

# Remanded To The Supreme Court

## Otto Curtis, Charged With Manslaughter, Sent Up For Trial. McInnis On Stand Yesterday.

At the conclusion of the preliminary hearing yesterday Otto Curtis, charged with manslaughter in connection with the death of Herbert Clow, Rose Valley, was remanded to the Supreme Court. Magistrate D. E. Clow made the pronouncement after hearing the evidence yesterday of Claude McInnis, formerly charged with the murder of Clow, and of Constable Peter L. Jay and Anthony Reardon. Curtis was released on \$1,000 bail, Claude McInnis, as material witness on \$200 bail.

Mr. Gilbert Gaudet, who appeared for the Crown, summed up the evidence for the prosecution. Mr. R. R. Bell, counsel for the defense, also addressed the Magistrate. Mr. D. L. Matheson also appeared for the defense.

Claude McInnis (sworn) testified that Clow called for him about 5.30 p. m. on Nov. 17. They went in an express wagon to get a bottle of moonshine in the woods at Shamrock. One bottle resembled that exhibited in court. Witness had a bottle when leaving home. They drank one bottle, and left it in the wagon and afterwards went to Moan's Corner, the junction of the Kinkora and County Line Roads. Witness got a package of cigarettes there. Clow hopped from the wagon to the store, taking no crutches. From there they returned to McInnis', where they got a bunch of cigarette cards. They started for Bradshaw about 6 or 6.30 p. m. Herbert Clow was driving. The moonshine was in the wagon. They were driving along at a fairly fast pace. It is a mile and a half from Rose Valley corner to McDonald's Woods. When they were out the road about a mile Clow fell out of the wagon. Witness caught him before he struck the ground. Witness got out of the wagon, and in doing so fell, striking his mouth on the wheel. Witness shouted to the horse when Clow started to fall out, and the animal came to a stop. Clow had fallen to the ground. Witness helped him into the wagon. He did not know whether Clow sat on the wagon or not. Witness did not remember getting into the wagon. The next witness remembered he was lying in a field beside the road, about 2 o'clock in the morning. Witness did not have his cap on. He had a pair of mitts. Clow had gloves. When witness awoke he started for Gamester's. The wagon was in the yard. Witness removed the flash light and took it home with him. It is a distance of about three miles from Gamester's to the home of the witness. He arrived there, he stated, about 3.10 p. m. Witness stated that he saw his way home he was looking for the cap on the road, and saw blood there. The road was fairly hard there. On his arrival home witness's father told him that Clow had been hurt and had been taken to the hospital. Witness stated that he heard nothing and saw nothing from the time they first stopped until 2 o'clock. The bottle was about three quarters full. They drank that before they reached the woods at Shamrock, where they got the jar. There were some empty beer bottles in the wagon. Witness had no idea how many drinks they had had from the jar, but they had quite a number. The jar was a gallon bottle, round and of a reddish color, and almost full. They drank more coming back than they had drunk on the road to Shamrock. Witness did not know where the liquor had come from. It was not very strong. Both were drunk. Witness went to the hospital to inquire about Clow on Sunday. Witness and Clow were on friendly terms. They had no difficulty that night but witness knew at Tuesday night, Clow knew nothing about the jar still witness told him about it on Thursday night. They started out on the liquor, were returning, and here on the way to Gamester's. They were in the custom of going there for a game of cards; neighbor's girls gathered there sometimes.

Cross examined witness admitted that he was pretty full at the time he called for the cigarette cards. Witness stated that he had drunk better moonshine before. Witness found the moonshine in the woods on Monday about twenty chains from the County Line Road. He did not know who owned the woods. Witness was looking for something to drink. He found the gallon jar near a tree. There was talk of moonshine made in that vicinity. Witness had been looking for moonshine there before but had never found any. Witness stated that he had never seen

moonshine being made, nor had he ever made any himself. There had never been any moonshine made at his home. The place had been raided, and some was found. Witness had been talking to the store keeper at Moan's Corner for a few minutes. Witness stated that he fell out of the wagon as he attempted to pull Clow in. That was about 6.30. Witness and Clow had been drinking together on previous occasions. Clow fell out of the wagon only once that the witness knew of. On his way home witness noticed nothing extraordinary except the blood on the road.

Anthony Reardon, Provincial Government Engineer, presented and explained a plan of the locality where the tragedy occurred.

Provincial Constable Peter Jay stated that on Monday, Nov. 17, he looked over the ground where the accident occurred. He found the grass trampled down in the field about eighteen feet east from the blood-stains on the road.

On the request of the accused the evidence of Peter L. Jay was read to him.

The magistrate read the usual warning to the accused and asked him if he had any statement to make. Curtis answered "I have nothing more at present to say."

In his address to the Court Mr. Bell stated that he wished to make an application to have the statement of Constable Jay and of the accused expunged from the record. The statement given to Jay was not a voluntary statement, Mr. Bell declared. The officer questioned the accused, and asked him to tell the whole story. He did not warn the accused until on the way to Charlottetown. Mr. Bell objected to the action of the Crown which he said had railroaded the accused by bringing him in after night and bringing him before a magistrate. The accused had no advice. He was a young man. Evidence was submitted by officer Jay which Mr. Bell submitted could not be admitted as evidence. Thus there was no evidence before the Crown and consequently there was no admissible evidence taken from the accused. Mr. Gaudet contended that Officer Jay had made the inquiries from Curtis while searching for evidence to be used in the hearing against McInnis. The Counsel for the Crown summed up the case for the prosecution. Mr. Bell thought that the case should be dismissed. The Crown are depending on a statement of the accused entirely, he stated. If the case is to go to the jury, the Crown must prove that Otto Curtis killed Herbert Clow. The evidence is that at 8.30 the team was seen at the scene of the accident. Later the body was seen lying across the road. Mr. Bell submitted that the wounds found on the body of Clow could not have been received by the car of Curtis driving over it. It is not known how many cars may have passed over Clow's body. If the story of Curtis is admissible there is not a case of manslaughter established, he stated, as the man was lying on the centre of the road.

The magistrate held that the evidence might or might not be sufficient for a jury to bring conviction. He therefore remanded the accused to the Supreme Court for trial.

**IDEAL LOCATION**

The location selected for the new factory is the Bruce Stewart & Co.'s wharf at the foot of Great George St. in Charlottetown and is an ideal site for the purpose. Fertilizers coming by steamer to the plant will be discharged in bulk directly into the factory. From this store raw materials such as acid phosphate, muriate of potash, sulphate of ammonia and nitrate of soda will be mixed in proper proportions to make the various formulas of mixed fertilizers required by the trade or will be screened, ground and bagged the day they are shipped to such trade as prefers to buy the chemicals and do their own mixing.

The new factory has excellent facilities for shipping fertilizers. A railway siding runs the full length of the building on one side and will accommodate five cars at a time, and boats can be loaded directly from the factory for water shipment to various points where such delivery is desired. Teams or trucks can be loaded directly from the shipping platform in the factory for hauling over the roads or on the ice when the harbor and rivers are closed.

The steamer "Winsum" Captain K. Visser, arrived in port last Thursday with a cargo of five thousand tons of fertilizer material. All chemicals and mixtures will be available for distribution during the winter months for hauling the snow or ice at the time of year when the farmers work is slack and his teams have far less to do than in the spring of the year when the roads are soft and the days are hardly long enough to take care of the spring work. This factor alone should prove to be of great value to fertilizer users of the Island.

The new factory is the first fertilizer plant to be built on the Island and represents an investment of approximately \$35,000. The factory is of frame construction, 200 feet long, 130 feet wide with 18 feet

**SOURIS**

Mr. and Mrs. A. E. Clarke, of Souris, left recently to spend the winter months in Summerside.

It is with deep regret that we learn of the death of Mr. Sydney Currie, which recently took place in Edmonton, Alta. He was the son of the late Mr. Archibald Currie, of this town. Besides a widow and three children, he leaves to mourn one sister, Mrs. Ernest White, of Vancouver, and brother, Mr. W. D. Currie, of Boston, Mass.

Mr. and Mrs. M. S. Acorn, Souris, were visitors to Charlottetown last week.

Mr. Ben Bushey has returned to his home in Souris, after completing his work in connection with the new water system at Brackley.

Mr. and Mrs. H. H. Acorn and Mr. W. L. Dugwell, Souris, were motorists to Charlottetown last week.

The schooner "Village Leaf" of Halifax, N.S., loaded this week at Matthew & MacLean's Wharf with a general cargo consisting of vegetables and live stock for New Brunswick, of

posts. The storage capacity is approximately 6,000 tons. The plant is designed for speedy and economical handling of fertilizers and has a normal shipping capacity of 200 tons per day, which however can be increased should occasion require.

The firm of Messrs McDougall & McAulay of Charlottetown are the builders and the work has been pushed with their characteristic energy and thoroughness. The site was cleared of several buildings, graded and this large building ready to receive fertilizers in twenty working days. This building job speaks most highly for the local contracting firm.

Messrs Bruce Stewart & Co., Ltd., machinists, are building and supplying most of the machinery for the factory, making it unnecessary to go off the Island for any part of the equipment except the most highly specialized parts.

**Will Employ Local Labor**

It is estimated that the plant will require 20 to 30 men from early in January until the middle of June, thus giving the Island a fair sized payroll at the time of year when it is most needed. Further allied activities now under serious consideration may develop the plant from a seasonal business to a year round operating unit. Should this materialize the value of the new company to the Island will be greatly increased.

The location of this new fertilizer plant at Charlottetown will serve to bring business to other parts of Canada as well. The new firm plans to use sulphate of ammonia from Canadian manufacturers. Such tanks as the mixed goods require will be of Canadian origin and the bags used to ship the Fertilizer will be of Canadian manufacture. Thus, the establishment of this local plant will hold thousands of dollars in Canada that otherwise would find their way out of the country.

The present plan of the Company is that Messrs Poole & Thompson, Ltd., of Montague, will serve as distributors for the Eastern part of the Island—A. Horne & Co., of Charlottetown for the central part of the Island, and Austin A. Scales of Freeport and A. Horne & Co., of Summerside will serve the trade in the Western part of the Island. Thus all parts of the Province are well represented in the management of the new firm.

The building of the fertilizer factory here is a normal development in the fertilizer trade of the Island to meet the requirements of the increasing volume of fertilizer business here. The new firm deserves, and The Guardian feels sure will have, the best wishes of the entire Province for the successful operation of its business.

# NEW INDUSTRY FIRST OF KIND IN P. E. ISLAND

## Fertilizer Company Will Use Canadian Materials And Give Employment to Local Men.

Here is evidence of faith in the future of Prince Edward Island's agricultural interests in the face of present unsatisfactory business conditions—the formation of the new Fertilizer Company and the building of the new factory on Prince Edward Island at a time when business as a whole is far from cheerful is especially heartening, and the short history of the new organization is evidence of faith in the future of Prince Edward Island.

In the spring of 1930 Messrs A. Horne & Co., Charlottetown, Poole & Thompson Ltd., of Montague and Mr. Austin A. Scales of Freeport purchased for their trade a cargo of Fertilizer from the Summers Fertilizer Co., Inc., of Baltimore. Mr. R. E. Fraser of the Baltimore firm spent three weeks on the Island in May and June last and the idea of a fertilizer plant on Prince Edward Island was given considerable thought at that time. Early in September Mr. J. E. Totman, President of the Summers Fertilizer Co., visited the Island and the idea was brought sufficiently near to fact to warrant taking an option on a site for the proposed factory. Later in the fall Mr. Fraser again visited the Island and plans for the new Company were brought into actuality.

The incorporators of the new firm are Mr. H. Hooper Horne and Mr. Howard R. Hillson, well known members of the firm of A. Horne & Co., Charlottetown, Mr. W. Leith Poole, President of Poole & Thompson, Ltd., of Montague, and Mr. Austin A. Scales of Freeport, one of the leading business men of Prince County. Associated with these substantial Prince Edward Island citizens are Mr. J. E. Totman, president of the Summers Fertilizer Co., Inc., of Baltimore, and Mr. R. E. Fraser of the same firm. Messrs A. Horne & Co., and Poole and Thompson have been dealing in fertilizer for the past thirty years and Mr. Scales is thoroughly experienced in this business. The Summers Fertilizer Co., Inc., under the able leadership of Mr. Totman is recognized as one of the important factors in the fertilizer business in the northeastern section of the United States, and Mr. Fraser has been production manager for this company for the past several years. Thus, the newly formed local company is well equipped with executive experience and ability to serve the Fertilizer trade of Prince Edward Island.

**ATTENDING THE SUPREME COURT**—Many citizens from the west of the province are in Summerside this week attending the session of the Supreme Court. The Courtroom has been crowded each day as the Yeo case has caused a good deal of interest.—S.

**BRIDGE CLUB OPENS**—The winter bridge club, of Alberton, have commenced their weekly bridge parties. Last week the club met at the home of Mrs. Robert Dunn. Four tables were in play. The prize winners were: Mrs. Alfred Gordon and Mr. Allison Leavitt. Dainty refreshments were served by the hostess.—S.

**SOCIAL GATHERING**—Mrs. Urch, of Traveller's Rest, entertained this week in honor of her birthday. She was pleasantly surprised when the guests, numbering twelve, made it the occasion for presenting their hostess with a very lovely gift. A delightful evening was spent. Some of the guests contributing vocal and instrumental numbers.—S.

**FUNERAL SERVICES**—The funeral of the late Mr. John Davison, of Bedeque, was held on Thursday afternoon. There was a short service at the home, followed by a service in the United Church, Bedeque. The service was conducted by Rev. Mr. Nicholson, and was very largely attended. The pall bearers were George Davison, Joseph Davison, Clarke MacQuarrie, Daniel Noonan, Jr., Wright Morris and Calvin Leard.—S.

**WHY NOT A PIGEON SANCTUARY?**—The pigeons, which were to be seen at all seasons of the year, are being shot by some of the local marksmen. Complaints had been made by some of the store keepers that they were too numerous and had become a nuisance. The Mayor was consulted and Chief of Police Kane gave permission to some of the marksmen of the town to shoot the birds in the early morning before anyone was about. Up to the present time it is estimated that over seventy have been disposed of in this manner. Considerable rivalry has been displayed among the sportsmen as to who is the best shot. Although it is admitted that the pigeons have become very numerous, a good many citizens regret to hear that they are being done away with in this manner. It was a pleasant sight to watch the pretty creatures as they flew around the buildings. Many store-keepers would feed them at certain hours and they would congregate outside their stores in anticipation of a good meal and they were not often disappointed. The late R. T. Holman, founder of Messrs. R. T. Holmans, Ltd., was the friend of the pigeons and had built nests for them at the back of his business premises, and they had learned to look upon that vicinity as their home. It has been suggested that if a sanctuary were provided for them in the Public Park or the school grounds it might help to foster in the rising generation a love for birds. The pigeon is a very interesting study and careful observation reveals that there are many different shades and colors even in the ordinary bird and some have very beautiful plumage. They are devoted to their young and

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**BOWLING CITY LEAGUE**

Rovers				
P. McInnis	.....	214	234	226
J. Ford	.....	206	164	306
R. Harley	.....	237	237	192
R. Johnson	.....	136	277	158
H. Day	.....	233	148	271
Total	.....	1025	1060	1152
Printers				
E. Vessey	.....	165	254	296
E. Duncan	.....	202	164	228
W. J. Monaghan	.....	237	144	217
A. Martin	.....	212	156	269
P. Power	.....	209	278	193
Total	.....	1026	999	1205
Majority for Rovers 11 pins	.....			3225
High Single J. Ford, 306 pins.	.....			
High Three E. Vessey, 715 pins.	.....			
G. S. Hennessey	.....	159	237	168
M. A. Howatt	.....	161	163	179
H. B. Douglas	.....	177	177	173
C. McDonald	.....	192	166	197
E. Goss	.....	161	184	265
Total	.....	850	907	982
Y. M. C. A.				
H. Craswell	.....	23	171	176
A. W. Matheson	.....	167	149	179
R. L. Day	.....	171	154	123
R. A. Pendleton	.....	236	170	125
J. A. Bentley	.....	221	212	320
Total	.....	1026	85	923
Majority for Y. M. C. A. 66	.....			2908
High Single J. A. Bentley 753	.....			
High Three J. A. Bentley 320	.....			
C. N. E. Shop League				
Freight Shed				
H. Craswell	.....	163	166	161
R. Praught	.....	199	177	204
G. Proctor	.....	211	172	131
W. Partridge	.....	148	204	178
.....	.....	141	101	168
Total	.....	898	820	863
Telegraphers				
R. A. Cameron	.....	141	153	246
E. J. Larter	.....	158	101	168
F. MacIntyre	.....	184	206	176
L. H. Dixon	.....	142	180	179
J. Williams	.....	200	285	175
.....	.....			
Total	.....	796	867	946
Majority for Telegraphers 53 pins	.....			2598
High Single R. A. Cameron 246 pins	.....			
High Total J. Williams, 610 pins.	.....			
MacLean's Shop				
E. Small	.....	200	168	146

# Western Guardian

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**RINK BENEFIT ENJOYED**—The benefit dance for the Crystals was one of the big events at Summerside this week. A good floor and good music, furnished by the Gaiety Orchestra, contributed to the success of the evening.—S.

**BEDEQUE UNITED CHARGE**, Rev. A. J. Reynolds, Minister, Sunday, Nov. 30th: Bedeque, 11 a. m.; Searletown, 3 p. m.; Cape Traverse, 7 p. m. In the Bedeque Church at 7.30 p. m., a programme is being put on by the Bedeque Mission Circle, assisted by the choir.

**NAMES OMITTED**—In the list of officers elected at the annual meeting of Edith Cavell Lodge, L. O. B. A., published recently in The Guardian, the names of Sister Elizabeth McPherson, first lecturer, and Sister Ethel MacDonald, second lecturer, were inadvertently omitted.—S.

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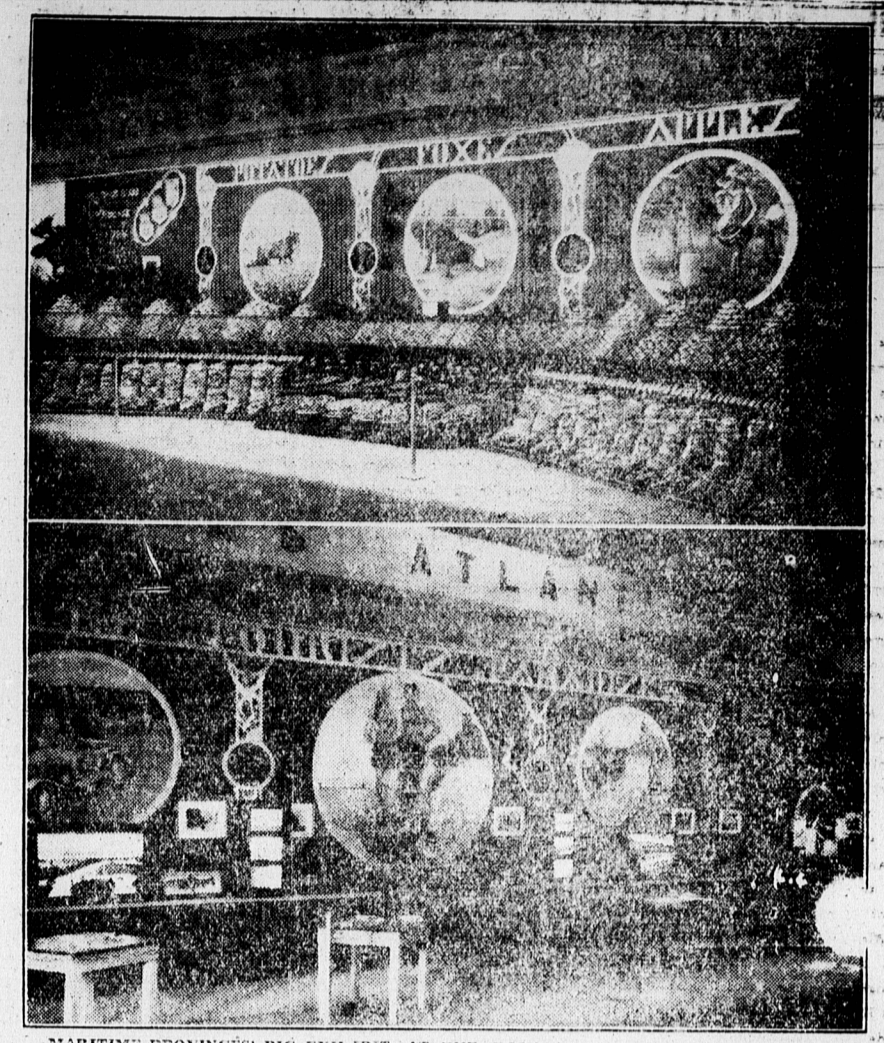
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MARITIME PROVINCES' BIG EXHIBIT AT THE ROYAL WINTER FAIR, TORONTO. The upper picture depicts the agricultural resources and the lower one illustrates the recreational attractions of New Brunswick, Nova Scotia and Prince Edward Island.

# Prize List, Fox Section Royal Winter Fair, 1930

THIRD DAY

CLASS 10—PALE SILVER

Section 1—Young Male Whelped in 1930

First—A-1 251—J. M. Laird, Kensington, P. E. I.  
 Second—151—J. M. Laird, Kensington, P. E. I.  
 Third—152—J. M. Laird, Kensington, P. E. I.  
 Fourth—153—J. M. Laird, Kensington, P. E. I.  
 Fifth—154—J. M. Laird, Kensington, P. E. I.  
 Sixth—155—J. M. Laird, Kensington, P. E. I.  
 Seventh—156—J. M. Laird, Kensington, P. E. I.  
 Eighth—157—J. M. Laird, Kensington, P. E. I.

Section 2—Young Male Whelped in 1929

First—158—J. M. Laird, Kensington, P. E. I.  
 Second—159—J. M. Laird, Kensington, P. E. I.  
 Third—160—J. M. Laird, Kensington, P. E. I.  
 Fourth—161—J. M. Laird, Kensington, P. E. I.  
 Fifth—162—J. M. Laird, Kensington, P. E. I.  
 Sixth—163—J. M. Laird, Kensington, P. E. I.  
 Seventh—164—J. M. Laird, Kensington, P. E. I.  
 Eighth—165—J. M. Laird, Kensington, P. E. I.

Section 3—Young Male Whelped in 1928

First—166—J. M. Laird, Kensington, P. E. I.  
 Second—167—J. M. Laird, Kensington, P. E. I.  
 Third—168—J. M. Laird, Kensington, P. E. I.  
 Fourth—169—J. M. Laird, Kensington, P. E. I.  
 Fifth—170—J. M. Laird, Kensington, P. E. I.  
 Sixth—171—J. M. Laird, Kensington, P. E. I.  
 Seventh—172—J. M. Laird, Kensington, P. E. I.  
 Eighth—173—J. M. Laird, Kensington, P. E. I.

Section 4—Young Male Whelped in 1927

First—174—J. M. Laird, Kensington, P. E. I.  
 Second—175—J. M. Laird, Kensington, P. E. I.  
 Third—176—J. M. Laird, Kensington, P. E. I.  
 Fourth—177—J. M. Laird, Kensington, P. E. I.  
 Fifth—178—J. M. Laird, Kensington, P. E. I.  
 Sixth—179—J. M. Laird, Kensington, P. E. I.  
 Seventh—180—J. M. Laird, Kensington, P. E. I.  
 Eighth—181—J. M. Laird, Kensington, P. E. I.

Section 5—Young Male Whelped in 1926

First—182—J. M. Laird, Kensington, P. E. I.  
 Second—183—J. M. Laird, Kensington, P. E. I.  
 Third—184—J. M. Laird, Kensington, P. E. I.  
 Fourth—185—J. M. Laird, Kensington, P. E. I.  
 Fifth—186—J. M. Laird, Kensington, P. E. I.  
 Sixth—187—J. M. Laird, Kensington, P. E. I.  
 Seventh—188—J. M. Laird, Kensington, P. E. I.  
 Eighth—189—J. M. Laird, Kensington, P. E. I.

Section 6—Young Male Whelped in 1925

First—190—J. M. Laird, Kensington, P. E. I.  
 Second—191—J. M. Laird, Kensington, P. E. I.  
 Third—192—J. M. Laird, Kensington, P. E. I.  
 Fourth—193—J. M. Laird, Kensington, P. E. I.  
 Fifth—194—J. M. Laird, Kensington, P. E. I.  
 Sixth—195—J. M. Laird, Kensington, P. E. I.  
 Seventh—196—J. M. Laird, Kensington, P. E. I.  
 Eighth—197—J. M. Laird, Kensington, P. E. I.

Section 7—Young Male Whelped in 1924

First—198—J. M. Laird, Kensington, P. E. I.  
 Second—199—J. M. Laird, Kensington, P. E. I.  
 Third—200—J. M. Laird, Kensington, P. E. I.  
 Fourth—201—J. M. Laird, Kensington, P. E. I.  
 Fifth—202—J. M. Laird, Kensington, P. E. I.  
 Sixth—203—J. M. Laird, Kensington, P. E. I.  
 Seventh—204—J. M. Laird, Kensington,