

AROUND THE CITY

MARSH ROAD PAVING. E. S. Carter announced yesterday that Premier Foster had requested the commission to have the 300 foot strip between the city line and the end of the Government road done, while the city was having the Marsh road paved, the Government to pay the bill.

ANNIVERSARY MASS. A high mass of requiem was celebrated in the Cathedral yesterday morning at seven o'clock for the repose of the soul of Walter Francis Dillon, son of Mr. and Mrs. John Dillon, 219 Waterloo street, who was killed in action "somewhere in France" on September 30, 1918.

RESUMES OPERATIONS. The Nashua Pulp and Paper Company's mill at the Falls started full blast on Wednesday afternoon and work in all departments is now being carried on day and night, with a total force of 310 employees. The acid and wood departments commenced operations on Monday last. The mill shut down late in the summer "for an indefinite period" and resumption of operations will be learned with general satisfaction as a large number of workers have been laid off with little prospect of getting employment elsewhere. It is expected that the mill will continue operations for a considerable period.

BUILDING IN ST. JOHN. The St. John building report for September shows expenditures of \$24,500; last year, \$108,700. The total for the nine months ended today was \$282,700; last year, \$774,950. The following permits were issued last month: Walter Paterson Gifford brick warehouse, Britain street, \$4,000; St. John Real Estate Company wood tenement, Winter street, \$1,000; Miss E. T. Duke, 187 Waterloo street, wood tenement, \$9,000; Arthur Wakim, Prince Edward street, store and dwelling, \$9,000; David G. Andrews, Metcalf street, wooden dwelling and carriage shop, \$3,000; Mrs. Josephine Murray, St. James street, wooden dwelling, \$4,000; Joseph A. Rowntree, Westmoreland road, wood shed, \$1,500.

PROBATE COURT. In the probate court the last will of Thomas Alan Bustin was proved, and his son, F. E. Bustin, sworn as executor. He left \$1,500 real and \$1,500 personal property, divided among the members of his family. S. W. Palmer was executor. In the matter of the estate of James Sterling, his widow, Louisa Sterling, was sworn as executrix. Personalty, \$500. F. R. Taylor, K. C., was executor. In the matter of the estate of Edward McNeely, administration was granted to Michael McNeely. He, with Mrs. Sadie Cunningham, petitioned, and in their petition stated that he believed Mr. McNeely left more than \$1,500, which was given as the value of the estate, but that it had not been possible to ascertain how much. G. E. Logan was executor. R. S. Wilson and A. H. Wilson were appointed administrators of the estate of Thomas Henry Wilson, realty \$300, and personalty \$19,000. W. H. Harrison was executor.

PRIZES FOR ESSAY. The New-Brunswick division of the Navy League of Canada have offered a prize for the best school essay on the subject, "Why Should Canada Support the Navy League?" This competition is open to any pupil under sixteen of age in the superior or high schools of New Brunswick. The essay must be of at least 300 words and not more than 1,000 words. The essays will be judged by a committee appointed by the Dominion Council of the Navy League. The sum of \$25 will be given to the pupil submitting the best essay and \$25 to the principal of the school of which the successful competitor is a pupil. The competition will open at once and close on December 1. Letters and essays have been sent out to 50 principals in the province. The essays are to be forwarded to the divisional headquarters in St. John, and then they will all be sent to the judges.

Conviction Was Ordered Quashed

G. H. V. Belyea Was Fined for Speeding—Important Decision by Judge Barry. A conviction for speeding secured by Robert Crawford, provincial constable against George H. V. Belyea, K. C., in Magistrate H. J. Anderson's court at Renfrew was ordered quashed, and set aside with costs by Mr. Justice Barry in a judgment delivered in chambers yesterday. A fine of \$10 was struck against Mr. Belyea in Magistrate Anderson's court last July after he had been convicted of speeding on Rothesay Ave. Mr. Belyea appealed against the conviction in review before Judge Barry, and His Honor found that the justice of the peace had no jurisdiction. Under the Motor Vehicles Act the fine for speeding may be imposed for speeding may be from \$40 to \$100, but under the Summary Convictions Act the jurisdiction of a justice of the peace sitting alone, shall not exceed \$40. To be within their jurisdiction at least two justices of the peace must sit together to strike a fine for speeding under the Motor Vehicles Act, and such a fine must amount to not less than \$40 or more than \$100. Mr. Belyea conducted his own case both in the magistrate's court and on appeal. W. M. Ryan appeared for Constable Crawford yesterday.

Beginning October 1st, the sailings of the S. S. "Grand Maizan" from St. John will be every Wednesday morning at 12:30. Freight for St. Stephen and St. Andrews received Tuesday mornings. Clifton House, all meals 60c.

DISAGREED ON McAULEY CASE, SEVEN JURYMEN FOR ACQUITTAL, FIVE VOTED FOR AN ACQUITTAL

Were Three Hours Deliberating on Fate of John Paris, Charged With Brutal Murder of Little Girl—Able Addresses by Counsel for Crown and Defense—Lengthy Charge to Jury by Judge Barry—Another Trial Expected Late in October.

The trial of John Paris for the murder of Sadie McAuley was concluded at 8:30 last evening, when after three hours deliberation, W. E. Anderson, foreman of the jury, announced that the jury had been unable to agree on a verdict, as seven jurors stood for conviction and five for acquittal. This marked the third return of the jury to the court room from the time Judge Barry concluded his charge to them at 3:30. They first returned to the court room at 4:35 o'clock to obtain more information concerning a letter written by the chief of the Truro police to the St. John chief. At 8:30 they again returned and through the foreman stated they had failed to agree. The judge said it was very important that they should arrive at a decision, and he was satisfied they were as capable of deciding the case as any other body of men that could be secured. He requested them to again retire, saying, he would not ask them to deliberate for more than a reasonable time.

When the jury again filed into the court room an hour later, but few of the spectators, who had crowded it during the day were present, but an expectant hush fell over those who were, as they awaited the foreman's declaration. Paris leaned forward and eyed each juror intently, but never flickered so much as an eye as they made known their conclusion. In answer to His Honor the jurymen said they did not think further discussion would be of any use, as there had been no change in the opinions of them since their last appearance before him. Judge Barry said it was most unfortunate in view of the great expense incurred; nevertheless he would detain them no longer and accordingly discharged them. He asked them to attend the court when it again opened at 2:30 Monday afternoon. The jurors were: W. E. Anderson, foreman; William W. Hawker, Horace G. Black, A. Chipman Ritchie, John A. Driscoll, Frederick C. Wesley, Robert M. Bartch, DeWitt Cairns, Walter A. Adams and George E. Crowe.

Walter Humphrey, the star witness for the prosecution, was among the crowd who then filed out past Paris' chair. As Humphrey passed Paris, the accused, suddenly half sprang out of his chair and lunged at Humphrey, but Deputy Sheriff Clifton stopped in between and prevented any further hostile demonstration.

A Great Crowd. The news that the jury were out soon spread, and a large crowd swarmed the prisoner's arrival outside. So great was the crowd leaning on the Trinity church fence that an officer was called to save the structure. Just before Paris stepped into the parol, he stopped to light a cigarette. He still appeared as melancholy as at any time during the trial. Some comment arose over the fact that none of Paris' friends were on hand to congratulate him at the end of the trial. Morning Session. When the court opened in the morning, James Williamson, his wife, and Florence Moore, aged 15, were called by the prosecution to rebut a statement made by Paris. Williamson said it was on the 9th he had rowed Paris across the river, and not on the 4th, as stated by the accused. He was corroborated by the two women.

Address for Defence. This closed the case and Mr. Vernon began his address to the jury. He pointed out the solemn nature of the duty it was theirs to perform and expressed his confidence that the color line would be drawn. A human life was at stake, and a mistake on their part could never be rectified. Commenting on the case set up by the crown, he felt it had been met by a perfect alibi. The presumption of innocence must be rebutted beyond a reasonable doubt. The case for the crown rested solely on the evidence of Walter Humphrey. A man who was a confessed thief, whose whole record showed he was not to be believed, a man who was doubted by the detectives themselves. Was it reasonable to think that had Paris committed the crime, he would be confided in such a man, or would have asked him to help bury the child in broad daylight? Humphrey said he knew Paris was the murderer on the 3rd, but did not tell the detectives until three weeks later, and then claimed it was because it was his duty.

Paris had sworn he was not in St. John on the 2nd or 3rd, but in Truro. The crown had failed to break his story, but his statement had been corroborated by reliable witnesses from Truro, colored people, the chief of police, and two garage men who had seen him there. The crown witnesses who swore to seeing Paris in St. John were all connected and not to be relied on. Hatie Levine had been unable to identify the accused as the murderer. Would the jury take it upon themselves to do so? "Gentlemen," concluded Mr. Vernon, "I leave the matter in your hands, confident of acquittal."

Address for Crown. Dr. Wallace then delivered the address for the crown. Commenting on the difficulties of the case he said the alibi established by the defense was not irrefragable. Why had Chief Fraser of Truro not given his information before? The Levine girl thought Paris the man. Walter Humphrey's evidence had been corroborated in many particulars. He was seen in the boat with accused and several people had seen them together.

Lieut. Gov. Pugsley To Resign Office

Rumor Has It He Will Contest Royal in Federal Election—His Successor.

Lieut. Governor Pugsley is to resign from the Executive office of New Brunswick and toss his hat in the ring for the forthcoming Federal contest. This is a fact, authoritatively stated, and will set at rest the minds of those who have been endeavoring to figure out just what part he was to play in the Federal contest. Mysterious have been the movements of late, of this distinguished politician of New Brunswick and the question asked, not infrequently, "is he going to run, or is he not?"

Will Run in Royal. He is going to run and Royal (Kings and Queens Counties) is the spot where the Honorable Gentleman will cast his lot, unless some good friend can show him his chances of success there are quite impossible. It was generally understood that Lieut. Governor, if he decided to again enter the political arena, would take a chance in the St. John-Albert constituency. It is said he has looked the matter over and decided there was "nothing doing" for him here.

The question has been asked, "Why does the Honorable Gentleman wish to engage in the political battle and seek a seat at Ottawa?" Here is the answer: The Liberal Party is hard pressed for a leader. There is no one in the line-up of candidates who shows the earmarks of a born leader. Those interested in the Party's existence are determined there shall be a man in their ranks who can navigate the water-logged ship if it should have any chance to stay afloat. Liberals are already admiring the defeat of Mackenzie King in the North York riding. They believe William Pugsley would make a fine leader for their party should there be anything left of it to lead after the election.

His Successor in Office. Who is to be Lieut. Governor in succession to William Pugsley? you ask.

Very simple to figure that out, according to our informant, Major General McLean doesn't care for Ottawa life, and the cushioned chairs in the Lieut. Governor's quarters at Fredericton look good to him. The General is slated to be the next Lieut. Governor and there is no doubt about it. Liberal Ticket Here. Then we may ask, being disposed of those momentous questions, settled the Liberal candidate for Royal and filled the Governor's chair, what about St. John-Albert constituency as far as Liberal candidates are concerned? There is nothing to it but the Hon. W. E. Foster and W. E. Scully, M. L. A. They were in conference with Mackenzie King recently, along with Lieut. Governor Pugsley, and rumor has it was then and there decided they should be the men to carry the Liberal banner to defeat in this constituency. Those are the facts as set forth by one high in the councils of the Liberal Party, and provide food for thought.

LARGE CROWDS ATTEND FAIRS

Big Business at City Cornet Band and Carleton Curlers' Fairs Last Evening. The City Cornet Band's around the world fair drew another large crowd at St. Andrew's Rink last night. All the games and booths did a thriving trade, and the tickets for the prizes were sold in large numbers. The fair will prove another success, as assured by all.

Curier's Fair.

There was a good crowd at the Carleton Curling Club Fair last evening. The Martello Band were present and gave an excellent programme of music. Prizes were won as follows: First door prize \$15 William Burley. Second door prize \$10 Fred Wilson. Third door prize \$5, Mrs. Anderson. N. S. pins, S. Roxborough. Beans, Tom, Miss Mollie Tobin. Air Gun, Bert Carleton. There will be a money prize tonight. EVERY HEN CAN SWEAR IN P. E. I. (or any other Province) that every one of her products was fresh when it left the plant. But would that satisfy you if you got a spoiled egg for breakfast? Whatever your product, your customer judges your goods by the condition they're in WHEN THEY REACH HIM. Use Good Wood Packing Cases instead of the substitute package, made of paper. WILSON BOX CO., LTD.

Another Trial.

Whether John Paris will again have to stand trial for the murder of Sadie McAuley will be decided by the attorney-general, Hon. J. P. Byrne, Dr. W. E. Wallace, who conducted the case for the crown stated last evening that he would be obliged to communicate with the Hon. Mr. Byrne before he could positively state what course the crown would pursue. The probabilities are that there will be another trial, possibly at the end of October. It is alleged that the defense will produce the companions of Paris who were with him on the train with him to St. John from Truro on August 4th. They are now harvesting in the West but will have returned East by the end of October. A rumor which gained much strength in the court room yesterday after the jury had retired, was that Alexander Day had hired Paris to work for him on the 1st and 2nd of August. Sheriff Wilson called Mr. Day by telephone to ascertain the truth of the statement, and learned from Mr. Day that it was false.

Painters' Supplies. A full line of the most reliable kinds, including Ready Mixed Paints such as Martin-Sensar and Albion, Varnishes, Shellacs, Japans, White Lead, Pure Raw Oil, Linseed Oil, Pure Balled Oil, Spirits of Turpentine, etc. For Quotations and Particulars, Call, Write, or Phone Main 1820. W. H. THORNE & CO., LIMITED. Store Hours:—8 a. m. to 6 p. m.; Open Saturday Evenings till 10 p. m.

A COSY HOME. You can take a PERFECTION HEATER anywhere. Warms any room quickly. The wick-stop prevents smoking. Every drop of coal-oil is turned into smokeless heat. Runs about ten hours on one gallon of ordinary kerosene. Saves lighting the furnace early in the fall. Cheerful Warmth Whenever, Wherever You Want It. Emerson & Fisher Ltd. 25 GERMAIN STREET. Heating Stoves of All Kinds—To Burn Any Fuel.

Delightfully Warm and So Stylish! The Fall Coats now on display eclipse those of any other year in style, comfort and value. All the new cloths are included such as Buckskin, Suedene, Ramonette, Duvetyne and Velour. The prevailing styles of the season are shown, so that every particular taste may be suited. The prices are more moderate this season than they have been for a very long time, and as the best cloths and finest workmanship are shown in these coats, you will agree with us that they are exceptional values. Prices \$19.00 to \$100.00. Macaulay Bros & Co. LIMITED. 65 to 75 King St. Exclusively a Woman's Store.

find him not guilty. If, after a fair and impartial consideration of all the evidence in the case both for the crown and for the defense, you have an abiding conviction of the guilt of the prisoner and are fully satisfied to a moral certainty of the truth of the charges laid in the indictment then you are satisfied beyond reasonable doubt, and you should acquit him; but if the evidence leads you to believe that you have an abiding conviction to a moral certainty of the truth of the charge, then you have a reasonable doubt as to your verdict in which you must be unanimous.

THE SAINT JOHN FUSILIERS. The Regiment will resume training on Tuesday evening Oct. 4th, in the Armouries at 8.00 p. m. Bring a pal and make yours the banner Company, the rates of pay are: If attended previous year's training, or C. E. F. service. Buglers under 18 1st. Year \$ 75c. 2nd. Year \$ 1.00. Privates, Buglers, Drummers over 18 1.25. Lance Corporal 1.50. Corporal 1.45. Sergeant 1.60. Sergeant Major 1.75. H. G. ASHFORD, Capt. and Adjt.

Free Night Schools Will Open Monday. King Edward and Albert Schools Will be Places for Boys and Men. The free night schools for boys and men will open on Monday evening at seven o'clock in the King Edward school, corner of St. James and Wentworth streets and in the Albert school, West St. John. Reading, Writing, Spelling and Arithmetic will be taught. A registration fee of (\$2.00) two dollars will be collected from each pupil upon enrollment. This, however, is returnable on the basis of attendance. The local school Board is to be commended for providing these schools where free instruction may be obtained. They afford an excellent opportunity to ambitious boys and men who are desirous of improving their education. Those who have never attended school will be taught to read, write, spell and will be given instruction in Arithmetic. Rex B. Cormier will have charge of

OPERA HOUSE. Matinee 2.30, Evening 7.30 and 9. BANNER WEEK-END BILL. ROACH and McCURDY in "A Touch of Nature" Comedy Rural Offering. LONEY HASKELL "Celebrated Character Monologue Comedian" 3 Other Sterling Acts. Final Episode of "The Purple Riders" (serial), and "BROWNE" Dog Comedy.