

CANADIANS ON ACTIVE SERVICE



Members of the 10th Field Ambulance leaving Toronto on the steamer Cayuga to join the troops stationed in the Welland Canal district.

Commission to Call Premier To Prove Alleged Payment By Railway Contractor

Mr. Carvell Says He Knows The Time, The Place and the Amount of Payment by Corbett To Fleming—Mr. Corbett Still Out of the Country—Hearing Adjourned to August 25

The royal commission to inquire into the Valley Railway charges met again this morning but adjourned until August 25 without taking any evidence.

One of the most interesting matters argued was the necessity of Premier Fleming's appearance. Mr. Carvell said that he was prepared to show the time, the place and the amount of a payment by James H. Corbett to the premier.

Mr. Carvell still held out for the production of the St. John & Quebec Railway Co. books from the New York office and gave notice that, if the books were not on hand when the court resumed, he would be prepared to move for the commitment of the officers of the company for contempt.

During the interval before the next session a special audit of the books to July 31 and more comprehensive reports by the engineers will be prepared.

When the commission came to order the chairman asked if there were any more witnesses.

Mr. Carvell said he would ask Ross Thompson for progress estimates to July 31, and he would also ask the privilege of examining Premier Fleming.

Mr. Carvell said that he did not intend to call the premier and did not think he should be asked to give evidence, but if the commission wanted him, Mr. Fleming would come without subpoena.

Mr. Carvell said that Premier Fleming had been subpoenaed and urged that he be brought to court.

Continuing, he told of James H. Corbett having been subpoenaed, but Mr. Corbett was being kept in Pennsylvania.

Mr. Carvell said he could give the time and place and the amount of the payment made by Mr. Corbett to Premier Fleming in a St. John hotel.

Mr. Carvell said that he wanted to see the New York books before examining Mr. Fleming, but if Mr. Corbett could not be brought to court to prove the payment he wanted to examine Mr. Fleming to see if he could prove it by him.

Regarding Mr. Clarke's statement that the government did not own the majority of the stock in the railway, Mr. Carvell said that this was merely a quibble. The court had Mr. Gould's evidence that he had sold the additional bonds and if the transaction had not been completed and 51 per cent of the stock transferred to the government, it would be the government's property.

Mr. Carvell said that the report of an independent engineer on the completed sections should be secured. Regarding the books he must insist on their production, and he gave notice that, if they were not on hand when the court resumed after adjournment he would move for commitment for contempt.

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ENQUIRY INTO CAPTAIN'S JOKE

E. T. C. Knowles Took Evidence and Forwarded it to Ottawa

That what might pass as a joke in time of peace may be regarded as serious when preparations for war are in progress is demonstrated in the fact that yesterday afternoon was begun an inquiry into a brief comment intended in fun, but which was taken from another viewpoint by officers of the local militia.

When the men of the 8th Regt. C. were moving their battery to Fort-ridge Island to entrench themselves last week, and placing their guns on a scow in Lower Cove, the drudge Fielding steamed by.

Seeing the cannon being placed aboard and the arrangements for the defense of the port being made, Captain Lewis of the drudge is reported to have uttered something to the effect that "There are two German cruisers outside in the bay." The artillerymen paid little attention to the remark, but the matter was taken up by Col. B. R. Armstrong, commanding officer, and a departmental order was received for the holding of an investigation. E. T. C. Knowles, K. C., presided as commissioner, and the evidence of several witnesses was taken. A report on the matter will be forwarded to Ottawa, and no further announcement will be possible until a reply has been received.

Former Yarmouth Man Will Be Head of One Contingent

Word to Relatives Here Tells of Selection of Captain Bingray for Service

Maritime province people will be interested to learn that a former resident of Yarmouth, N. S., has been selected to command one of the western detachments that will make up the contingent which Canada is forming to send to the assistance of the monarch in the war with Germany and Austria.

Mrs. Geo. H. Palmer, formerly of Fredericton, and now a resident of Montreal, who is visiting Mrs. R. S. Cowan, 44 King square, received word this morning from her daughter, Mrs. Bingray, in Fort Arthur, Ont., that her husband, Captain Lloyd Woolley Bingray, has been selected by Lieut.-Colonel J. A. Little, officer commanding the 96th Lake Superior Regiment, as the man to head the Fort William and Port Arthur contingent, and he will leave with Mrs. Bingray in a few days for Quebec to join the main division there.

Captain Bingray was this coveted honor from a large number of officers of the Canadian contingents.

Mrs. Bingray is well known here. She was formerly Miss Violet Palmer, daughter of the late Geo. H. Palmer, of Fredericton.

Two Cases in Divorce Court Here

A short session of the Divorce Court was held today commencing at twelve o'clock.

In the case of Walter H. Appleby vs. Maggie Appleby the petitioner gave evidence. The parties were married in St. John on September 13, 1913 by Rev. H. Pierce and lived together for a little more than two months. Afterwards the wife returned to her home at Grand Lake, A. A. Wilson, K. C., is the petitioner's solicitor.

Hearing in the case of John J. Melanson vs. Mary Melanson was also had. The petitioner in this case alleges statutory grounds. These parties were married on April 17, 1908.

Dr. A. E. Macaulay gave evidence. G. Earle Logan appeared for the petitioner. Both cases will be resumed at three o'clock this afternoon.

FOR THE ORPHANS. The following amounts are thankfully acknowledged by the treasurer of the St. John Protestant Orphans' Home—C. J. Jones, \$10; executors of the late A. A. Holly, \$50.

POLICE COURT. James Burns, a seaman on the schooner "Minnie Stinson" charged with absenting himself from the ship without leave, was remanded to jail in the police court this morning.

One man, charged with drunkenness, was also sent back to jail.

USE THE WANT AD. WAY

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ONE SENT UP; ONE IS FREED

Alibi For John O'Brien in Riot Case Proven

CHAMBERS COMMITTED

Shannon and Day Are Remanded—Interesting Evidence and Comment in the Police Court

One of the alleged rioters sent up for trial and released from custody on his own and his father's recognizance and some pointed remarks by the magistrate on the situation, were the features of the preliminary hearing in the case of Thomas Shannon, William Day, William Chambers and John O'Brien today. O'Brien was allowed his liberty after his counsel, Francis Kerr, had proved a complete alibi; Chambers was committed for trial, and the other two were remanded.

In the Shannon case, Policeman Lucas testified that he heard Shannon inciting the crowd at the head of King street by shouting "back" and "pull him off the car." Policeman Ward said he saw Shannon throw a stone about ten o'clock on Market Square.

G. H. V. Belyea appeared for Shannon, J. A. Barry for Day, and H. J. Smith for Chambers.

The magistrate pointed out the seriousness of the offence with which the prisoners were charged and said that the public did not take so serious a view of the matter as they should, considering the view the law takes of it. Referring to the fact that there were women taking part in the riot, the magistrate said: "I am sorry we have not one of them here."

"I would say that if any of these men are proved guilty and the law is carried out, it will be a long time before the mayor will be called on again to read the riot act in this city."

Contradictory Evidence. Some evidence very contradictory to that presented yesterday was heard in the O'Brien case.

Arthur Martin, a brakeman on the L. C. R. said he was a special constable on the night of the riot. He was on a car that was attacked in Dock street but he did not know anyone who threw stones. He did not remember seeing either of the men named in the indictment. Northrup cut the rope to the trolley pole. He swore that he did not let people enter the car that it was Northrup the boxer, who cut the trolley rope. He struck at and hit Northrup with a baton. The witness said he had not received any threat but he had trouble with another man since the riot.

Asked by the magistrate he said he was asked to come to court yesterday and was working.

Lucas—Did you not tell somebody that you would not come?

Witness—No.

Lucas—What reason did you give me last night for not appearing in court before?

The witness said that he told Lucas last night that the union men on the railway were displeased because he was working as special constable and he was afraid he would lose his job with the railway if he came to court.

Alibi for O'Brien. Witnesses were called by Mr. Kerr to prove an alibi for O'Brien.

John O'Brien, the defendant's father said the prisoner was left in charge of the "Union" store between six and seven o'clock and the prisoner then went upstairs to get his supper, returned to the store afterwards, possibly 7:15 and remained for a short time. He left the store about 7:30 and went down Mill street. He was in and out of the store several times during the evening.

The prisoner's mother corroborated this testimony.

George V. Parker, a barber, said he saw the prisoner in his store on the evening of the riot about 7:30 o'clock. It was just after the parade went past. He remained until about ten minutes to eight and went across the street and down towards the station. His own doorway about 10 o'clock.

Albert Smith, a restaurant keeper who was in the barber shop while O'Brien was there corroborated Parker's testimony.

The defendant, sworn, said after he left his father's store he went to the barber shop and was not off Mill street all that night and did not throw any stones.

The magistrate said this evidence was sufficient to allow the prisoner his liberty and he was allowed to go.

The case of Bedford L. Hines, an alleged rioter, was set for tomorrow morning at nine o'clock. As he is a deaf mute the services of an interpreter will be required.

SELLASIA HAS CROSSED OCEAN

Battle Line steamer "Sellasia," from the Tyne, is reported as arrived off Pugwash, and is expected to dock this afternoon.

BROUGHT BACK

An instance of the perseverance of the United States immigration officials in carrying out their duty is furnished in the final act in a case which has engaged their attention since April. Last April they turned over to the sheriff of Westmoreland Henry and Margaret LeBlanc, the latter the widow of Henry's brother, and the sheriff took them to Moncton on a warrant.

The case has been referred to before, the man and woman going to the States, he leaving wife and children and she leaving her children. The officials traced them and now have brought them back from the States.

VOLUNTEERS WANTED

Volunteers Wanted for local service, A Company 62nd. Apply MALCOLM McAVITY Water Street

USE THE WANT AD. WAY

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