

DOHERTY GIVEN 12 YEARS FOR MAN SLAUGHTER

Wm. Ryan Argues Client Had No Intention to Murder Cairns

JURY DELIBERATES NEARLY TWO HOURS

Chief Justice Barry Gives Legal Definitions of Various Kinds of Slaying

HOPEWELL HILL, Nov. 5—After two hours' deliberation the jury in the case of Lawrence Doherty, charged with the murder of Howard R. Cairns, a few months ago, brought in a verdict of "not guilty" of murder but guilty of manslaughter...

Mr. Ryan spoke for a little short of an hour. The Crown, he said, asked for the life of Lawrence Doherty and he, his counsel, felt deeply the position he occupied. His was a sol-

omn duty, as was also that of the jury. He did not ask them, he said, to swerve one jot from their solemn oath, but he charged that they had not had placed before them one single item of evidence that there had been any intention, wish or desire on the part of the prisoner at the bar to kill Howard Cairns, and he felt morally certain they could not agree on a charge of deliberate murder.

CROWN COUNSEL Daniel Mullin, K. C., of Saint John, for the Crown, said he fully realized the solemnity of the duty they were all required to perform and most assuredly he did not wish to impress anything unfairly on the prisoner at the bar. It was his duty to see, so far as he could, that justice might be administered and the laws of the country maintained. It was evident Cairns met a violent death and that the deep wound near the eye could not have been committed by the piece of plank produced but by some implement never revealed.

Mr. Mullin referred to Doherty using vile language to Cairns on the occasion of their short trip out of the house and of his saying when he came back alone "I got one crack at him (Cairns) he won't want another." Was that an indication that Doherty didn't want to fight? It certainly showed a far from friendly spirit.

CHARGE TO JURY. Chief Justice Barry, in his charge to the jury, instructed the jury there were three courses open to them, namely, to bring in a verdict of acquittal, a verdict of guilty of murder or guilty of manslaughter. He explained the different forms of homicide, murder having the element of malice. Did Doherty mean to kill Cairns or was he reckless as to whether the act he did was such as to cause death? If so he was guilty of murder.

The jury retired at 2.25 p. m., returning at 4.25 p. m., with the verdict.

RYAN'S ADDRESS. Mr. Ryan spoke for a little short of an hour. The Crown, he said, asked for the life of Lawrence Doherty and he, his counsel, felt deeply the position he occupied. His was a sol-

PLANS ARE MADE BY ROTHESAY CHAPTER

Will Assist on Poppy Day—Armistice Day to be Observed

A most illuminating account of the recent conference of the League of Nations at Lucarno was given before the meeting of the Duke of Rothesay Chapter of the I. O. D. E. yesterday afternoon by Miss E. R. Pitcher, who is the chapter's representative on the League of Nations Society. A resolution of thanks was tendered Miss Pitcher.

The meeting was held at the home of Mrs. A. E. Daniel in Rothesay with Mrs. Hugh Cannell, regent, presiding. On the recommendation of the educational secretary, it was decided to give some more books to the library in the Lower Golden Grove school and to arrange for the showing of educational slides in the school on Nov. 25.

The treasurer reported a very satisfactory sum had been realized by the recent entertainment given by the Netherwood staff in aid of the chapter's special fund for a memorial hall in Rothesay.

WILL HELP G. W. V. A. It was decided that the chapter would help the G. W. V. A. on Poppy Day by selling poppies in Rothesay and the vicinity and arrangements were made for holding the annual Armistice Day service at the Rothesay Memorial Cross.

A delightful social hour followed the recent entertainment given by the Netherwood staff in aid of the chapter's special fund for a memorial hall in Rothesay.

NEW POSTMASTER FLORENCEVILLE, Nov. 5—Col. E. W. Melville has been appointed postmaster at East Florenceville, in place of Percy Sample, deceased. Mrs. Sample will accompany her children back to Boston and will make her home there.

Taylor Statten To Be Here On Dec. 3 Taylor Statten, general secretary of the Religious Education Council of Canada, is to be in Saint John on Dec. 3. At a meeting of the Saint John City and County R. E. C., held last night with L. W. Simms, presiding, plans were made for a meeting of ministers, Sunday school superintendents and boys' work members to be held on that date and addressed by Mr. Statten.

The Saint John Boys' Work Board met following the County R. E. C. meeting with A. R. Cruikshank, president, in the chair. The committee members chosen were: Athletics, Douglas MacGowan; badge work, R. H. Parsons; debating, Rev. J. S. Bonnell; finance, Rev. E. E. Styles; program, F. N. Myles; publicity, Charles Styles; religious education, Rev. F. T. Bartram; skating, F. R. Withers, and visiting, C. M. McCullay.

\$2,000 Loss Caused by Leaking Water Pipe

GRAND FALLS, Nov. 4—The home of Dr. and Mrs. B. A. Puddington, Front street, was almost destroyed by water on Tuesday. During the summer Dr. and Mrs. Puddington had completely remodelled and refurnished their home, and were expecting to occupy it in a few days.

During Tuesday Dr. Puddington had been called out of town and returning late at night decided to go to the house to see that some furniture delivered during the day had been placed inside and was surprised to find water running from under the front door. On investigation it was found a leak had occurred in some upstairs plumbing, completely flooding the house carrying the plaster from several ceilings and the paper from the walls. A new plan in the living room is a total loss as is most of the downstairs furniture. The loss is placed at \$2,000.

LARGER NUMBER AT FAIR OF VETERANS

Prize Winners of Last Evening—Carleton Band Gives Program Tonight

An exceptionally fine program of music by St. Mary's Band and a considerably increased attendance marked the progress of the War Veterans' fair at St. Andrew's Rink last evening.

All games were well patronized and among the prize winners were: bean board, ladies, Miss M. Kierstead; men, George Harrison; bowling alley, ladies, Miss Kierstead; men, Mr. Macaulay. The door prize, a box of apples, is held for the owner of ticket No. 18,887.

Other door prizes are being held for holders of tickets Nos. 14,823 and 14,888. A load of wood and half ton coal will be the seasonal combination offered as a door prize this evening.

Much interest was shown in the display of prizes in the Chesterfield, hope chest drawing being conducted by the Pythian Sisters of Loyalist Temple, and which last evening was in charge of Mrs. L. Smith, Mrs. H. E. Young and Mrs. P. MacKensie.

The music this evening will be furnished by the Carleton Cornet Band, and specially selected prizes will be offered on all games.

HAS BALANCE ON HAND The Ladies' Auxiliary of the Alexandra Temple of Honor, at its meeting yesterday afternoon in Temple Hall, Main street, arranged for a rummage sale to be held this month and decided to invite the members of the Temple of Honor to attend an entertainment.

AMATEURS GIVE GOOD PLAY IN CARLETON

"Turning The Trick" is Well Presented in St. Patrick's Hall

The amateurs of St. Patrick's Literary and Dramatic society last night scored a splendid success in their presentation of the three-act comedy "Turning The Trick." The performance was given in St. Patrick's hall before a large audience and is to be presented again this evening. The proceeds will go towards the school fund.

The scene was a New York living room and the stage settings were excellent. J. J. O'Toole directed the performance and C. Quinlan was stage manager with G. Ring, assisting. The Assumption orchestra composed of Mrs. C. O. Morris, Mrs. R. J. Patton, Miss Lena Scully, Miss Maud Sweeney and Miss Gertrude McKenna, gave pleasing musical numbers throughout the evening and specialties given by Miss Margaret Callithness and vocal solos by Miss Josephine Viger, Miss Edna Driscoll and Miss Margaret M. Flood.

Those who took part in the play were J. J. O'Toole, Ely O'Toole, Louis Murphy, Miss Mary Hennessey, Miss Elizabeth Morrissey, Angu's De-Roches, Miss Marion I. Farren, William J. Quigg, J. D. Richards, Miss Mildred G. Condon and E. Barry Quigg.

Approved treatment for COUGHS. When you take PERTUSSIN to relieve your cough, you are taking one of the most widely used and effective cough remedies, known to every practicing physician and pharmacist.

PERTUSSIN Safe for Every Cough. It is the most satisfactory treatment for all harmful coughs, because (1) it quickly relieves the cough spasms, (2) it soothes the inflamed throat and bronchial tissues, (3) it is absolutely harmless and, most important of all, it helps Nature hasten recovery by clearing the air passages of germ-laden phlegm.

Jury Awards \$1,500 In Trespass Case

NEWCASTLE, Nov. 5—A verdict of \$1,500 damages was awarded the plaintiff by the jury in the case of Mullin vs. McLean for damages for cutting ties and lumber off his (Mullin's) property. P. J. Hughes, K. C., was counsel for the plaintiff and Dr. H. A. Powell, K. C., and A. A. Davidson, K. C., for the defendant.

The case of Canadian General Lumber Co. vs. L. J. O'Brien was settled out of court. H. Carr for the plaintiff and P. J. Hughes for the defendant.

Mr. Justice Byrne is presiding.

PRIVY COUNCIL BARS CRIMINAL APPEALS

Refuses to Hear Petition of Three Indians Sentenced to Death

LONDON, Nov. 5—In connection with the refusal of the judicial committee of the Privy Council to allow an appeal to that body against the conviction of three Indians sentenced to death for the murder of Abdul Kadir Baule, a rich Parsee merchant of Bombay, known as the Malabaw Hill murder, their Lordships reiterated their ruling in previous petitions from the dominions for leave to appeal in criminal cases.

They stated that dealing with appeals from the dominions they would not act as a court of criminal appeal and would interfere with the course of criminal proceedings unless it was shown that there had been some disregard of the forms of legal process or a violation of the principles of natural justice, and that a substantial injustice had been done.

The judicial committee found that none of these conditions applied in the Malabaw Hill murder case.

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Warmth For the Bed. 350 Pairs of Shaker Blankets in White or Grey; good size—Sale price \$1.98 pair. Cotton and Wool Blankets, big size, good weight—On sale \$4.50 pair.

What You Want in Winter Underwear. Men's 100 p. c. All Wool Ribbed Underwear, \$2.25 value. Sale price \$1.49 pair.

Overcoats and Suits FOR MEN. MEN'S OVERCOATS with half leather lining; reg. \$30. Sale price \$19.50.

FOR GIRLS. GIRLS' FLANNEL DRESSES—Sizes 2 to 6; reg. \$3.00. Sale price \$1.98.

FOR BOYS. BOYS' SUITS on sale from \$3.98 up. BOYS' WINTER OVERCOATS, mannish style, made to sell at \$15. Through our special big purchase we are offering them for \$9.85 (Sizes 10 to 14 years).

MEN'S TWEED SUITS; reg. \$15. Sale price \$9.85. MEN'S NAVY BLUE ALL WOOL SERGE SUITS—\$32.00 value for \$22.50.

GIRLS' FLANNEL DRESSES—\$1.49 a pair up. GIRLS' SERGE PLEATED SKIRTS on sale for \$1.49.

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The Slight Cold Of To-day May Be Serious To-morrow. On the first appearance of a cough or cold, do not neglect it, but get rid of it at once before it has a chance to grow worse and become settled on the lungs, for once it does become deep-seated you are going to have a lot of trouble in getting rid of it.

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