

WEATHER FORECAST
MARITIME PROVINCES
Easterly Winds; Cloudy; Not Much Change in Temperature.
Temperature at 3 A. M. 48 Degrees Above Zero.

The Evening Star

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JURY FOUND A VERDICT OF MURDER

William Bragdon Will be Sentenced by Judge White on Tuesday—Mr. Carvell Invokes the Unwritten Law.

JUDGE WHITE'S CHARGE.

Special to The Standard.
Woodstock, Oct. 19.—The jury brought in verdict late this afternoon that William Bragdon was guilty of manslaughter and the judge will pronounce the sentence on Tuesday next. The jury retired at 3.30 and elected Charles Wilkinson, of Canterbury, foreman. In an hour's time they returned and reported, "We find the prisoner not guilty of murder, but guilty of manslaughter and make a strong recommendation for mercy. In the absence of Hon. H. F. McLeod who was called to Fredericton shortly after the jury had retired, L. Young, clerk of the circuits, moved that sentence be pronounced.

William Bragdon, Scott act detective and laborer, left in the early morning of May 3rd on a raft from Woodstock to Springhill. The water was high and it was an extraordinary quick trip, enabling him to catch the train from Fredericton to Woodstock, arriving here before 9 o'clock, P. M. The evidence shows that his wife did not expect him home that night and was entertaining Woodman McCuskey, a well-to-do business man of Woodstock, who she swears has been calling on her since early in 1907. Bragdon surprised the couple and as McCuskey was leaving by the front door the prisoner confronted him, words passed, and the shooting took place, McCuskey dying next day.

Invokes Unwritten Law.
At the morning session Mr. Carvell in addressing the jury invoked the unwritten law. He declared that Bragdon had acted as probably all husbands in similar circumstances would have done and as had been done since the time of Adam and Eve. The outraged husband losing his head, a scuffle ensued and the shooting took place. Bragdon, he contended, had a perfect right to shoot the violator of his home. This was good law, and in the interests of morality and the home, the jury should acquit the prisoner.

Hon. Mr. McLeod in his address to the jury contended that there was not a tittle of evidence that showed that there was any illicit connection between Mrs. Bragdon and McCuskey, and that there was no justification for the shooting.

Mr. Justice White began his charge to the jury by explaining the law governing the case, and the difference between manslaughter and murder.

When the court opened this afternoon Judge White continued his charge to the jury. He said that culpable homicide was murder, but there is a section of the code which provides that if death is caused by sudden anger, and the prisoner acts upon it, before he becomes cool, there is no malice aforethought, because the mind is overclouded with sudden passion, then the law holds that it shall not be murder but manslaughter.

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HAVING HARD TIME TO PICK A TRIAL JURY

Counsel in McNamara Murder Trial Are Subjecting all Possible Jurors to Rigid and Searching Examination.

A SOCIALIST BARRED.

Los Angeles, Cal., Oct. 19.—Seven days after the beginning of the McNamara murder trial, the state was given its first opportunity for the examination of prospective jurors. Attorney Clarence S. Darrow, chief counsel for the defense turned over the full jury in box, reserving the privilege of examining one man further if he liked.

Three other men are under challenge for bias, awaiting a ruling from Judge Bordwell. The state, within a few minutes successfully challenged John W. Roberts, a real estate dealer who had fixed scruples against capital punishment and began the examination of T. W. Adams, a retired real estate dealer. No takers were called today to replace Roberts.

The list of takersmen tonight stood: P. D. Green, orange grower; T. W. Adams, retired real estate dealer; Seaborn Manning, rancher; A. R. McIntosh, retired baker; Robert Bain, carpenter; Ernest F. Decker, landscape gardener; Edwin C. Robinson, carpenter; H. Y. Quackenbush, retired carpenter.

Challenged for bias: George McKee, retired bullock; Otto A. Jensen, farmer; E. J. Shovey, paper hanger. Quackenbush is subject to further examination by Mr. Darrow to learn more of his qualifications to try Jas. B. McNamara, who is charged with the murder of Charles Haggerty, one of the 21 victims of the Times disast.

Deputy G. Ray Morton, who examined the takersmen on behalf of the state, disposed of Roberts, who had been made the subject of favorable comment of the opposing counsel with seeming regard, questioning him at length to learn whether his views on the death penalty were such as to prevent him serving on a jury.

Roberts finally declared flatly that he would not vote a conviction which carried with it a death penalty and he was excused.

"You are a socialist I believe?" was the first question put to Adams. He said he had been one for ten years; that he favored a change in governmental conditions; that many laws now enforced in his opinion should be better not enforced, and that he was opposed to all forms of violence.

His examination will be resumed tomorrow.

CHINESE REVOLUTION HAS A SERIOUS LOOK; HANKOW STILL SAFE

Hard to Obtain Definite Information, But it is Believed Revolutionists Have Not Yet Captured City

CHINESE GOVERNMENT RUSHING TROOPS FORWARD

Missionaries fear That American Colleges, Hospitals and Schools Will be Damaged if Chinese Admiral Carries Out Threat to Bombard the Rebel Camps at Wu Chung.



UNITED STATES EMBASSY AT PEKING.

Peking, Oct. 19.—The foreign legations in Peking have received no despatches from Hankow since 6 o'clock last evening. The last message from the American consul general, Roger S. Greene, stated only that the fighting had begun. It is believed however, that in Hankow are safe, and that the harbor is amply protected, even from the joint Chinese army and navy.

But it will be impossible to prevent stray shots from threatening the foreigners also from confagration and looting by the rabble. It would be difficult to cordon the consulates, because they are not surrounded by a wall. Only narrow streets cut them off from the densely packed Chinese city.

It is hoped that all the women and children have already been safely removed from Hankow, as it is feared that the defeat of the revolutionists would be followed by excesses on the part of the mob, careful inquiries indicating that the people have more sympathy for the revolutionists than for the Chinese city.

The German legation at Peking made a denial today of the report that the government's fleet had entered the fighting in the streets of Hankow, the board of communications early last evening had received an extensive statement bearing the signature of B. F. Bond, one of Adams' neighbors, who said the witness had told him among other things that he could not believe the Times building was blown up by dynamite, as the state averred.

Adams said he did not remember the occasion on which the statement was said to have been made, but recollected having said something to Bond.

His examination will be resumed tomorrow.

MYSTERY OF RYDER DEATH STILL GROWS

It is Plainly Evident that William Ryder Never Fired the Shots Which Caused His Own Death

GRAND VIZIER OF TURKEY IS FOR A FIGHT

Will Continue a Policy of Passive Resistance to Italy Pending Attempts at Settlement.

FAILING THIS—WAR.

Rome, Oct. 19.—Deputy Di Felice-Guastalla, the Socialist supporter of the Turco-Italian war, telegraphed from Tripoli today news that is quieting. He states that the Turkish soldiers have been able to cross the Tunis frontier where they communicated with Constantinople giving a report of the situation in the interior.

In Tunis they asked assistance and even received money. When the French authorities discovered the presence of the Turks they ordered a close watch on the frontier to prevent a breach of neutrality. The French defeated attempts to convey provisions to the Turks.

There is an interesting discussion being held in military circles as to how the Turks will be likely to treat the Italian military aviators if the latter are captured, particularly as to whether they will be regarded as prisoners of war. It is recalled that the passengers of five French balloons captured by the Prussians in 1870 were considered spies by Bismarck. In the present case the aviators wear military uniforms and they do not conceal their identity in reconnoitering the enemy position. Accordingly the Italians think that if captured the aviators should be accorded the protection of prisoners of war.

The missionary Father Apollonio, head of the home of Loughazi, Tripoli, for young negroes who have been freed from slavery, says that the slave trade in the North of Africa is flourishing.

Turkish Deputies Satisfied.

Constantinople, Oct. 19.—The chamber of deputies today by a vote of 125 to 60, adopted a motion to the effect that it had confidence in the government to safeguard effectively the sovereignty of the Sultan in Tripoli and the integrity of the empire. The chamber also expressed confidence in the cabinet.

The Grand Vizier outlined the policy of the cabinet with regard to Tripoli, and said that it was the government's intention to continue to offer passive resistance to Italy, while persisting in its diplomatic efforts to secure a settlement. He added that the replies received from the powers with reference to mediation were more favorable than generally understood.

The Grand Vizier said that the government had been accused of knocking vainly on the doors of Europe. On the contrary, he said, the government had found all the doors open, and the results obtained were favorable.

The cabinet had also been reproached for not making reprisals against the Italians in Turkey. The cabinet's attitude was being for the interests of the country. The critics should remember the heavy indemnity France had to pay Germany for treating Germany as France's ally.

The object of the government was two-fold to resist, and at the same time have recourse to diplomatic means. Should the pacific endeavors fail and Islam be endangered, he would defend the fatherland to the last drop of blood. The Grand Vizier opposed the idea of ceding Tripoli for a monetary compensation.

Derna Bombaraded.

Tripoli, Oct. 19.—Derna was bombaraded by the Italians on October 16. A heavy sea, which was running, prevented the landing of forces.

Germany Demands Proof.

Berlin, Oct. 19.—The government has interfered in the case of a German reserve, Lieut. Von Lochow, whom the Italian consul has ordered to leave Tripoli because he is suspected of being a spy. Germany demands that Italy prove it before expelling a citizen of Germany.

Italy Rushing Ships.

Vienna, Oct. 19.—Italy is reported to be hastening the completion of three Dreadnoughts, and has ordered 4,000 tons of armor plate from the last drop of steel. The Grand Vizier works are unable to furnish it speedily enough. It is expected that the ships will be ready for service by the end of 1912.

YARMOUTH BY-ELECTION SET FOR NOVEMBER 16th.

Special to The Standard.
Yarmouth, Oct. 19.—The by-election for the vacancy in the House of Assembly will be on Nov. 15th. The Liberals hold their county convention next Tuesday at Weymouth. The Conservative candidate most likely will be Harry P. Marshall, of Digby, although the Conservatives have not yet fixed the date for their county convention. A. E. Wallis is likely to get the Liberal nomination again.

WILL PROBE THE PUBLIC WORKS DEPT.

Hon. Mr. Monk has Found Chastotic Conditions in Pugsley's Late Department — Dr. Sproule New Speaker.

SIGNIFICANT FACTS.

BLONDIN POSSIBLE DEPUTY

Special to The Standard.
Ottawa, Oct. 19.—A cabinet council was held this afternoon. At this it was decided that Dr. Sproule should receive the nomination of the government for the Speakership of the House of Commons. Dr. Sproule is particularly familiar with parliamentary practice and procedure and is exceedingly popular on both sides of the chamber.

It is possible, though not altogether settled that P. E. Blondin will be made Deputy Speaker.

The indications are that a clean sweep will be made of the National Transcontinental Railway Commission, of the Canadian Commissioners on the International Waterways Commission and of the Intercolonial Railway Commission. It is safe to say that the appointment of new men will show the Borden cabinet to be more anxious to find competent and eminent men than his predecessor was. There will be no further performances like the placing of a discredited politician in charge of the construction of a huge railway. The sweep will place the government in the position of having to find men to fill a considerable number of highly important and responsible posts.

It is becoming known that the new Minister of Public Works, Mr. Monk, is finding his department in a perfect state of chaos. Apart from the thoroughly suspicious cases like the attempted letting of contracts and the improper use of the Victoria Island, the business of the department has been left by Mr. Pugsley in a terrible muddle. While no application has been made yet to count, it is likely that one or two experts will be retained to make an investigation into the way in which the business of the department has been conducted.

CANADA DID FAIRLY WELL AFTER ALL

On Percentage Basis Canada's Growth of Population was Better than Best Records Made by United States.

WHAT CENSUS SHOWS.

Ottawa, Oct. 19.—It is not likely that there will be any further announcement as to the details of the Canadian census until some time in November. The most important bulletins still to be issued are those which will deal with the population of electoral divisions, the nationality and religious of the Canadian people.

On a percentage basis, the increase in population is satisfactory, the betterment in ten years being 32 per cent. The biggest percentage increase ever reached by the United States was 24 per cent. Alberta gain 41 per cent; Saskatchewan, 39 per cent; British Columbia, 103 per cent; Manitoba, 78 per cent; Quebec, 21 per cent; Ontario, 15 per cent; New Brunswick, 6 per cent; and Nova Scotia, 12 per cent. Prince Edward Island shows a falling off of 9 per cent.

During the decade 1,705,375 immigrants arrived in Canada, which, with the natural increase, should have made the population about eight million. The only explanation of the disappointment contained in the actual figures is that the exodus from Canada has been much larger than estimated. The lack of machinery with which to count people leaving the Dominion accounts for the miscalculation which has been made. It is probable that steps will be taken in the near future to have the outward flow recorded.

AUTO DRIVER KILLED.

Sioux City, Iowa, Oct. 19.—Billy Pearce, automobile driver was instantly killed this afternoon when his Colby automobile crashed into the fence while he was speeding at Woodland track. Pearce was practicing for the race meet which opens tomorrow. His home is said to be in Indiana.

PORTUGUESE ROYALISTS CAPTURE FRONTIER TOWN

Vigo, Spain, Oct. 19.—It is reported here today that the Conservative Royalists have captured the frontier town of Monte Legro. The republican troops had sixteen casualties.

OUTLOOK FOR A GAME TODAY IS DOUBTFUL

Giants and Athletics May Go Over to Saturday Before they Clash in Fourth Game of World's Series.

GROUND VERY WET.

Philadelphia, Pa., Oct. 19.—The outlook for the fourth game of the world's championship series here tomorrow is somewhat dubious. Weather reports indicate that atmospheric conditions here will be unsettled and the grounds at Shibe park are still wet and soggy from the downpour of the past two days.

BALLOONISTS MAY HAVE BEEN LOST IN CHANNEL

London, Oct. 19.—An unoccupied balloon, apparently of French ownership descended near Brighton today. It is feared that the pilots were wrecked as the car gave evidence of being dragged through the sea. Only contents were saved. French arguments, a newspaper and some visions. No news of an attempted channel balloon journey from France has been received.

balloon left St. Cloud last night was blown out to sea. It eventually dropped into the water and the passengers were rescued by a pier after clinging to the car for more than two hours.

SHOOTING ACCIDENT; BOY KILLED

Another Tragedy of the Hunting Woods Reported from Centreville, N. S.—Lad was Shot by His Cousin.

RAY SHAW THE VICTIM.

Special to The Standard.
Digby, N. S., Oct. 19.—Telephone advices from Centreville today tell of a most distressing and fatal shooting accident in the woods near there. Two boys, both fourteen years of age, named Ray Shaw, son of Charles Shaw, and Loran Shaw, son of George Shaw, were out gunning together.

The accidental discharge of Loran Shaw's rifle sent a bullet in Ray's right side. Loran immediately ran to the village for help, leaving his victim on the ground still alive, but in great agony.

When the villagers arrived on the spot the boy was dead. The scene of the shooting was only half a mile from the village. Coroner William Burns, of Sandy Cove, empaneled a jury, and as the shooting was purely accidental a verdict in accordance with the law on the ground still alive, but in great agony.

Fear for Missionaries.

London, Oct. 19.—Fear that the Chinese Admiral will bombard the rebel camps at Wu Chung has disturbed missionary circles in London. Dr. Somerville, a member of the London mission at Wu Chung, who is now here, points out that as Han Yang and the native city of Hankow which are opposite the rebel camps are also in the hands of the revolutionists, the imperial gunboats will be precluded from taking up a position in the river between Wu Chung and so will be forced to throw their shells from the north. In this case the American, Boone University and the American, Swedish, Wesleyan and London Mission hospitals and schools will all be in a direct line of fire.

Dr. Somerville says that a French agitator who is prominent in the present outbreak, carried on a revolutionary propaganda at the club connected with Boone University, several of whose students were executed because of their connection with him.

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BATTLING TO DELAY COUNT IN SUNBURY

Col. McLean and His Legal Forces Introduced Copious Arguments at Yesterday's Hearing of Sunbury Recount

LITTLE PROGRESS MADE.

Special to The Standard.
Fredericton, Oct. 19.—Col. McLean and his legal forces battled all afternoon today in a desperate effort to delay as far as possible the recount in the Sunbury Queens election.

Before Judge Wilson arguments were produced at great length, regardless of expense somebody remarked, first by W. B. Wallace, K. C., then by Dr. Curry, K. C., and lastly by Dr. Pugsley who arrived from Montreal at noon today.

Then J. B. M. Baxter, K. C., was introducing argument in reply when the court adjourned at 6 o'clock tomorrow morning. At the conclusion of the argument it will be up to Judge Wilson to give his decision and then recounting of the ballots will commence.

The objections urged by Col. McLean's legal battalion question the jurisdiction of the Judge, are of the most technical character, and summarized are as follows:

1. That the Judge had no jurisdiction to hear the application outside the electoral district of Sunbury and Queens.

2. That the deposit of \$100 was made the day of declaration while the contention is that the deposit should have been made after the application was made to the Judge for the recount.

3. That the affidavits for the recount are insufficient, because they do not state that the ballots rejected for Luther B. Smith, the Conservative candidate, were those actually furnished by the deputy returning officer or give other reasons for their rejection.

The arguments were listened to only by those directly interested and several spectators.

Col. McLean had several witnesses here from Sunbury county today but his chief counsel, Dr. Pugsley, during the argument conceded that Judge Wilson in recount proceedings had no right to hear witnesses and therefore the Colonel will have to send his men back home again.