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P TO ENGLAND  
Theatrical Profes-  
sion in City, Sail-  
press Today.

Barrett Leonard, Folle  
and his bride, who was  
sister of the late Major  
Leonard, of Victoria, B.C.,  
to embark on the Empress  
for the groom's home  
in the St. Lawrence  
by the Rev. Ralph Sher-  
wood of this city.  
The couple were married  
in the St. Lawrence  
by the Rev. Ralph Sher-  
wood of this city.  
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by the Rev. Ralph Sher-  
wood of this city.

St. John's Standard  
OUR SECOND FRONT PAGE  
THE STANDARD, ST. JOHN, N. B., FRIDAY, APRIL 22, 1921  
PAGE 3

# The St. John Standard

OUR SECOND FRONT PAGE

THE STANDARD, ST. JOHN, N. B., FRIDAY, APRIL 22, 1921

PAGE 3

## A PAGE OF NEWS ABOUT THE MARITIME

### ASK WITNESS IF HE KILLED CAPTAIN PERRY

Dramatic Moment in Preliminary Hearing at Yarmouth in Murder Case.

### WIDOW TALKED OF POSSIBILITY OF DEATH

Toronto Witness Tells of Talk With Mrs. Perry Last October.

(Continued from Page 1.)

When the preliminary examination of Charles Ellisworth Perry, charged with murdering her husband, the late Captain George Henry Perry, was begun by R. S. MacKay, K. C., of Yarmouth, and W. J. O'Hearn, K. C., of Halifax, represented the crown, and R. W. E. Landry, of Yarmouth, appeared for the defendant.

Immediately after the proceedings opened Mr. O'Hearn addressed the court, asking that owing to the limited quarters the public be excluded from the hearing, but that the press be allowed to attend. In his experience such procedure had always been allowable with the understanding that the reporters take the evidence and nothing further. Mr. Landry fully concurred with Mr. O'Hearn, but expressed the opinion that all reporters should be instructed to be very impartial and that only actual proceedings should be taken.

Stipendiary Pelton questioned the witness of permitting the press to attend the hearing. He would, however, concur with the request of counsel, and would ask the press to give out only what actually took place.

Denies the Killing.

"I hope not," was the reply of Thomas Nickerson, crown witness, to a question asked by W. J. O'Hearn, K. C., crown counsel, who asked him whether he killed Capt. Perry at the opening of the preliminary hearing. "No, but did you?" said Mr. O'Hearn, pressing his question.

"No," replied Nickerson.

The proceedings resumed the evidence of Nickerson as to the visit of the late Captain Perry to the Nickerson house on the night of the murder and his relations with the murdered man. Nickerson testified that he had known the late Capt. Perry since he was a young man. Perry had made frequent visits to his home, coming sometimes while the Nickersons were at home and on other occasions. He had never raised any objection to Perry's visits, although his wife had repeated stories she had heard. Both Nickerson and his wife knew these stories to be false.

Could Not Fix Time.

Nickerson was unable to state definitely what time Perry reached his own door following his visit to Nickerson's house on the night of the murder. He had not seen Perry go into his own yard. Perry had remained in Nickerson's kitchen until the clock which was about ten minutes past, had struck ten. The last he had seen of the Captain was when he had disappeared behind a snow bank not far from the Nickerson door.

On the same evening Millidge Earl and his wife, the latter a niece of Mrs. Nickerson, had paid a visit to the Nickerson home. Millidge did not come in until Capt. Perry had left, but his wife was there when the Captain was in the house.

Saw Dangerous Steps.

Nickerson said he occasionally visited the Perry home. After the separation some six years ago of the Captain and Mrs. Perry he had been shown the cellar steps which had been piled off at the top and left in such a state as to be dangerous to anyone not knowing of their condition.

Maid Earl corroborated Nickerson's evidence as to the Captain's visit to the Nickerson house. Her uncle, she said, had gone to the door with the Captain and when he returned to the house he did not go out again. She did not know whether he had gone out of doors or not, as she only saw him leave the room. She and her aunt had not taken particular notice of the time when Nickerson returned. She did not know that he was an ordinary coat, nor could she say whether he had put on a cap.

Millidge Earl gave a description as to his visit at the Nickersons. He could not say that time it was when he arrived at the house, but Capt. Perry had gone home then. When he passed the Perry house on his way to Nickerson he did not notice any lights, nor did he see any person about the premises.

Two Doctors Called.

Dr. C. K. Fuller testified as to the autopsy he performed on the body of the late Captain Perry. He had been assisted by Dr. A. R. Campbell. Dr. Fuller told the court that either of the two serious wounds on the back of Perry's head would have caused death. They had been inflicted with a blunt instrument and might have been caused by the iron bar exhibited. A child at fourteen or fifteen years could strike sufficiently hard with such a weapon to inflict such injuries.

### Huge Stock of Liquor Is Seized

Nearly \$12,000 Worth is Taken in Charge at Campbellton.

Special to The Standard.

Campbellton, N. B., April 21.—Last evening liquor inspectors Kane and Pettigrew made a surprise visit to a house on Miller Lane at the rear of Thomas Wran's drug store, occupied by Philip LeBlanc, and there seized 225 cases of liquor and three barrels of rum estimated cost about \$12,000. Teams delivered it to C. N. R. freight shed. Who the owner is, no doubt, will be determined in the courts. Chief Inspector Hawthorne of Fredericton was in town yesterday and appointed Pettigrew.

W. D. Duncan, chairman of the Board of Trade bridge committee, today received a telegram from Ottawa granting the promised sum as their share towards erecting the much needed bridge between Campbellton and Crosspoint, under consideration.

The lot started to move out easily this morning and the open water can now be seen below the town. The shore ice will prevent the use of the steam ferry for two weeks.

as sustained by Capt. Perry. The burning of the bar would have so far removed any blood stains so that no chemical analysis could detect them. Dr. A. R. Campbell corroborated Dr. Fuller's evidence.

Hearer Perry was called to the stand and repeated the evidence which she had given at the coroner's inquest. She identified some exhibits of her mother's handwriting which the crown produced.

Alleges Money Troubles.

William P. Messias of Montreal, was the only witness called at the evening session of the hearing. Under direct examination by W. J. O'Hearn, K. C., the witness said that he lived in Montreal, that he was the manager of the Sharpley Cream Separator Company, and that in the course of his duties he had called at the Perry home on October 13, 1920. Captain Perry was away at the time, but he had had conversation with the defendant, in the course of which she had referred to family difficulties arising out of money matters and the high cost of living and had said that in her opinion Captain Perry should have kept his ship longer than he did.

Feared Sudden Death.

She also referred to the possibility of deceased dying suddenly, and had asked him if the company would be prepared to buy back any machinery her husband might have in stock in the event of that contingency.

In April of this year, he had written Mrs. Perry, referring to this conversation, and had suggested that she communicate with the Toronto office of the company in the event of her still wishing to dispose of any machinery the late captain might have in stock at the time of his death. A copy of this letter was put in evidence.

Sent Copy to Detective.

Cross-examined by R. W. E. Landry, counsel for the defence, the witness was asked if he could explain why the fact of his having addressed the letter to Mrs. Perry had become known in Yarmouth previous to his arrival in the town on the present occasion. He replied that he supposed it was due to his having sent a copy to Detective Horace Kennedy. Asked why he had expressed sympathy for Mrs. Perry in the letter and at the same time had sent a copy to the detective, the witness said that he had been actuated in the matter by a spirit of "righteous justice." He said that no matter what the outcome of this case might be, his sympathies would still be with Mrs. Perry.

Captain Was Well.

Asked if he had not enquired regarding Captain Perry's health, the witness said that he had. He also remembered that Mrs. Perry had said the captain was well at the time. He did not recollect the precise words she used were that he was "remarkably well," although she might have used that phrase. He remembered that she said he had been ill and that he was a hard man to look after. He had not taken the conversation down in writing at the time, nor had he committed it to memory. He would judge that Mrs. Perry was a very exact woman and very particular in matters of business. He did not volunteer the information that his company might be disposed to take back Captain Perry's unused stock in the event of his death. He did not know that Captain Perry had any unused machinery in stock at the time. He was not related nor had he known any member of the Perry family, on either side of the house.

Re-examined by Mr. O'Hearn, the witness said that when he had rightly named off Mrs. Perry's remark regarding the possibility of her husband's death, Mrs. Perry had said, "You can never tell." Asked by Mr. Landry if that precise remark could not be taken as evidence of her knowledge of the death of any one he knew, the witness said that in his opinion it could.



Jones has to take it outside every time he wants to open up a bottle of his Home Brew.

### Attempted Suicide At Hopewell Hill

Despondent Because of Business Troubles—Fire Does Considerable Damage.

Special to The Standard.

Hopewell Hill, N. B., April 21.—William Adam Walther, an Englishman, who had been in the West, came to Albert County last spring, purchased a farm at Germantown, got into financial difficulty and obliged to assign. He was unmarried and lived alone. This morning he attempted suicide by cutting his throat. Medical aid was summoned and found the man mentally deranged. He will be sent to the Hospital in St. John.

The Baptist Sewing Circle at Albert met with Mrs. G. D. Prescott on Wednesday afternoon. A large number were present and enjoyed a very pleasant time.

A defective fuse caused a fire in the upper story of J. T. Steeves' building on Main Hill, which was destroyed by a tenant. An alarm was given, a crowd quickly gathered and a bucket brigade soon had the fire under control. Considerable damage was done.

Charles Steeves, of Weldon, accused of theft, was arraigned before John Gaslin, J. P., at Hopewell Cape and sent up for trial. Three thousand dollar bail was secured. Jas. Friel, of Friel, Clarke & Rand, Moncton, for defendant; W. T. Goodwin, Moncton, for plaintiff, and Lester Smith, Clerk of the Peace, for informant.

### Two Miners Killed In Glace Bay Pit

Glace Bay, N. S., April 21.—Ellen McDougall and Fred Ward, two miners of Reserve, were crushed beneath a fall of stone in No. 10 colliery here last night. McDougall was killed instantly. Ward, who was taken to the General Hospital, died there this morning. McDougall, 46 years old, was formerly town councillor of Glace Bay. Ward, 40 years old, was a well-known member of the United Mine Workers' Union. Both were married and leave large families.

LEFT ESTATE OF \$24,900

Fredericton, April 21.—The will of the late John Kilburn, who a few years ago was one of the best known lumbermen in New Brunswick, was admitted to probate before Judge P. J. Hughes, in the York county probate court yesterday. The deceased had under the will, the various interests very largely during the past few years, and the estate was sworn at \$24,900, of which \$15,000 is personal estate. Mrs. Matilda Kilburn, widow of the deceased, and Wardlaw Kilburn, his son, are named as executrix and executor under the will, and the estate was bequeathed to them.

ACTRESS' CHILD BARRED.

Springfield, Ill., April 21.—Henry Anthony Marsh, son of Henry Field of Chicago, and Peggy Marsh, is not entitled to inheritance of the Marshfield millions, the supreme court decided today in ruling that the Marshfield will specifically exempt from inheritance any illegitimate offspring.

### RESTIGOUCHE HEARING CASE IS CONCLUDED

Hon. Mr. Baxter Claims Irregularities Were Merely Technical.

JUDGE'S DECISION  
BE GIVEN SOON

P. J. Hughes Asserts Two Candidates Were Not Properly Nominated.

Special to The Standard.

Fredericton, N. B., April 21.—The Restigouche county election appeal was continued this afternoon in the court of appeal. The argument of P. J. Hughes occupied the attention of the court. Hon. J. B. M. Baxter, K. C., was then heard in reply, and the court considered.

Mr. Hughes, in the beginning of his argument, pointed out the many obligatory things which the sheriff was supposed to do under the Election Act, including being sworn himself to administer his duties impartially; to appoint a poll clerk; setting out the proclamations, etc., which he had left undone or done wrong, and stated that these were irregularities and the burden was upon the opposite side to show whether or not they would affect the result.

Not Properly Chosen

Mr. Hughes also claimed that Messrs. LaBelle and Duncan, the independent candidates, were not properly nominated, because there was no affidavit to show that the names on their nomination papers were genuine. If the two were not properly nominated the votes given them were lost, and he cited cases to show that it was the votes given to candidates who were not nominated that affected the whole election, which would be set aside.

As far as the recount was concerned, Judge McLatchey said he could not go any further and did not give a certificate, there were provisions under the act for application to a supreme court judge to order a county court judge to go on. This could be done within eight days, but two days afterwards the sheriff sent over to the provincial secretary-treasurer's office what was said to be a return.

Not Correct Return

This, he stated, would not be a proper return, because the act said that on a recount being held the sheriff must wait until he got the certificate of the judge on the recount, and he hadn't in this case. If a judge refused to give the certificate, the sheriff should have waited until the application was made to the supreme court judge to force the county court judge to go on, and if the judge would not go on and send back all papers without a certificate, it might be considered an abortive recount, and the sheriff in those circumstances might make a return. But, he stated, in short he did not wait the right days and

### Run An Auto Bus On Stanley Branch

Passengers Being Carried Between Stanley and McGivney in Power Machine.

McGivney, N. B., April 21.—An auto fitted to run on the track of the Stanley Branch has arrived at McGivney via the N. T. R. in charge of Con. E. A. Logan and Driver Gene Moore. This bus seats about 18 passengers, has a high power gasoline motor capable of running the car about 25 miles per hour.

therefore was in no position to make the return.

Morning Hearing

J. B. M. Baxter, K. C., in his address in the forenoon, claimed that the first document sent into the provincial secretary's office by Sheriff Keed was whether the independent candidates—LaBelle and Duncan—were nominated, and whether the irregularities in regard to the election were such to go to that extent. He did not think the action of the sheriff in regard to the matters was due to any dishonesty on his part, but rather to ignorance. He said that Judge McLatchey had erred in not making a return. In his opinion the judge had misunderstood what was required of him. Judge McLatchey had said that each ballot should be placed back in its envelope or it would not be counted. This Mr. Baxter said was a mere technicality. There never could be a return to do it. The whole thing was the fault of the returning officer and the nomination should stand.

Irregularities Indefinite

As regards the irregularities, he claimed that it had to be shown that these irregularities were such that they affected the result of the election. He claimed that these did not go to that extent. He did not think the action of the sheriff in regard to the matters was due to any dishonesty on his part, but rather to ignorance. He said that Judge McLatchey had erred in not making a return. In his opinion the judge had misunderstood what was required of him. Judge McLatchey had said that each ballot should be placed back in its envelope or it would not be counted. This Mr. Baxter said was a mere technicality. There never could be a return to do it. The whole thing was the fault of the returning officer and the nomination should stand.

### Choir Leader Given A Silver Casserole

Aroostook Choir Remember Mrs. J. R. D. White on Her Birthday.

Aroostook Junction, N. B., April 21.—Aroostook Lodge, No. 19, which was transferred from Andover this winter, is having very successful weekly lodge meetings, and have now some sixty members. F. W. McNally is Noble Grand and C. S. Gains, secretary.

On Tuesday evening, April 19th, the members of the Aroostook choir gave an oyster supper in honor of their popular organist, Mrs. J. R. D. White, and a most enjoyable evening was spent, the choir rendering several fine selections, and during the evening Mrs. Ethel Grant presented Mrs. White with a silver casserole, this being her birthday.

Mr. F. W. McNally and wife have been spending a few days with their nephew at St. Stephen.

Mrs. C. Tabor has had two children in the hospital at Woodstock.

Mr. C. G. Kerrigan has been sick for a week, but has now resumed work.

Mr. W. H. London is under medical treatment for an injured leg.

Mr. T. H. Wakom has been sick this past week.

S. G. Ketch of the Aroostook roundhouse is off sick with an injured hand.

Mr. H. W. Taylor has had the misfortune to dislocate his shoulder at Aroostook roundhouse.

Mrs. D. B. Jewett has been very sick, but is much better.

Tom Murchison, a sectionman, had his foot badly crushed this morning.

Mr. C. M. McLean is spending the week-end at Woodstock.

SARDINE FACTORIES OPEN.

Eastport, April 21.—Another supply reached the Robbinston sardine factory Tuesday from fish weirs a few miles away where plenty of herring have been reported by fishermen reaching here from Canadian islands where so many weirs are owned and during the coming season are handled with a profit. The first sardine plant to open on the Maine coast was usually at Eastport for many seasons past, but this month the honors go 15 miles up the St. Croix river to the Holmes' cannery, a large independent factory, with many camps located near for the large number of the employees, many of whom arrive from other towns and remain up to the close late in the fall. Some of the Eastport women packers of considerable experience in local plants have become anxious over the long delay here and have gone up the river for work this week and others are planning on leaving soon, for it is reported that there may be other plants opened later along the coast, while it is possible to buy supplies of early fish.

BANQUETS AT MONCTON

Moncton, April 21.—Banquets were tonight tendered W. A. Duff, of the C. N. R. Engineering Dept., who has been transferred to Toronto, and to Frank M. Dayton, who is shortly to be married to Miss Louise Fries, daughter of Mr. and Mrs. A. E. Tritsch, Salisbury.

DID NOT SUICIDE.

North Sydney, N. S., April 21.—Abe Mumford, the Newfoundlander who disappeared from a lodging house here Tuesday night, and who was believed to have committed suicide by jumping over the boardwalk, was found last evening at Sydney, where he had walked. Desire to escape deportation to Newfoundland by the immigration authorities is alleged to be the reason for his disappearance.

### LABOR COUNCIL WANTS DAYLIGHT SAVING CUT OFF

Fredericton Workers Decide Not to Seek Injunction from the Courts.

NO CHANGE LIKELY TO BE THE RESULT

Council Considers 1919 Plebiscite Sufficient Authority for Acting.

Special to The Standard.

Fredericton, N. B., April 21.—The legislative committee of the Fredericton Labor Council, who were recently instructed by the Labor Council to consider ways and means nullifying the resolution passed by the City Council recently ordering daylight saving time effective in Fredericton from May 22 until Labor Day, have decided to petition the City Council to rescind the resolution and declare it null and void. The committee decided upon this more peaceful method of action rather than the suggestion that an application be made in courts for an injunction.

No Plebiscite

It was also said today that the Labor Council would not suggest that a plebiscite be held on the question; members of the committee when questioned today said they relied upon the plebiscite held in 1919 on the question when daylight saving was defeated, that it could have been submitted to the people without expense at the last civic election, and that they did not now see a party to putting the city to unnecessary expense. Advocates of the daylight saving time decided today there was no chance of the City Council reversing a vote which had already been thoroughly discussed and considered; they also expressed confidence that in the event of a plebiscite daylight saving time would carry by a large majority.

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