Judge Morris

DISMISSES THE COMPLAINT OF S. P.C.A. AGAINST DR. RENDELL.

This is an action taken upon the complaint of Jonas Barter, Chief Agent, Society for the Protection of Animals, against Herbert Rendell, M. D., charging "that he did on the 5th day of December last cruelly illtreat, by shooting and wounding, three dogs contrary to Section 1 (a) of Chapter 108 of the Consolidated Statues (Third Series) entitled "Of the Protection of Animals."

The defendant admitted the shooting but denied any intention to wound or kill. The defendant, who is medical superintendent in charge of the Sanatorium, Topsail Road, being sworn stated:—

"For the last two or three years we have been very greatly annoyed by large numbers of dogs which infest the Sanatorium grounds. These dogs do injury in two ways, first and chiefly to the patients and second to the Sanatorium property. In the treatment of consumption there are three chief weapons—pure air, good food and rest; of these three rest is definitely the most important, rest of mind and rest of body. The Sanatorium windows are wide open for the admission of fresh air, and these dogs, in large numbers, gather around under the windows and in the adjoining meadow in the day time and at night and they howl, bark and fight and make the night hideous. This robbed naturally disturbs the rest of the patients and prevents their getting sleep so essential to them. It also disturbs them mentally because of the superstition which exists about a dog howling being warning of death. We have counted as many as thirteen dogs there at one time.

"We have endured this thing for years. The kitchen door has to be open from time to time for ventilation and the dogs would watch their chance and sneak in on the dishwashers and grab whatever food they could get. About two months ago I met Mr. Jonas Barter and I thought he was the best man I could consult on the matter, and I asked him if he could help me to rid the Sanatorium of this unbearable nuisance. He said it was quite lawful to shoot the dog that was a nuisance about the place. The nuisance becoming more frequent, the day I consulted a senior officer of the Police Station and was given the same advice.

"I had at the time some .22 calibre long cartridges and I knew that within their range they were likely to kill. I decided not to use them because I did not want to kill, nor did I want to injure the dogs; so I then purchased a box of .22 calibre short cartridges believing they were not sufficient to penetrate the skin of a dog, for my intention was only to scare the dogs and so drive them away from the Sanatorium.

"On the morning of the 5th December I was looking out of a window of the staff house and I saw a large number of dogs, some six or more, around the premises barking and howling, and tearing up things generally. I took a .22 calibre rifle and loaded it with .22 calibre short cartridges. The dogs were about seventy-five yards away from the window where I stood. I could see six dogs at that time but there may have been more. After I fired the dogs went away howling and I carried out my wish and sent them away from the place. I have always been a lover of dogs and I certainly had no thought or intention of either killing or seriously wounding or injuring them."

Section 12 of the Act under which this prosecution is taken, sets forth as follows:—"Notwithstanding anything in any law heretofore existing to the contrary, it shall not be lawful for any person to shoot at, kill or wound any animal found at large unless such animal is doing damage or causing unreasonable annoyance, or there is reasonable cause to believe it is then about to do damage."

From the evidence of the defendant there is no doubt in my mind but the congregating of these dogs in large numbers around the Sanatorium resulted in damage generally to the Institution and was undoubtedly causing unreasonable annoyance to the patients. The defendant has sworn he had no intention of killing or injuring the dogs, and that is borne out by the fact of his buying and using the short cartridges, and it is quite possible that shooting at a dog with such a cartridge at a distance of seventy five yards might be far short of cruelty to the dog. Under the conditions existing as described by the defendant I find the dogs were causing unreasonable annoyance, that the Act of shooting is not unlawful and therefore dismiss the complaint.

Dated at St. John's this 10th day of January, A.D. 1924.

Signed, F. MORRIS,
Judge.

W. J. Browne, B.L. for the Prosecution.

W. E. Wood, K.C. for the Defendant.

Ladies' Tan Hockey Boots $5.00 at SMALLWOOD'S.
dec24,tf

M.C.L.I.

The second meeting of the 57th session was held last evening with a good attendance of members. The subject for debate was, "That modern entertainment and sport tend to moral degeneracy."

The affirmative speakers were Messrs. I. C. Morris, Jas. French and W. Smith.

The affirmative contended that good, clean, healthy sport and entertainment is necessary for the proper development of the race, but that this is the age of extremes and that we were now "sport and entertainment mad"; that home life is sacrificed and that we have to a large extent lost the faculty for intellectual discussion and friendly intercourse, as Sundays are neglected while the movies and entertainment halls are crowded. The commercialization of sport has lowered the morale of the people. In the great boxing contests of the world all that is brutal in man predominates. To see such a spectacle, often for only a few minutes, many of our so-called best people spend large sums for seats and in gambling on the result. The general effect is contrary to the home life and the finer feelings and tends to brutalize all who come within its influence. The same is true of many of the other sports, such as horse racing, boat racing, baseball, football, etc. These sports would be an unmixed blessing if the gambling element could be suppressed. Sunday sport tends to Sabbath desecration and lack of interest in religion. In public and private entertainment there is much to be desired. Immodest dress and action has a bad moral effect. This is often due to the deliberate attempt of the producers of plays and movie films to cater to the passions and that there is great need for strict censorship of many forms of public entertainment. Both public and private dancing came in for considerable criticism, the modern dance being condemned as having a degenerating influence. The recent pronouncement of Cardinal Begin of Quebec, wherein a ban is placed on modern dancing, was considered an historic pronouncement, which would, no doubt, have a big effect on the people of Canada. Cigarette smoking by women and late hours which sometimes accompany the dance increased the downward tendency. We have therefore, due to the sport and entertainment craze, starvation of soul; we have lost discipline, meditation, intellectual culture, etc.

The negative speakers were Messrs. H. E. Cowan, S. R. Penny and W. Edgecombe.

The case was based on the fact that it wasn't fair to take isolated cases where degeneracy may be applied and condemn the whole. Because some men gambled at sports was no reason why all events should be condemned or closed. Boxing matches were few and far between and should not be taken as fair samples of the average healthy week-day sports; that boxing developed the manly art of self-defence; that horse-racing improved the breed and was well worth while; that public entertainment and dances were only impure to those who were impure, and that if these forms of entertainment were abandoned many people would find some other form of entertainment to take their place and so cater to their debased minds; that modern entertainment and sport awakens the intellect, develops ambition to succeed, self-confidence and physical activity; that idleness is the father of much trouble and that sport and entertainment helps to occupy the mind.

The speakers from the floor were Messrs. A. E. Parkins, R. Heatder, Capt. Kean, A. Hayward, Jos. Moore, W. White, Fred. Moore, J. Bursey and W. Drover.

On the vote being taken the affirmative won the debate. The speeches were all of a high order and the debate was much enjoyed by the members and visitors present.

Kosy Felt Footwear for ladies' and gentlemen at SMALLWOOD'S.—dec24,tf

Good-Bye, Girls

A SPLENDID SHOW AT THE MAJESTIC.

The Majestic management have a splendid week-end bill running at present: "Good Bye Girls" is indeed a very fascinating story with very interesting situations. "Over The Forces," a Fox Comedy, is a comedy that will force a laugh from the most solemn. See it and be convinced. The Fox News reel is always interesting. To-day the usual Matinee To-morrow afternoon a special matinee for the kiddies. Read the story, see plenty of fun, and [illegible] with their [illegible]. The children will [illegible] at their best.

Shoe Buckles—Rhinestone Shoe Buckles at SMALLWOODS'.—dec24,tf

FOR SALE—[illegible]

Stock Market News

TO-DAY'S OPENING.

Am. Can.	107⅝
Cuban	35⅛
Corn Prod.	159½
Alcohol	70⅛
Wash.	37½
Kelly-Spring	34
Pacific Oil	49¼
Studebaker	103⅝
Union	130¾
Pan-Amer.	52⅝
U. S. Steel	100¾
Montreal.	
Abitibi	64⅞
Brazilian	47
Brompton	41½
Can. Car	40
Car Pfd.	87
Laurentide	93¼
Mon. Power	143
Cotton	
Jan.	34.25

PLAN FINANCING TRAM POWER CO.

(Financial Times, Jan. 5th.)

Pending the result of court proceedings to unseat at the present Board of Directors of Montreal Tramways & Power Company, the "opposition" are going ahead with their plans to be ready to take charge if the legal contest results in their favor.

"We are now negotiating with financial houses to provide for the refunding of the $7,300,000 short term note that mature in March," said T. K. Dickinson to The Financial Times. "We expect to secure terms that under the circumstances will be satisfactory and certainly better than the other side can be expected to obtain."

No official announcement has been made as to who will comprise the final group who would be prepared to take charge in the event of the present Board being dislodged, nor is any definite statement likely to be forthcoming for some weeks. A number of men prominent in Montreal financial and industrial circles are working in active co-operation with the provisional directors.

OUTLOOK BRIGHT FOR BUICK.

President Bassett Says The Preparations are for Larger Production ing 1924.

(Bureau, Jan. 3rd.)

Detroit.—"We are backing our confidence in the new year by preparations looking to an even larger production than our record breaking output of more than 200,000 in 1923," said President H. H. Bassett of the Buick Motor Co.

"The many factors upon which the fullest prosperity is contingent seem to be working out in a manner that warrants us in thoroughly believe that 1924 will yield bountiful rewards. The well-being of the automotive industry has usually proved general conditions of a like nature and I believe this will be the case in 1924."

STEEL CO. OF CANADA.

President Hobson Optimistic on Outlook for Canadian Industry.

(Boston News).

Toronto.—President Robert Hobson of the Steel Co. of Canada, stated that he considered the 1924 outlook for Canada steel companies to be a fair one.

Business is at a low ebb at the moment, with foundries closed for inventory. Mr. Hobson expects his company's plants to open the New Year at 60 p.c. capacity and increase percentage materially at end of a fortnight. He said that his plants had averaged 90 p.c. capacity all year and that 1923 would prove "quite as good a year" as 1922. In latter year earnings were $2,295,197 before interest charges, bond interest and reserve provision of $914,981, which showed a deficit of $356,144 after dividend payments. Opinion is current that this deficit will be wiped out in 1923.

What's Wrong With the Women?

BIG PHOTO PLAY DELIGHTS IMMENSE AUDIENCES AT NIKCEL

Ever since Mother Eve imbedded her pearly teeth in the fabled apple, humanity has pondered from time to time the age-old problem: "What's Wrong With the Women?"

Now comes a motion picture that sets for itself the same eternal question and comes pretty close to answering it—at least, so far as the present high-powered, helter-skelter, flapperescent generation of women is concerned.

It is called "What's Wrong With the Women?" was produced in powerfully dramatic sequences by Daniel Carson Goodman, and it thrilled and entertained a big audience at the Nickel Theatre where it was shown for the first time yesterday. It's an Equity Picture.

Mr. Goodman, with the facility and understanding of the master story-teller, wastes no time in getting into the core of his subject. With bold and powerful strokes he rips aside the curtains that hide the whims, the foibles and weaknesses of that dynamo of ever-changing emotions—the Modern Woman. It is in no sense an attack on womanhood. It is in no sense preachy although in its big treatment may be found a sermon that will shatter deceit and extravagance and weld closer together the bonds of love and human sympathy.

The story, which was written by Mr. Goodman, is a straightforward narrative dealing with the lives of a smart group of men and women in the gilded strata of big town society. Women and men, too, plunge into the maelstorm of life unrestrained. Extravagance, folly, broken hearts and twisted souls. It won't do to reveal the plot.

A big reception was accorded Misses Drury and Harrison, the popular Singers who rendered a high class programme of selections. The duets deserve special mention, as seldom do we hear such excellent blending of voices and last night's renditions was indeed something out of the ordinary.

Shipping

S.S. Rosalind sails at daylight to-morrow for Halifax and New York. Passengers have to be on board at 9 p.m.

S.S. Sachem will sail from Halifax to-morrow for this port and will sail from St. John's for Liverpool on Tuesday, Jan. 15th.

Schr. Isabel Moore, 26 days from Buenos Ayres laden to A. E. Hickman, Ltd., has arrived in port.

S.S. Florizel, Capt. A. Cargo of coal has arrived from North Sydney for Bowring Bros. Wood has sailed from Sydney for Pennsylvania, taking the cargo of 2,000 half drums dry codfish shipped by W. T. Hollett.

S.S. Sable I. arrived at Sandy Point from North Sydney, on the 9th inst., with a general cargo for Curling.

"K." Boots, Brogues and Pumps at SMALLWOOD'S.
dec24,tf

Special Programme at Crescent To-Night

THE SEASON'S BIGGEST CONTEST WILL BE HELD.

The big Amateur Contest at the Crescent to-night promises to outrival any held so far. The genial Dan Delmar who is in charge has received quite a number of new entries during the past few days and we look forward to a lively time.

There is a new Pola Negri picture also at this theatre. It is the Goldwyn picture, "Mad Love," and gives the Polish screen beauty one of her most outstanding roles as Sappho, a beautiful and notorious woman who delights in exacting the homage of men.

Sappho discards the lover of whom she has just wearied, breaking his heart. His brother anathematizes the woman in her hearing, thereby arousing an interest in himself which soon turns to the first and only genuine love the woman has ever experienced. She tried to hide from her new love that it was she who had treated his brother so shamefully, but a jealous millionaire, who has been supporting the woman, reveals the truth. The three principals then become as bits of flotsam flung into the vortex of a whirlpool, tossed hither and thither as passion dictates. Sappho is killed by her discarded lover, at the end, in a magnificently acted scene.

Closing Branch Lines

BONAVISA WILL REMAIN OPEN.

The Railway Commission have decided to close down the Bay de Verde and Trepassey Branch Railways, after Monday next. The Bonavista line will be kept open for an unlimited period. Upwards of 300 car loads of wood are at present on the different siding, ready for delivery to places along the line. The wood was cut down last fall but owing to the late snow fall the keeping of the line open was their only resource.

Magistrate's Court.

A salesman drunk while in charge of a horse was discharged.

A 20-year-old labourer, Kickham Place, charged with being drunk and disorderly was fined $2 with the option of 7 days imprisonment.

A few civil cases were disposed of.

Here and There.

THREE WITNESSES EXAMINED.—The enquiry into the charge of forgery preferred against one named Martin Tracey was continued this morning, when the evidence of three witnesses was taken. The further hearing was postponed sine die.

COMMITTED FOR TRIAL.—The magisterial enquiry into the forgery charge preferred against Robert Martin finished before Mr. McCarthy, J. P. yesterday. The accused, who is at present held on remand at the penitentiary was committed for trial in the Supreme Court.

AT THE POPULAR STAR TO-DAY.

JACK HOLT, in a Dashing Drama of the Days of the Alaskan Bush

"The Call of the North," in six Parts.

REGINALD DENNY, (the Boy with the Goods) in Round Eighteen of the exciting

"LEATHER PUSHERS".

MONDAY:—"ARE YOU A FAILURE?" A Preferred Picture, in SEVEN PARTS.

TO-DAY'S MESSAGES

L24 SENT TO THE BOTTOM WITH ENTIRE CREW.

WEYMOUTH ENG. Jan 11.

British Submarine L24 was sent to the bottom of the sea to-day by dreadnaught Resolution with which she was in collision. The disaster which occured off Portland was similar to one which happened two years ago when K5 was sunk. So far as is known all the forty three who composed the crew were drowned. Details are meagre, but it seems that the Atlantic fleet was leaving Weymouth in various groups including several subs for spring cruise, when the Resolution rammed L24 which was a minelaying craft and had fourteen live mines aboard. The accident occurred in a fog when the vessels had opened out in the Channel. L24 sank immediately and although the whole area was searched by a mine sweeping flotilla no trace of the submarine was found. There is a bare possibility, naval men say, that there may be some survivors, that is if the submarine can be brought to the surface, and depending upon in what manner the vessel was rammed. The crew may have been able to close some of the airtight chambers in which they could live 48 hours. Subs K2 and K12 also collided in the same place, but were only slightly damaged.

PARLIAMENT ADJOURNED UNTIL TUESDAY.

LONDON, Jan. 10.

The work of swearing in the members of the new Parliament was completed to-day without further incident and the House adjourned until next Tuesday, when the ceremony of opening in state will occur. The Cabinet Council was in session for more than two hours, and the Speech from the Throne to be delivered at the State opening was drafted. Its terms were kept secret, but it is understood to have been decided that the Speech will only refer to the policy of tariff protection as having been rejected by the electorate. It will propose, however to go on with the preference duties promised to the British Dominions.

FRONTIER CLOSED.

PARIS, Jan. 10.

Gen. Demetz, the Rhineland Commission delegate at Speyer, says a despatch to the Echo De Paris from Mayence, has closed the frontier between the Palatinate and unoccupied Germany except for railroad traffic and food supplies, and also has put on a curfew for Speyer and that in the district no public meetings of any kind will be permitted.

150,000,000 FR. FOR RELIEF OF DISASTERS.

PARIS, Jan. 10.

The Chamber of Deputies has voted an appropriation of 150,000,000 francs for the relief of sufferers from the recent floods, tidal wave, avalanches, forest fires, and other calamities.

STEAMER FOUNDERS IN STORM.

BREST, Jan. 11.

The Italian steamer Tasmania is reported to have been seen foundering in heavy seas off the French coast during the storm. One of her small boats with a number of the crew was picked up, but another boat containing the captain and the remainder of the crew is said to have drifted away. The Tasmania is a vessel of 2496 tons.

WILL NEXT CHANCELLOR BE A LABOUR MEMBER?

LONDON, Jan. 11.

The march of political events naturally leads to the assumption that the Budget to be brought down in April will be prepared by a Labor Chancellor of the Exchequer, probably Philip Snowden. The scheme to establish a naval base at Singapore is almost certain to be abandoned by a Labor Government. Labor leaders assert there was nothing more popular with the electors in the recent political contests than the statement that their social programme could be paid for by money saved on Premier Baldwin's proposals with regard to the Singapore naval base.

INTER-ALLIED COMMISSION TO INVESTIGATE.

PARIS, Jan. 11.

Delegates of the Inter-Allied Rhineland Commission are going to the Bavarian Palatinate to make investigation on the spot of activities attributed to secret organizations which culminated last night in the assassination of Herr Heintz at Speyer along with five others.

TAMPA HUNTING FOR PARR.

HALIFAX Jan. 11.

The United States revenue cutter Tampa which sailed from here Tuesday night for Boston after refuelling, having come in from an unsuccessful tussle with the months-old derelict four master Governor Parr, returned to Halifax last night with orders intecepted by wireless sending her back out into the steamer lanes to make another effort to remove the danger and tow it into the shore to be destroyed or salved. It is understood also the Tampa is looking for another steamer reported on fire at sea, probably the lumber laden tern schooner J. W. Comeau, which was recently abandoned at sea and set fire while on a voyage from Lunenburg to Barbados with lumber. The Tampa sails shortly for sea after taking supplies here.

SIR ROBERT HORNE PREDICTS A COALITION.

NEW YORK, Jan. 11.

An early formation of a coalition government in Great Britain which would overthrow the power of the Labor faction now in control of the political situation was predicted today by Sir Robert Stevenson Horne, former Chancellor of the Exchequer and now Conservative member for one of the Glasgow divisions in the British Commons, when he arrived here on the Majestic to-day enroute to Canada. "It is regretable and ridiculous that a Labor Socialist element should be permitted to gain control of our government," he said. "There is no excuse for it. Labor has only one third of the members of Parliament, Liberals and Conservatives have two thirds, yet with the real strength of the voters and country resting with the Liberal-Conservative wings, Labor controls. With the protective tariff question out of the way, there will be an early decline in the power of Laborites," he concluded. "Following the passing away of that question," he said, "the Liberal-Conservative groups would form a coalition government."

SIX PERSONS KILLED BY ASSASINS AT SPEYER.

LONDON, Jan. 11.

It now transpires that six persons were killed at Speyer when the assassins on Wednesday shot and killed President Heintz, President of the Autonomous government. His two companions Herr Fusshoeler and Dr. Weissand were mortally wounded. Shooting as they fled after killing the President, the assassins killed two electricians and also mortally wounded Dr. Weisemann. The separatist investigation seems to show that the desperadoes belong to the Hitler party.

Here and There.

GOWER ST. CHOIR.—There will be no practice this evening.
jan11,1i

For Coughs and Colds STAFFORD'S Phoratone, 35c. bottle.
jan2,tf

890—See the window of the shop with the Cup and Saucer Sign, opp. Court House. S. RICH'D. STEELE. 'Phone 1476.

THE TRAINS. — Thursday's west bound express arrived at Bishop's Falls 1 hour 55 minutes late. The incoming express is not due before 9 to-night. The Trepassey train which went out at 11 a.m., took a large number of passengers. The Carbonear train arrived on time.

STAFFORD'S Phoratone will cure your cough, 35c. bottle.
jan2,tf

ROSALIND OUTWARD.—S.S. Rosalind sailing at daylight to-morrow, takes the following first class passengers: Mrs. C. Crane, Mr. and Mrs. Peddrick, Miss Helen Channing, Mrs. Branscombe, Mrs. A. J. Rowe and child, Mr. and Mrs. J. H. Rogers, R. W. DeBoo, Mrs. Leonard Ash, Miss L. Hartigan, Phil. Murphy, Mr. and Mrs. Halpert and 4 children, L. P. Lane, Miss M. Sheehan, Mrs. B. Burton, Lady Cashin, Mr. and Mrs. R. B. Job, Thos. E. McGrath.

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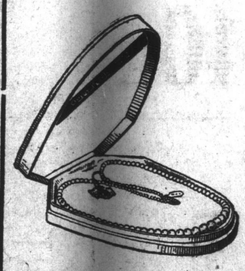
They are indestructible.

They are beautifully cased in settings that are worthy of the pearls.



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Brands: WAGNER, BALDWINS and STARKS.
100 Cases CALIFORNIA ORANGES.
Counts 176, 216, 252's.
40 Cases PORTO RICO—216 Count.
50 Boxes CHOICE TABLE APPLES.

BURT & LAWRENCE
14 NEW GOWER STREET.

Machinery for Silver Cliff Mine

Two Wilfrey tables and one jig mill arrived at Argentia by train yesterday for Silver Cliff Mining Co. A slime table for the same company arrived this morning by S. S. Rosalind and will be forwarded by train to Argentia. This additional machinery will permit operations to be extended to a point where 50 tons of ore per day can be concentrated. There is sufficient power and air capacity available now on the plant to operate up to 100 tons which output it is expected will be reached by the coming summer. So far the winter has been ideal for operations and much development work has been done. The operations at Silver Cliff have been so satisfactory that several prospecting operations by holders of adjoining properties will be started in the spring and a general air of optimism prevails both at Argentia and Placentia.

HOUSE FOR SALE.

That most desirable Dwelling House, No. 8 Kimberly Row, hot and cold water etc., in first class condition inside and out. A chance of a life time to buy a house like this. Situated in a most desirable locality, in close proximity to churches, opera houses, movie Theatres, etc. Cash and terms; apply to
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