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Simple to Mix :: Easy to Apply
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In the Central District Court.

The King Against William Campbell, MANSLAUGHTER.

This is an inquiry held before me to the charge made by the Crown against William Campbell of St. John's, for that the accused at St. John's on the 11th day of August instant feloniously did kill and slay one John Moyst, a boy of fourteen years of age.

There were eight witnesses called for the Crown.

The accident occurred just East of Butler's Bridge on Hamilton Street. The accused in his motor car with four others left his residence, Albany, for the city a little before two o'clock p.m. About thirty yards East of Butler's Bridge a country man's cart was stopped off the road on the South Side, and two barrels, one on top of the other, stood somewhat further up, on the North Side of the road. As the accused was passing between the cart and the barrels, the deceased John Moyst, who had been standing somewhere between the country man's horse's head and the tail of the cart, (the evidence is conflicting on this point, some of the witnesses say he came from the rear of the cart, whilst others believe he came from further up towards the horse's head) started at a quick rate to cross the road diagonally, facing eastwardly. The man in the cart and the men in the motor car shouted to the boy, but he, being deaf, did not hear or heed the warning cries, and continued on. Some part of the front of the cart struck him, and both wheels on the right hand side, passed over his body, killing him almost instantly. The cart was stopped within its own length. One of the principal witnesses for the Crown, who was in the cart at the time, and who shouted a warning to the boy, when he saw him start to run across the road, stated the cart could not have been stopped from the time the boy was seen until he was struck, and that the accident was unavoidable.

The accused in his statement swore, as he approached Butler's Bridge, he blew his motor horn, which is an electric siren, and the car was going at the time at the rate of about seven or eight miles an hour. When the motor car got opposite the country man's cart, a boy came out quickly, as the accused believed from behind the cart, and started crossing the road diagonally, facing East. As he caught sight of the boy, he applied both brakes, hand and foot which acted at once, and shouted to the boy, but the front wheel on the right hand side of the car struck the boy, and the car passed over his body. From the time he saw the boy first, there was no opportunity to swerve the car.

All the witnesses swear the car was going at a medium or moderate rate of speed, and the majority of them heard the horn blowing near the bridge. Their statements contain no evidence of negligence or recklessness on the part of the accused. In inquiries of this nature, the character of the evidence necessary to be submitted by the Prosecution in order to obtain a commitment of the accused, is well defined.

"Manslaughter by negligence occurs when a person is doing anything dangerous in itself, or has charge of anything dangerous in it."

"Where death results in consequence of a negligent act, to create responsibility, the charge of negligence must be so gross as to amount to recklessness: Mere inadvertence would not suffice to create criminal liability." (Arch. Criminal Practice 1910, Page 892.)

The questions I have here to decide are: Does the evidence submitted raise a strong and probable presumption of guilt? Has the Crown evidence of negligence amounting to recklessness? Has the prosecution made out a prima facie case against the accused?

No evidence of negligence or recklessness has been submitted by the Crown in this inquiry. The mere happening of the accident is not sufficient evidence of neglect on the part of the accused. The Prosecution must produce some affirmative evidence of negligence on the part of the accused before I can commit him for trial. The prosecution has not made out a prima facie case against the accused. I therefore dismiss the charge and release the accused.

Mr. Summers, K.C., Deputy Minister of Justice, appeared for the Crown. Mr. L. E. Emerson, B.L., appeared for the accused.

Dated at St. John's, this 21st, day of August, A.D. 1919.

(Sgd.) F. J. MORRIS, S.M.

self, and conducts himself in regard to it in such a careless manner as to "be guilty of culpable negligence." (Cox Criminal Cases, Vol. 16, Page 306.)

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The Wren's Report.

The following message was received by the Minister of Marine and Fisheries yesterday afternoon from Capt. George Barbour of the S. S. Wren: "Been as far north as Okak; no ice to hurt now anywhere; sign of fish; prospects looking very good; only thirty or forty schooners north of Paul's Island."

McMurdo's Store News.

Many people are complaining this summer of coughs, more than usual as a matter of fact. Nearly all coughs could be promptly and permanently cured by the use of Gault's Syrup of Tar and Cod Liver Oil, which is as pleasant as well as a most effective cough remedy. Gault's Syrup of Tar and Cod Liver Oil has given the very best of results in all cases of this kind. Price 50 a bottle.

Citronella Oil is the thing you need to keep away these mosquitoes, and it is well, when you go fishing, not to go without a bottle. Price 30 cts.

SHIPPING.

The schooner Alice M. Moulton has arrived at Burgeo from Lisbon, with 310 tons of salt.

The schooner Ethel M. Collett is discharging a cargo of lumber at Rendell's wharf, which she brought here from the White Bay.

S.S. Susu sails at 10 o'clock to-morrow morning for the northward.

The schooner H. Kitchener has arrived at Carbonear from North Sydney with a cargo of coal.

S. S. Gracefield sailed from Change Islands yesterday with a cargo of pit props for Swansea.

FISHERY ARRIVALS.—The schooners Lady Johnson, Alma B., and Shaq, with 600, 400 and 400 qts. of codfish respectively, have arrived at Wesleyville from the Straits.

To-day's Messages.

BOLSHEVIKS ARE VICTORIOUS. LONDON, Aug. 20. (Reuter's Despatch).—It is learned that General Kitchner's anti-Bolshevik troops are still retreating but are putting up a well organized rear guard action. The Tuman front troops are withdrawn to a new position east of the town of Yamotour-ovsk. Around Cheliansk an orderly retreatment continues towards the Tobel river.

SPECIAL COMMITTEE APPOINTED. PARIS, Aug. 20. The Supreme Council, to-day, appointed a committee with the special duty of answering the Austrian note concerning Austrian interests outside of Europe. The chairman is Jean Gout, of France.

DID NOT GIVE TROOPS PERMISSION.

MEXICO City, Aug. 20. The Mexican Government gave permission for American aviators to cross the border into Mexico in search of the two men captured by Bandits, and from whom ransom was demanded, but gave no such permission for crossing of troops, judging from an official bulletin given out to-night by General Juan Barragan, Chief of the Presidential Staff.

GREY FOR AMERICA IN SEPTEMBER.

LONDON, Aug. 20. Viscount Grey, the new British Ambassador to the United States, it is understood will probably sail for New York on the steamer Adriatic, as she will leave Southampton on Sept. 3.

REACH SATISFACTORY AGREEMENT.

LONDON, Aug. 20. An agreement has been reached between Sir Auckland Geddes, Minister of Reconstruction, and locomotive engineers and firemen, settling the men's demands, it was announced to-day.

Wedding Bells.

KENT-COCHRANE.

A pretty wedding was solemnized on the 14th inst. at the Chapel of Our Lady of Good Counsel, Presentation Convent, Cathedral Square, when Miss Maud Cochrane, daughter of Mr. and Mrs. J. Kent, of Placentia were united in the bonds of matrimony by Rev. Dr. Green. The bride who was given away by her father, was prettily attired in a travelling costume of fawn broad cloth, with fox furs and georgette hat, and carried a bouquet of carnations, lilies of the valley and maiden hair fern. She was attended by her sister, Miss V.C. Cochrane, who wore a wine colored costume. Miss Mary Cochrane, niece of the bride, acted as flower girl and Mr. Leo O'Reilly supported the groom. Following the ceremony a reception was held at the residence of the bride's brother, Mr. John Cochrane, Pennywell Road, and the usual toasts duly honored, after which the party drove to Waterford Bridge where the happy couple joined the train for Holyrood where the honeymoon will be spent. The groom's presents to the bride was a pendant, to the bridesmaid a cameo brooch, and to the best man a stick pin. A splendid collection of presents testified to the popularity of the bride. On return to town Mr. and Mrs. Kent will take up residence at 53 Prescott St.

New Dock.

A splendid site has been secured by the Company lately organized to build a marine dock at Ship Cove, Burin, one of the safest harbors and best anchorage localities in the Island. The site obtained was once the property of the Great Mercantile firm of Spurrer which conducted several branches in several parts of the Island, during the last decades of the 18th and early part of the 19th centuries. In those days Spurrer had large wharves, numerous stores, etc., along the water-front, and were the owners of some of the largest and best built vessels in the country. The Telegram wishes the enterprising Company every success.

Reids' Boats.

Argyle left Burin early yesterday morning going west.

Clyde left Exploits 3.30 p.m. on the 19th, inward.

Dundee arrived at Port Union 5.20 p.m. yesterday.

Ethel left Flowers Cove at 6 p.m. yesterday going north.

Glencoe not reported reaching Port aux Basques on account of wire trouble.

Home left Burlington 5.10 a.m. yesterday outward.

Kyle left Port aux Basques at 11.30 p.m. yesterday.

Meigle left Port aux Basques at 1.30 p.m. yesterday inward.

Sagana not reported since leaving Long Island on the 19th, going north.

Petrel arrived at Clarendonville at 5 p.m. yesterday.

FOR THE HOLIDAY

TAKE A KODAK WITH YOU.

Our stock of **KODAKS, BROWNIE and PREMO CAMERAS** is complete.

Also a full stock of Eastman 16-11 film, and Film Pack to fit every size camera at

TOOTON'S,
The Kodak Store,
820 WATER STREET.

S. U. F. Reception.

Last night the members of St. John's Lodge No. 5 of the S. U. F. tendered a reception to the returned sailors and soldiers of their order.

Quite a number of members were present to do honour to the occasion. The event was held in the Odd Fellows Hall and it is evident that a good repast was served when it is stated that the catering was done by the F. E. Wood Co.

After the repast the following programme was gone through.

Toast:—The King.
Response:—God Save the King.
Toast:—The Grand Lodge, by E. W. Rodgers.
Response:—The Grand Master.
Recitation:—Max Colton.
Toast:—Our guests, by E. Spurrell.
Response:—Bros. Rendell and Lever.

Song:—E. W. Rodgers.
Toast:—Absent friends, by Grand Master.
Response:—Drank in silence.
Song:—H. Francis.
Toast:—Sister Lodges, by Wm. R. LeDrew.
Response:—By Bros. S. J. Hefferton, J. Cheeseman, P.M. and S. Gill, P.M.
Song:—W. Lever.
Recitation:—Max Colton.
Toast:—The Ladies, by J. Rendell.
Toast:—The Chairman, by P. M. D. Mugford.

Response:—The Chairman.
Bro. Rodgers also moved a vote of thanks to the Committee in charge, while musical selections were rendered throughout the evening by Bro. E. Spurrell who also gave a recitation. The evening closed with the National Anthem and "Auld Lang Syne."

The reception was undoubtedly good, and the different members present expressed themselves greatly pleased with the evening's arrangements.

It seems apropos here to say that the S.U.F. is by no means so insignificant as some people think, as it has a membership of 5000, and has more than fifty branches throughout the Island, and its war record was certainly creditable.

The speeches last night were full of loyalty to the order and there can be no doubt that the S.U.F. will increase in membership much more rapidly in the ensuing years than in the past.

Personal.

Mr. John Foley, the courteous and popular Post Master and Manager of the Maritime Bank at Harbor Grace arrived in town yesterday. Mr. Foley has been a faithful and trusted public official for nearly forty years, and few are held in higher esteem and confidence by the general public. It is seldom that the veteran official has taken a holiday during his long term of official duty, and the Telegram welcomes him to St. John's.

Here and There.

POLICE COURT.—A case of Larceny was heard in the police court this morning. The accused was fined \$25.

REMOVED TO ASYLUM.—A woman, suffering from insanity, was removed to the Asylum from the police station this morning. Another case of insanity was brought here last evening from Grand Bank and is now at the police court.

The Annual Tea and Sale of Work of the Ladies' Aid of Topsail Methodist Church, which was postponed on August 13th, will be held in the L. O. A. Hall, Topsail, on Wednesday, August 27th.—aug21.11

AT THE CROSBIE.—The following guests have registered at the Crosbie: P. Carroll, W. Carroll, Sadie Kearney, L. Brien, Hr. Grace; W. Bennett, Montreal; G. Grant, Toronto; W. Osbourne, H. Henderson, Montreal; E. Sampson, Princeton; H. Blanchett, A. Fraser, Halifax.

Personal Mentions.

Dr. W. Newhook, son of Police Inspector Newhook, is now at Heart's Content, supplying for Dr. Anderson. He has not yet decided whether he will take up permanent residence in Newfoundland or in Canada.

Mr. F. J. Hunter, who has been spending the past two months in St. John's, with his niece Miss Urquhart, has been recalled to Canada by business friends of his, and leaves for Montreal on the express on Tuesday next, 26th inst.

Dr. and Mrs. Jones of Avondale, who have been spending a holiday in England, Ireland and France, will return about the end of the present month. During their trip they have visited London, Chester, Blackpool, and Crewe in England; Paris, with a trip to part of the battlefields, in France; and Lissodovanna, Vale of Avoca, Glendalough, and all the famed beauty spots of the Emerald Isle.

Labrador Reports.

The following report was received by the Department of Marine and Fisheries from Labrador yesterday:

Smokey—Light, S.W. wind; clear; no ice; sign of fish.

Grady—West wind; clear; light open ice distant; fair looking.

Holton and Miskowik—No report.

Venison Island and Battle Hr.—West wind; clear; poor fishing.

S. S. Rosalind Arrives.

S.S. Rosalind arrived in port at 11.30 this morning from New York, via Halifax, bringing a large quantity of freight and the following passengers: Mr. C. Watson, Miss M. St. John, Miss M. Keegan, Miss B. Fitzpatrick.

From Cape Race.

Special to Evening Telegram.

CAPE RACE, To-day.

Wind S.W. light, foggy and rainy. The heaviest thunder and lightning storm known for some years raged last night from one till five a.m.; no shipping heard passing; Bar. 29.80; Ther. 62.

Here and There.

Sunset Soap Dyes, all colours, at STAFFORD'S DRUG STORE, Theatre Hill—aug21.11

GOVERNMENT BOATS—S.S. Prospero at North Sydney. S.S. Portia in port.

BASEBALL.
St. George's Field.
This evening at 6.30:
Red Lions vs. Wanderers.

PILES Do not suffer another day with itching, bleeding, or protruding Piles. No surgical operation required. Dr. Chase's Ointment will relieve you at once and as surely as you see a box, all dealers, or Edmanson, Bates & Co., Limited, Toronto. Sample box free if you mention this paper and enclose 2c. stamp to pay postage.

MARRIED.
On the 14th inst., at the Convent of Our Lady of Good Counsel, Presentation Convent, Cathedral Square, by the Rev. Dr. Green, Maude Cochrane of this city, to Ronald J. Kent, of Placentia.

DIED.
Passed away on the 20th inst., Loretta, wife of William Gorman, and second eldest daughter of Denis and Margaret White, leaving to mourn their sad loss, husband, one child, father and mother, five sisters and two brothers. Funeral takes place on Friday, from her father's residence, 118 1/2 George Street West. Friends please attend without further notice.—Montreal and Sidney papers please copy.

NEWFOUNDLAND

Notice to Mariners.
No. 2 of 1919.

Mouse Island—Goose Cove—Hare Bay.
LIGHT ESTABLISHED.

Position—On Mouse Island, at the entrance to Poise Cove.
Lat. 51° 18' 0" N.
Long. 55° 38' 0" W.

Character—A flashing White Acetylene Gas Light giving 9 flashes per minute, thus:

Light	Dark	Light	Dark
2-3 sec.	6 sec.	2-3 sec.	6 sec.

Elevation—Height of light from high water to focal plane: 44 feet.

Structure—A square wood structure with sloping sides, painted White, Lantern Red.

Remarks—This light was put into operation July 31, 1919.

J. G. STONE,
Minister of Marine & Fisheries,
Dept. Marine and Fisheries,
St. John's, Newfoundland,
August 2nd, 1919. aug21.11

New Openings

Gent's Furnishings.

Men's Tweed Caps, in Smart Makes.

Men's Soft Felt Hats, at \$3.30 each.

Men's Black and Coloured Cashmere and Fingering Hose.

HENRY BLAIR.

NATIONAL LEAD CO., New York

Manufacturers of

WHITE LEAD (dry and in oil).
RED (dry and in oil).
LITHARGE, ORANGE MINERAL,
SUGAR OF LEAD, White & Brown.
SHEET LEAD, LEAD PIPE,
BLOCK TIN PIPE, TIN-LINED PIPE,
LEAD TRAPS & BENDS, GLAZIER'S LEAD
3/4 BAR LEAD, LEAD SASH WEIGHTS,
LEAD WIRE.

SOLDER, SOLDER WIRE,
SOLDER RIBBON, BABBITT METALS,
DIE CASTINGS, LINOTYPE METAL,
MONOTYPE METAL,
STEREOTYPE METAL,
ELECTROTYPE METAL.

POTTERS and STORAGE BATTERY MAKERS.
CASTOR OIL—Lubricating and Medicinal.
LINED OIL—Raw, Boiled and Refined.
THE BLACK SHELLS, U. S. CARTRIDGES,
CINCH EXPANSION BOLTS.

Wholesale to the trade only.

P. C. O'DRISCOLL, Limited,

Agents for Newfoundland.

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The First Shipment of the Absolutely Genuine Pre-War WHITE FLOUR, "Windsor Patent"

Arrived per S.S. Sable I. To-Day.

Get a barrel from your Grocer.

Advertise in The Telegram