

The Evening Times Star

VOL. XVIII, No. 182

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ST. JOHN, N. B., FRIDAY, MAY 5, 1925

SIXTEEN PAGES—ONE CENT

ADDRESS JURY IN PARIS CASE

Counsel Heard at Morning Session of Murder Trial.

Attorney for Defence Argues That Alibi for Prisoner has Been Established—Anticipates That Crown May Advance Theory of Double—Attorney General Begins.

The address of C. H. Vernon, of Truro, counsel for the defence, occupied the greater part of the morning session today of the trial of John Paris, charged with the murder of Sadie McAuley in St. John on August 2.

Mr. Vernon thanked the jury for the attention they had given to the evidence. He warned the jury that they were now entering upon the most momentous period of the trial—a period which concerns the very life of the prisoner.

The prosecution, he said, would ask the jury to take away the life of John Paris, who knew that he would do their duty, let their conscience act for them and he was sure they would come to the conclusion under those circumstances that the prisoner was innocent.

Should the man be convicted and be called upon to pay the penalty which was death, and subsequently it was found that Paris was innocent, it would not be possible to make reparation. He therefore pointed out that it would be more desirable to release than to convict.

Mr. Vernon said, was an atrocious crime, and if Paris was guilty, he was not worthy of consideration. But because it was a terrible crime was no reason why John Paris should suffer.

He stressed the importance of the law that a man must be held innocent until he was proven guilty. He felt that the prosecution had accomplished this proof. The only evidence which the crown had produced which had any connection with the crime was that of Walter Humphrey.

He asked if the jury would take away the life of the prisoner on the uncorroborated testimony of such a miserable creature as Walter Humphrey. Mr. Vernon said he was an admitted liar, his story a most unresponsible one. He contrasted the demeanor of the prisoner and Humphrey in the stand, and said that Paris came through a grueling cross-examination.

Mr. Vernon said he said, to suppose that John Paris committed the murder he would tell Humphrey about it? Was it reasonable to suppose that Paris would go back the next day to help him bury the body when the park was swarming with people looking for her? Why was he not seen there by these people?

He did not see where the evidence of Mrs. Calvin, Alice Brown or Alexander Day could be taken as corroborative of Humphrey's testimony, as they said they saw Paris in the vicinity of the park on the day of the murder.

Mr. Vernon quoted from the laws of Moses that a man's life should not be taken from him by the evidence of one witness. He said that the defence had an alibi which would show the Paris was not in St. John on the day of the crime was committed or the day after on which Humphrey testified that he saw Paris in conversation with him.

The evidence of John Best, he said, corroborated the defence's contention that Paris was not in St. John on August 1 and 2. Could not the crown have produced a witness to show that Paris was not at the British fish fire—only a few yards from his home? They had not done so.

Alexander Day would not say it was Paris he saw on August 2; he said the man looked like Paris. If a bank would not pay a check without positive identification, should the jury make a decision on a matter of life and death on such an identification?

Day's evidence was contradicted by that of W. J. Lavigne, Robert Elliott and Hattie Lavigne. Hattie said she and her father went on the Hilliard lot together and never came out on the avenue before going into the park, while Alex. Day saw the two girls on the avenue on the way towards the falls.

He charged John McDonald as of the same character as Walter Humphrey. He interpreted his expression "Now we are going to make a haul" as being a plan to work with Humphrey to get the reward offered by the city.

He said many of the witnesses fixed dates by two fires. He asked the jury if it was reasonable to suppose that these events could be kept in mind without any record being available. They must rely on their memory alone, which are liable to be faulty.

Hattie Lavigne. The evidence of Hattie Lavigne, he thought cleared John Paris. She was the only one alive who could say who killed Sadie McAuley. Hattie said the man who went with Sadie wore a brown coat, and it had not been shown that Paris even had a brown coat. She said Paris looked like the man, but although she was around the park for half an hour she was unable positively to identify him. Again she said he had a red face, while evidence was given to show that Paris' face never turned red in the summer.

It was undisputed that Paris left St. John on July 23 and arrived in Truro on July 24.

"ALL ABOARD!"



As Hiram Sees It

"I see," said Mr. Hiram Hornbeam to the Times reporter, "them southern folk in China, hevin' another war." "But it is conducted on Chinese lines," said the reporter.

GENERAL WU IS IN CONTROL AT PEKING

Chang Tso Lin Defeated and Army Routed. Will Drive Him Back to Mukden, Says Victor—The Fighting of Yesterday Believed to Mean the End of Hostilities.

STRENUOUS WEEKS AHEAD IN GENOA

Hard Pull Over Russia and Non-Aggression Pact. Some Optimism for Probable Solution—Lloyd George Goes Into the Reparations Question With Germans—Some Russians Leave for Home.

THREE ARE DEAD AND TWO DYING

Gunmen and Posse in a Revolver Fight in Woods. Telephone Lineman, Cutting in on Wires, Keeps Police Posted in Chase—Desperate Combat When Bandits are Surrounded.

WILLIAMS STILL IS LEADING RUTH

St. Louis Batter Made Tenth Homer Yesterday. Lew Tendler and Johnny Dundee in Decision Bout Tonight—Arranging a Dempsey-Carpenter Bout if Latter Wins from Ted Lewis.

ST. MARTINS FIRE TAKES LANDMARKS

Historic Temperance Hall and School House Destroyed Yesterday. Two landmarks in St. Martins were destroyed yesterday by fire which broke out early in the school house and spread to the Temperance Hall, situated only a short distance away.

EARLY DEBATE ON THE EMBARGO

London Telegraph Urges That Canadian Cattle Question be Disposed Of. Ottawa, May 5.—(Canadian Press)—The Daily Telegraph, in an editorial on the Canadian cattle embargo, urges the government to take prompt action.

DEATH OF CHILD

The morning of the parents' home, 871 Main street, Douglas Burton, son of Percy H. and Marion I. Graves, passed away. He was but two years old, and had been ill for two weeks.

SOME EVICTIONS IN STRIKE REGION

Unlontown, Pa., May 5.—First evictions of striking miners and their families in the Fayette County coke region took place yesterday. A dozen families, it was reported, are being moved from company houses and their belongings set out in the road.

FOR FIRMER GRIP ON DRUG EVIL

Washington, May 5.—The Miller bill, designed to shut the gates against the import and export of all narcotics except crude opium and cocaine and providing for creation of a federal narcotics control board to administer the law, is reported to have passed unanimously yesterday by the house and sent to the senate.

WEATHER REPORT

Synopsis—Moderate depressions are situated in the middle Atlantic states, over Lake Superior and in Saskatchewan, while pressure is highest in Nova Scotia. A few light scattered showers have occurred in the western provinces, and showers have occurred over the greater part of Ontario and in Western Quebec.

WANT ALBRECHT TO RULE HUNGARY

Return of Archduke and Son to Budapest Just Before Election Arouses Comment. Budapest, May 5.—Archduke Friedrich and his son, Archduke Albert, who have been residing abroad since the outbreak of the war, arrived in Budapest today.

SASKATCHEWAN TO IMPORT DUTCH FARM LABOR

Regina, Sask., May 5.—To relieve the farm labor shortage in Saskatchewan and to bring into the country men who, with a little experience in the way of western agriculture, will make capable and efficient farmers, the provincial government, in co-operation with the federal department of immigration, has made arrangements to bring contingents of farm laborers from Holland. This was announced officially yesterday.

COMMUNIST LEADER IN ESTHONIA EXECUTED

London, May 5.—A Reuter's despatch from Reval says M. Kingfield, Estonian communist leader, has been executed after conviction upon charges of espionage and treason. The Russian Soviet legislation there has not yet been put into effect.

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MAY RESTORE THE PENNY POST

This and Radio Broadcasting Features of Discussion in British Commons. London, May 5.—(Canadian Press)—The policy of the restoration of penny post next year and the development of features of the discussion on the post office estimates in the House of Commons yesterday.

NINE DEAD IN TEXAS TORNADO

Austin, Texas, May 5.—Nine dead, thirty-eight injured, two probably fatally, and property damage estimated at \$400,000, was the toll of death and destruction of the wake a tornado which struck yesterday and swept through the county of Austin and on out in the west to Oak Hill, eight miles southwest, according to a report last night.

IN PARLIAMENT

Ottawa, Ont., May 5.—(Canadian Press)—Yesterday, in the Commons, a bill to amend the fisheries act was introduced by Hon. Ernest Lapointe, minister of marine and fisheries. Its purpose is to implement the Canadian fisheries regulations by legislation.

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