson said that it was on August 9 or August 10, he rowed Paris across. The witness said he was out of town on the 9th or 10th, and they went across to see the place where the McAuley girl was found.

Mrs. Margaret Williamson, wife of the previous witness, said that seven people went across to see where the little girl was buried. Paris was one of those in the boat. This was on the 9th or 10th day of the month in the evening. It was the only time she ever crossed the river in a boat.

Florence Moore, aged fifteen, said she crossed in the boat with Mr. and Mrs. Williamson. Paris was on the shore coming back, and when Mr. Williamson, he came back in the boat with them.

Defence Sums Up.

G. H. Vernon, counsel for the defence, addressing the jury, impressed upon them that when they returned to their homes they would not allow this to affect your decision—it meant either the freeing of this man of the charge against him or the taking away from him the life that was given him by God.

The prisoner, he said, "is a colored man, but I have confidence that because he is different from you and me that you will not allow this to affect your decision." He pointed out that the punishment for the offence of which Paris was charged was death; that if he was found guilty and he was found guilty there would be a chance to some time later make recompense, should anything turn up, but when the penalty was death and it was found later that a mistake had been made, no reparation could be made.

He had made out, he thought, a perfect alibi that the prisoner was not in St. John on August 2. The burden on the crown was to show that the prisoner was guilty of the offence of which he was charged.

Disregarding whether the prisoner was in St. John on August 1, 2 and 3, the crown must prove that the prisoner was the murderer. There had been no evidence that he was seen with Sadie McAuley or of burying her body.

"The crown must ask you to find Paris guilty solely on the evidence of Walter Humphrey."

Regarding Humphrey's evidence of conversation with the accused on August 3, he said there was practically no corroboration. He asked the jury to consider the demeanor of this witness on the stand, the reasonableness of a guilty person making the statements and the fact that the story was held back for some time.

He said he looked more like a beast of prey while giving evidence—he was a confessed thief—had not for months made a living—his whole record showed he was not a man to be believed. Even the detectives did not believe his word regarding a story of being attacked by a man with a razor.

He asked "it was reasonable if Paris had murdered that innocent little girl after assaulting her, that he would make such statements to Humphrey or anyone else; would he have asked Humphrey to go back in broad daylight the following day to bury the remains of that little girl while no doubt many people were searching for her?"

Humphrey has said that on Aug. 3 he saw the girl was missing, and he was talking to Paris. He said he read it in the Standard. The gentlemen of the

Street Railway Men And Police Testify About Street Trouble

Counsel for Trades and Labor Council Seek for Names of Those Behind Proceedings—Police Court Session of Much Interest.

The evidence of five motormen of the New Brunswick Power Company, who were operating cars on last Monday night when a labor parade was held, and when windows in fourteen street cars were wrecked, was given in the police court this morning in connection with a charge against twelve members of the Trades and Labor Council "for being members of an unlawful assembly." Evidence of several policemen was also heard today, all of whom identified some of the defendants as taking part in the parade, and all whom some also said that the participants were acting in a most orderly manner.

The proceedings this morning were marked by persistent requests from John A. Barry and H. A. Powell, K. C., for the defendants, as to the names of those behind the information which led to the issuing of the summonses, and to who was conducting the prosecution. H. H. McLean, Jr., said that he appeared in the interests of the power company, whose property was damaged. He said to the court and to the defending lawyers that he was not conducting the prosecution.

The magistrate took the stand that in the interests of the taxpayers and public of the city the case should go on and the evidence brought out. When pressed by Mr. Barry, His Honor said that the police were behind the proceedings, and that is all I will say just now," concluded the magistrate.

Mr. Powell styled the proceedings as "Bolshevik." He said that in his forty-two years as a practicing lawyer he had never seen or heard tell of a case being conducted like this one. There was no one apparently fostering it and no one conducting the prosecution. He added that Mr. McLean denied that he was still he was prosecuting. The defence, he contended, were not dodging the issue, as the members of the labor parade had every intention of violating every law on last Monday night. The fact that street cars had been damaged did not make the holding of the parade unlawful. These men were standing on their legal rights.

Those who appeared in court in answer to the summonses were: Fred A. Campbell, James James, a great deal of John Wood, John McDonald, Ruddy Kane, Charles Stevens, Percy Moore, Alexander Thompson, Thomas Mitchell and Felix McMillan. E. F. Nightingale to appear when his name was called. It was announced later by his counsel that Mr. Nightingale had not personally received the summons.

All the defendants entered a plea of not guilty when the charge was read. At the concluding of the evidence today further hearing was postponed until October 14, two weeks hence.

The Evidence.
Lloyd E. Richer said he was a motorman with the N. B. Power Company. He was driving on Monday night last at the corner of Douglas avenue and Main street. He proceeded to Main street and stopped and two cars blocked the way. He saw a man playing and heard the crash of glass breaking. Stayed in car and just as band went past his car the labor men came along. I saw a fellow repeat the words "I'm going to take the front car." I was in a policeman's vestible. The man who threw the stone was in the parade and cried out "scab."

Mr. Richer said that he saw a man in the parade who was holding a banner. The pole broke the glass. A man in the parade was holding the banner. I then went back to the front of the car. The door was open. Saw a crowd and a policeman who had hold of one man. I said to the officer: Hold onto him; don't let him go. One man grabbed me by the leg and pulled me out of the car. He came out of the parade and went back again. I kicked at him to free myself. This was at the corner of Main street and Douglas avenue. This same man said: Come out here and we'll fix you too.

Here Mr. Barry asked the court to give names of those behind the information.

The magistrate said it was not necessary. He said the parade might go on all right and commence innocently but there follows a crowd then who is responsible. The whole parade is not held responsible for calling of names, breaking of windows, etc., but the people on the street must be protected.

The witness recognized Policeman Lindsay who attempted to make an arrest during the scene.

To the court the witness told of some language he said he heard from the parade, among which was: "Twenty-three cent scab."

To Mr. Powell the witness said he could not swear one of these men, or any of these men, was in the parade. He said that some men in the parade thrust a banner through the window. They were union men. He swore that they were union men with a ribbon. He said that he saw a man carrying a banner with a ribbon. He said that he saw a man carrying a banner with a ribbon.

Mr. Powell—"What is union ribbon?" Witness—"I don't know." (Laughter.)

Mr. Powell—"I thought so." The witness said he saw a union man with a ribbon. It was a long ribbon. Might have had Salvation Army on it. Could not say what was on it. Mr. Powell—"Why then call it a union badge?" The witness replied, "I don't know." The witness here said he would take oath there was "union" on it. He could not tell who pulled him off the car or

As Hiram Sees It

"I just been thinkin'," said Mr. Hiram Hornbeam to the Times reporter, "that there's an easier way to kill 'em germs in drinkin' water than by boilin' it." "I am sure," said the reporter, "that the public would hold you as a benefactor if you did that." "Yes, sir," said Hiram, "I don't mind givin' a hint if it'll do any good—I hope I won't be no trouble with the Temperance Alliance or the inspectors, but I kin tell you straight that if you'll put four drops of the kind of hootch they're peddlin' out to the Settlement into a pail of water there aint no germ from here to California you live in it a quarter of a second. Yes, sir, four drops to a pail of water 'an you kin say 'Good-bye Mr. Germ.'"

Mayor Says He Will Sue Power Company

Speaks of Libel Action Because of Statement—Delegation Against Proposed Street Parade Bye-Law Heard.

A special meeting of the common council was held this morning to consider the adoption of a proposed by-law prohibiting the holding of any parade without a permit signed by the mayor. A delegation of more than thirty members representing the Trades and Labor Council, and S. B. Bustin, representing the Grand Orange Lodge of the New Brunswick, asked to address the meeting relative to the proposed new law, which permission was granted. After listening to the views expressed by the delegations and a lengthy discussion of the clauses of the proposed by-law it was decided to let it remain on the table for further consideration.

Before the meeting adjourned Mayor Schofield signified his intention of bringing action against the New Brunswick Power Company for alleged statements made by himself, which he says were absolutely and positively untrue.

A large delegation representing the Trades and Labor Council asked to be given a hearing. William Mattson first addressed the meeting saying that as a body they protested against the enactment of the by-law on the ground that it would curtail the liberty of the citizens of St. John. He also asked if he could obtain a copy of the minutes of the "secret session conference" held between the city fathers and the members of the New Brunswick Power Company.

In answer Mayor Schofield said that there had been no secret session or conference. He said he had naturally closed the doors as it was drafted at this time of year.

Mr. Mattson then asked to have the proposed by-law read. William Ely, who was representing the Coal Handlers' and Trimmers' Union, and wished to protest against the proposed by-law as they felt it was taking away the rights of respectable citizens. He said he thought it was a direct blow at labor. He asked if the by-law considered that it was taking away the privilege of free citizens and especially labor men. He maintained he was just as good a citizen as there was in St. John.

Mayor Schofield asked him if he considered himself a good citizen if he would hold a parade after being requested not to do so. In answer Mr. Ely said there was a law to punish those who violated any laws. He maintained the parades were the only way they had to put their cause before the public. He said he was a member of the Street Railway men's union, said that it was aimed more directly at the street car men than anyone else. He said he believed and that it was the object of the Power Company to hinder parades, for it was the one thing that keeps the matter before the public.

He further said the union had been assured that the council would see that the one man car was safe before it was allowed to operate. He would take from this that they had failed to do so and were not working in the best interests of their association. He said their best weapon was being taken away from them.

Mayor Schofield said they were not expected to work in the interests of any organization. He said he had done what he could for the men and the company. He said that they were doing what they could to protect the public and to take care of the people who were being ground between these two organizations. He also protested against statements made by union men and officials of the Power Company.

For Orange Order.

S. B. Bustin addressed the meeting as a representative of the Orange organization. He said they would protest against the passing of the by-law as they felt it was an infringement upon the liberty of these organizations which stood for law and order. He said that laws were becoming intolerable.

Commissioner Bullock asked for information regarding the inspection of the one man car. Both Commissioner Thornton and Mayor Schofield assured the assembly that the cars had been properly inspected. As this question was considered irrelevant it was not discussed and further.

The proposed by-law was then read and the delegation left. W. H. Harrison, acting city solicitor, was then summoned and the clauses were discussed by the commissioners.

Commissioner Bullock raised the point whether it would not be better to make the permit out in the name of an organization instead of an individual.

Mr. Harrison replied that under the proposed new law permits could be issued to societies. It would be for a certain parade. The city he said could not afford to give a permit to the number and names of those to take part and so could not provide against people joining after the parade started.

After further discussion Mayor Schofield said there was no use blaming City Hall for incompetency if City Hall had no authority. All he wanted was some way of dealing with the situation without employing 100 or more additional policemen. "If that's what is wanted," he said, "we'll go to it." In conclusion, he said he did not wish to assume responsibility without any authority.

It was then decided to lay the matter on the table for further discussion and the meeting adjourned.

Statement by Mayor.
Before the meeting broke up Mayor Schofield said he wished to make a statement as a result of the request of Mr. Mattson to furnish the delegation with the minutes of the secret session, which he alleged was held in his office. He said he read in an issue of the Globe Tuesday evening a statement of an official of the New Brunswick Power Company. As he wished to be sure of his

WIN TODAY WOULD GIVE YANKS FLAG

Huggins Expected to Depend on Carl Mays.

McGrath Has Won His Seventh Pennant—Ruth Better and Likely to be in Today's Contest—Late News of Sport.

Philadelphia, Sept. 30—Manager Huggins of the Yankees was expected to send Carl Mays against Philadelphia today in an effort to clinch the American League pennant. Moore or Rommel probably will be his opponents. Rommel checked the Yankees on their last trip here, a victory today would give the New Yorkers the pennant.

The Pennant Race.
New York, Sept. 30—The New York Giants are the 1921 National League champions. While they accomplished the feat mainly by their own efforts, it remained for the St. Louis Cardinals to give them the final shove that placed them atop all other managers in the league.

One of Pittsburgh's own sons, Bill Doak, led the Pirates to victory today, the first battle, 5 to 4, in ten innings. The second went six innings, due to darkness, and was credited to Pitcher Sherdel's winning column. These two clubs have three more games to play in the present series and if St. Louis makes a clean sweep, they will tie Pittsburgh for second place.

With the Giants "in" the Yankees are almost there. The latter team was successful against the Athletics yesterday, 5 to 0, without the aid of Babe Ruth, who was suffering from grippe. It was said that Ruth probably would be well enough to return to the game today. Pitcher Shawkey of New York allowed only four hits.

On the other hand Cleveland, the Yankees' chief opponent, were set down to a 5 to 0 defeat by the Chicago White Sox. The Indians to win the pennant must take all the three remaining games with Chicago, while the Yankees lose their last three games.

New York, Sept. 30—By winning his seventh pennant for the New York National League Club, Manager John J. McGraw tops all other managers in the number of championships. He was tied at six with Manager Connie Mack of the Philadelphia Athletics until he piloted the 1921 Giants out in front. The Giants won their first National League pennant under McGraw in 1904. They repeated it the next year, when they won the only world's championship. They also won the league title in 1911, 1912, 1913 and 1917.

Medicine for "Babe."
New York, Sept. 30—Victory for the Yankees, coupled with Cleveland's defeat, was good as medicine for Babe Ruth's cold that kept him in doors yesterday. Mrs. "Babe" Ruth declared today, "Babe" had a bad cold, "but he is going to take an early train for Philadelphia and is also going to try to run his home run record up to sixty before sunset."

Cost a Bit To See Games.
New York, Sept. 30—It needs a fat pocketbook to see the world's series this year. One of the men in the crowd said: Leave him go or we'll get you. One man grabbed me by the leg and pulled me out of the car. He came out of the parade and went back again. I kicked at him to free myself. This was at the corner of Main street and Douglas avenue. This same man said: Come out here and we'll fix you too.

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REAL ESTATE NEWS

The following property transfers have been recorded recently in St. John County.

C. H. B. Anderson to G. A. Anderson and others, all interest in estate of D. H. Anderson.

Bessie Cohen to Myer Cohen, property in Sumner street.

R. A. Carroll to A. J. Mulcahy, property in Charles street.

John J. Harrington and husband, to W. G. McIntyre, property in Simonds.

J. H. Magee to Florence L. Cockran, property in Fairmount.

F. D. O'Connell to Stanley and others, property in Simonds.

Matilda A. Breen to William McGurkin, property in Cardwell.

William McGurkin, property in Cardwell.

R. W. Chapman to Mount Middleton Temperance Hall, property in Studholm.

I. G. Case to Daisy Hatfield, property in Springdale.

R. W. Day and husband to Soldier Settlement Board, property in Norton.

C. E. Dixon to R. L. Dixon, property in Westfield.

H. W. Peters to James Peters, property in Sussex.

Heirs of Martha C. Ryder to Albert D. Ryder, property in Ryder.

W. B. Stapleton to Soldier Settlement Board, property in Sussex.

R. P. S. Haveland, property in Greenwick.

Alice J. Walters to Jennie W. Cougle, property in Westfield.

Frank Yandell to Frank Burns, property in Springfield.

WEATHER REPORT

Issued by authority of the Department of Marine and Fisheries, R. P. S. Haveland, director of meteorological services.

Synopsis—An important disturbance centred this morning over the Georgian Bay and is causing strong winds and showers in the lake region. From the Ottawa Valley eastward the weather has been mostly fair and warm and in the western provinces fair and cool.

Gales with Showers.
Maritime—Strong or moderate gales from southwest with showers tonight and part of Saturday.

Gulf and North Shore—Fair today, followed by strong winds and gales from south and southwest with showers tonight and on Saturday.

New England—Thunderstorms this afternoon and tonight; cooler tonight and night on Saturday. Fair and fresh southwest winds and gales.

Toronto, Sept. 30.—Temperatures: Lowest 8 a. m. yesterday night

Prince Rupert ... 46 50 42

Victoria ... 44 50 40

Kamloops ... 39 50 36

Calgary ... 30 50 30

Edmonton ... 34 60 64

Prince Albert ... 38 50 34

Winnipeg ... 40 55 36

White River ... 64

Sault Ste. Marie ... 48 58 48

Toronto ... 63 78 62

Kingston ... 68 74 62

Quebec ... 68 74 62

St. John, N. B. ... 58 38 52

Halifax ... 60 79 56

St. Johns, Nfld. ... 58 64 50

Detroit ... 56 84 56

New York ... 72 80 68

MEIGHEN RETURNS; CABINET MEETS

May Not Announce Election Date Today.

Ottawa, Sept. 30.—(Canadian Press)—The prime minister arrived back in Ottawa from the west this morning and presided at a meeting of the cabinet council. Important questions are down for discussion before the premier leaves for Montreal where he is to speak tonight. First come the dissolution of parliament and the date of the election. While it is quite likely that he will not be officially announced today, efforts are being made to reach a decision as early as possible. It is not thought likely now that the election will be held by November 23, the date originally in view, but there is every hope that the campaign will be over well ahead of Christmas. Secondly, there are the terms of the manifesto to be discussed.

Amherst, N. S., Sept. 30.—Three party conventions of Cumberland county, the Conservative on Monday afternoon, and the Liberal and Farmer-Labor on Wednesday afternoon, are slated to be held here next week. Premier Arthur Meighen and Hon. W. L. Mackenzie King will address mass meetings following the Conservative and Liberal conventions respectively.

Hamilton, Ont., Sept. 30.—Representative business men and manufacturers at a meeting last night, said that the war time coalition of Liberals and Conservatives still stood so far as they were concerned. Halifax, N. S., Sept. 30.—October 11 is announced as the convention date of the National Liberal and Conservative Party of Halifax city.

Toronto, Sept. 30.—The Toronto Liberal forces held an executive meeting last night and decided to enter candidates in all the ten federal ridings in Toronto and York.

Ottawa, Sept. 30.—Sir Henry Drayton, minister of finance, is being put forward to head the government in Ontario. He is at present representing Kingston, but has been spoken of as a successor to Sir Geo. Foster in North Toronto.

Lindsay, Ont., Sept. 30.—The National Progressive party of Victoria and Haliburton selected J. J. Thurston as candidate in the coming elections.

Nominations were—North Simcoe—A. Carr (Con.); Victoria and Haliburton (Ont.)—J. Thurston (Farmer); Grenville, Ont.—Dr. P. A. McIntosh (Liberal); Saltcoats, (Alberta)—Dr. S. G. Christie (Liberal).

BANK CLEARINGS.

St. John Bank Clearings for September were \$11,832,331; last year \$13,233,597. In Halifax the September clearings were \$13,945,724.

TRAFFIC CASES.

There are forty-nine cases pending in the police court against Fred A. Campbell, president of the Union Bus Company, for various alleged violations of the city by-laws on union buses. The charges were to have been aired this morning but owing to the pressure of other business they were laid over until Tuesday of next week. Cases of a similar nature against James Semple, W. L. Woods, S. Williamson, G. W. Craft, A. Miller and H. G. Green were also postponed from today until Tuesday.

ST. PETER'S Y. M. A.

The fall re-union of St. Peter's Y. M. A. was held in their rooms in Douglas street last evening. Rev. George Coffin, C. S. R., spiritual director, outlined plans for the season's activities and set forth the aims and objects of the association. Nominating members to run for office was then carried out. The election of officers for the ensuing year will take place in the near future.

ground he asked the commissioner of public safety, the chief of police, the chamberlain who was also implicated with himself, to come to his office and also telephoned the Power Company office asking if the official who gave the article to the paper would attend. That morning he said, five or more directors of the company arrived and he asked them to come into his office. Naturally, he said, the door was closed. He said there was no secret meeting but it was like any other ordinary business transaction. "We went through the article," he said, "and in each case were able to determine who was the official. I take the stand that there are grounds for belief."

He said as far as he was concerned he would take action himself unless the statements were withdrawn and explained with equal publicity as given in the article. With reference to the statements about 1,000 violators reported and copies forwarded to the Chamberlain and himself and annexed at said conditions with, he said it was absolutely and positively untrue. He said no such idea entered his mind or that of the chamberlain. He said that action had been taken by himself and the chamberlain, but they were not in a position to prosecute all the cases. He emphasized that it was historical what action the council took that he would take action himself.