QUEEN'S COUNTY SUPREME COURT

eddin Store Burglary Case Occupies Attention Most of the Week

"Not guilty" was the verdict ren- ed by the jury in the criminal se of shop-breaking and larceny gainst George Furze at the Sup- reme Court yesterday. The deci- ion of the Court that the confes ion made by Furze to Mr. Ivan Reddin and officers of the law, who interview him while in Queen's County jail for another offence, could not be admitted as evidence left only the evidence of the stolen goods found on the cooper's shop of Furze's father. There was a weak link the chain which the Court pointed out, the prisoner was entitled to receive the benefit of. The Court room was crowded during the trial which occupied the greater part of the day.

The trial began at 11 o'clock yes- terday morning before the Chief Justice, Attorney General J. J. Johnston for the Crown and Messrs. D. A. McKinnon, K. C. and W. E. Bentley, K. C. for the prisoner. The following jurymen were empanelled:— John H. Buntain, (foreman,) Wheatley River; Ralph Judson, Pownal; Angus F. Beaton, Alexandra; Freeman Jen kins , Vernon River; William Toombs, New London; Donald Ste wart, New Argyle; Chas. E. Rowe Tracadie Cross; Geo. Ferris, Fred ericton; Jas. McLeod, Hampshire, Frederick Waye, Hunter River; Jos. Doucette, South Rustico; Jer ome McGuigan, Kelly's Cross. The indictment was then read to the prisoner charging him with break ing into D. O.M. Reddin's drug store on or about October 28th and stealing therefrom, pipes, mili tary brushes, chocolates, fountain pens, cigarettes, iodine, etc., va ued at over $100.

The Attorney General after briefly reviewing the case calle to the stand Mr. Ivan Reddin manager at Reddin Bros. who tes ified to the articles stolen from the store and to the broken pane of glass in the tea room upstairs opening upon the corridor oppo site the Elks room. Search wa made by witness and others in this room which was found in a disordered condition with banana peelings, on the floor and playin cards scattered on the table. An empty beer bottle smeling strong ly of rum, was also found. The tea room opposite had been rifled o ice cream, fruit and cake; and downstairs in the drug store the other articles enumerated in the charge were found missing. On a second visit to the Elks room some fountain pen bands were discove ed similar to the ones on th missing pens. The matter of the burglary was placed in the hands of the police. About a week after wards the witness, accompanied by his brother Edwin Reddin, Police Sergeant Jas. Walker and Detec tive Hedley Weeks interviewed the prisonr in Queen's County Jai who had been placed there since the burglary for some offence. W ess spoke to prisoner.

Counsels for the prisoner objec to this conversation being pu in evidence, citing authorities. Mr Bentley said that the prisoner was in custody and witness went with officers of the law to interrogate him. No evidence of any warning had been given to prisoner. The interrogations made by Mr. Red in with an officer at his elbow were in the same category as if made to an officer, and this he contended was not permissable.

The Court decided the law is clear that where the prisoner is in custody he cannot be interrogated with respect to the charge on which he has been arrested, but in this case the interrogation had been made with respect to a case in which proceedings had not been taken.

Mr. Bentley argued that if the prisoner was under suspicion, any interview with him could not be admitted in evidence.

Mr. Johnston said this depend ed on circumstances. He declared that the judgment in one of the cases cited by Mr. Bentley had since been overruled. Mr Johnston cited from a number of other au thorities, contending that if Mr Bentley was correct, officers of the law would not know where to begin an investigation. If there was any necessity of giving a warning it was not applicable in this case. Mr. Johnston said it might help matters if instead of asking what the prisoner said he would ask him what followed as a result of the conversation.

The Court allowed the question Mr. Reddin testified that as a result of prisoners statement made at the jail he and his companion went to No. 9 Alley Street, the home of prisoners father, Fred Furze, and from there to a cooper shop in the rear of the house. Search was made but nothing found. Party left and went to the Police Station. Witness returned an hour and a half later, and found Sgt. Walker and Policeman Allan McInnis talking to prison- er's father in the yard in front of the shop. Made another search of the shop, and Sgt. Walker found missing pipes, pens, cigarettes and other articles in a hole under the floor at the back of the build- ing.

At 1 p. m. the Court adjourned until 2.30.

Direct examination of Mr. Red- din in the Furze case was resumed. After some argument regarding the admissability of the interview with the prisoner as evidence, Mr. Red- lin continued his testimony.

Mr. Reddin: I asked prisoner what he could tell me about break- ing into the store.

Attorney General Johnston: What did he say to that?

Mr. Bentley objected to this ques tion. After some discussion the Attorney General asked that the jury retire until this point was cleared up. The Court granted the request and the jury accordingly retired.

Mr. Johnston continued the ex- amination of the witness, who re eated the statement he had made o the prisoner.

Cross-examined by Mr. Bentley, witness said the names of other parties concerned might possibly ave been mentioned by prisoner. Witness told prisoner he had the hole story anyway. He might ave told prisoner that McLeod, ssory, McKinnon and himself ere implicated but did not say rom whom the information was de- ived. He made no threats to pri- oner. (Mr. Johnson). Witness ould not say who first mentioned cLeod, Essory and McKinnon to risoner. The conversation was a ong one and a good deal was said hat he could not recall. Prisoner old him his story and expressed emorse. Witness said it was a ity it had happened that way, he ight have come the next day and eturned the goods and straigh- ened things up. (Mr. Bentley) Witness told prisoner he was sor y he had not returned the goods n time. This was after prisoner ad told him he wished he had ettled up after the robbery.

Mr. Bentley suggested that De ective Weeks be examined as to hat had been said. The Court verruled this, and decided that he conduct of the inquiry rested ew with the Attorney General.

Attorney General Johnston: There is no doubt but that Mr. Red- lin had a right to question Furze. What one of his questions could be said to be not permissable?

The Chief Justice: The difficulty rises as to who the persons were who interviewed the prisoner, and whether any inducement was held ut to him or not.

Mr. Johnston: No promise or uggestion was made until after urze had told his story.

Mr Bentley maintained the duty of giving clearly expressed warning to a prisoner before allowing him to make any statement or confes- ion that could be used against im.

The Chief Justice: This case ests upon two pivotal points. First of all, in regard to the persons who went to the jail, where the risoner then was in confinement; nd second, has there been any in- ucement or suggestion of induce ent that might be preferred by hem while they were there. There s no suggestion of any threat hav- ng been made, which is often a otent instrument in bringing bout a confession, so that we are narrowed down to the two points entioned. Now, if a prosecution ad already been instituted against he accused, the proceeding of a rosecutor on a case such as this, r of any person who was acting or the prosecutor, would be regard- d as a special influence. That is, e would be regarded as a person arrying a special influence which e might exert in order to procure confession. Who are the persons n this case? It was Mr. Reddin, who stood in the position of an gent for the prosecutor. There as with him one Mr. Weeks whose ission is not clearly defined but who appears to have had an inter st on behalf of the prosecutor or f the province, or of both. He was uch an officer as might be a spe- ial influence. There was with him olice Sergeant Walker, an officer f the law. So that we have in the persons present representatives of he very class who, the law pre- umes, are capable of exercising a special influence. That brings us o the solution of the question. Was his a voluntary confession or was t one induced by fear, by threats r on a promise or an expectation held out as a benefit to arise from making a confession? There is no suggestion of threats. The only question will be one of benefit. Was there any suggestion or promise of benefit that would arise? Mr. Reddin told the prisoner, "it was a pity he had not returned the goods sooner." There we have a sugges- tion, but rather far away. Was there in it any inducement strong enough to influence the prisoner to make a confession against himself- to confess that he had done things which he did not do? That is the essential danger in a confession of this kind—that sufficient promise or hope would be held out as would induce the accused to make a false confession implicating himself, thinking it might be to his advant- age. Taking the whole evidence into consideration, I do not think that there was any such induce- ment. The influence that might have brought about such an induce- ment as held out belongs to a later period than the prisoner's state- ment and cannot be regarded as having influenced him. I will al- low the evidence to be taken, not without some hesitation, however, because the law is in so unsettled a condition upon the point that we have nothing left to guide us ex- cept the application of the facts to the particular case. A very slight difference in what was said or done, and an entirely different conclusion might be reached, be- cause the case belongs to a class where the decision line is so nar- row that a threat might change it one way or the other.

Mr. Bentley raised the question as to the date when the informa- tion was laid—whether or not it had been laid at the time of the interview with the prisoner.

Mr. Reddin, examined on this point by the Attorney General, tes- tified that the information was laid after the visit to the jail, on the same day, between the first and second visit to the prisoner's father's house on Alley Street.

The Chief Justice: At the time you went out to the jail had you the defendent in view as a person you were liable to prosecute?

Mr. Reddin: Yes.

The Chief Justice: Had you any information against him at that time?

Mr. Reddin: Yes.

The Chief Justice: So that, hav- ing that information, you went out for the purpose of interviewing in order to acquire something more definite?

Mr. Reddin: Yes.

The Chief Justice: That chang- es the aspect of the case complete- ly. The evidence I had before me a few minutes ago was that at the time the interview was held it was some days in advance of the actual taking out of the proceedings. There is a principle to be observed in cases where the prosecutor or someone on his behalf, has it in mind to make a prosecution and with that intention proceeds to se- cure a confession. The only safe practice is to open any line of con- versation with the prisoner by an expressed caution . . . . . On the evidence before the Court there was a very fine point presented, and I think the change in the evi- dence is quite sufficient to turn it. In the absence of an expressed cau- tion the evidence will be excluded and it might now be announced to the jury that they shall return and the case will proceed.

The jury returned and Mr. Mc- Kinnon continued a brief cross-ex- amination. This concluded the evi- dence.

After the jury had been address- ed by Mr. McKinnon and Attorney General Johnston the Chief Jus- tice said: "Gentlemen of the Jury. In one respect you are very fortu- nate in having such a short case. In one respect perhaps you are more fortunate, because your con- clusion is one that forces itself up- on you. The evidence is that a robbery was committed, a very bold robbery, so bold that it be- speaks either dangerous criminality or great folly on the part of those who committed it. The question with you is not whether a robbery was committe—that is only one step—but whether it was done by the prisoner. It appears that the prisoner was in jail and while there was waited upon by two of- ficers of the law and two persons interested in the goods that had been stolen. Whatever transpired there, whatever was said by the pri soner to those parties cannot come before you in evidence. The au- thority of the British law has long been very different from that of the law of most other countries. Every person is assumed to be in- nocent before he is proved to be guilty, and a confession, if made to officers of the law or to persons who have any special influence over the person making the confes- sion, has always been received with a great deal of suspicion. In this case the decision was that the con- versation in the jail could not be admitted. Now the evidence shows that at least some of the goods ta- ken in the process of this robbery were found on the premises of the prisoner's father, and the evidence goes no further than that. If the goods had been found in the pos- session of the prisoner and no ac- count were given as to how he came by them you might assume that he was guilty of theft at least. . . . But the evidence must satisfy you beyond a reasonable doubt that the person accused of an offense is guilty. If there is an open door through which a doubt may come in—if it might have been some person else for example, who put the goods where they were found—then you are bound to find a verdict for the defendent. If there is a missing link in the evidence the accused must get the benefit of it. There is a missing link here, . . . With this doubt in your minus, I have to charge you, gentlemen, that you cannot bring in a verdict except "Not Guilty."

After ten minutes deliberation the jury came down with the ver- dict as reported.

The case against Kenneth W. McKinnon was then called, the in- dictment being the same as that against Furze. It was adjourned until this morning at 10.30 after the following jury was empanneled: John H. Buntain (foreman); Layton McCabe, Patrick Curley, Seymour Wood, J. J. McCaskill, Chas. McKenna, Patrick McKinnon, Jas. McCabe, Jos. Doucette, Wil- liam Toombs, Geo. Ferris, Angus F. Beaton.

This morning the Crown will first submit the evidence, and will then call Furze and other wit- nesses.

In the McKinnon trial continued yesterday at the Supreme Court the alleged confession made by the prisoner to Constable Hedley Weeks was rejected by the Court for want of evidence that it was a free and voluntary statement. Mr. Weeks was cross-examined at considerable length by Mr. Bent- ley.

Mrs. Maud McDonald was ex- amined as to the whereabouts of her husband Wallace McDonald and the particulars of the alleg ed visit made by prisoner to her house on the night of the robbery. Witness testified that her husband gave two dollars to someone that night but she did not see who it was as he remained in the hall. She saw a strange brass spittoon in the house after he had gone. She did not see the overcoat pro- duced in Court. Some days after, Police Sgt Bradley raided the house in search of liquor and took away the spittoon and two coats. (Cross-examined by Mr. Inman.) Mr. Dover was with Sgt. Bradley. They broke the door open and Sgt. Bradley seized witness around the body, stretching her over a table in the kitchen. She did not know what they were searching for. They only searched the kit- chen and pantry.

Magistrate K. J. Martin testi- fied to the signature of prisoner on a paper submitted by the Crown.

At the afternoon session Con- stable Weeks produced an account book in which he kept entries of the dates he was working on the case. He produced a finger print photograph taken in Reddin's store after the robbery.

(Mr. Bentley cross-examining) Can you show a single finger mark on that photograph?

Witness —Yes.

Mr. Bentley— Do you know whose it is?

Witness —No.

Mr. Bentley—So the Bertillion system does not always work?

The Attorney General—Who took the photograph?

Witness —Mr. Bayer.

Attorney General —Were you present when he took it?

Witness No.

Police Sgt. Bradley, recalled by Mr. Inman, testified that he un- derstood the prisoner lived with Mr. Doull, corner of Weymouth and Sydney Streets. He went to his house under orders with a search warrant. He made a thor- ough search with another officer and found none of the missing ar- ticles. He searched prisoner's of- fice the same day and found noth- ing there. He understood Officer Sgt. Walker made a search be- fore that.

This concluded the evidence for the Crown.

Mr. Inman then called the de- fendent's wife. Mrs. McKinnon (sworn): I am twenty four years of age. My husband is the same age. I was married June 16th, 1920. My father lives in the city. My husband was overseas, I do not know exactly how long. By occu- pation he is a veterinary surgeon. His office was 139 Kent Street and on Nov. 1st he moved to 199 Kent Street opposite the Police Station.

I remember October 28th. I was at home. My husband was not home that night. On the following day I saw him at his office at nine o'clock in the morning. I went there and found the door locked. I had a key of the office and I unlocked the door. My hus- band had one key and I had ano- ther. Dr. McKinnon was in the office alone. He was asleep, and I woke him up. He was not drunk then but he had been drinking. That was on Saturday morning. I remained in the office until 12 o'clock noon. We were packing up everything to move out on Mon- day. I saw everything that was packed. There were two large boxes and two small ones. I saw everything that went into them. I did not see any of the articles mentioned in the indictment. There were no pipes, no military hair brushes, no chocolates, no fountain pens, no cigarettes and no iodine except one small bottle. This was the Saturday following the robbery at Reddin's. At 11.45 Jack McDonald, auctioneer, rang up my husband. He went out and returned about 1 o'clock. We re- mained in the office until between 3.30 and 4 o'clock. There was an oak roll-top desk in the office. I saw my husband when he came home in the evening between 11 and 12 o'clock. Sunday morning, we went to St. Peter's Church and were home all the rest of the day. My husband was home Monday night. We were looking for ano- ther office Monday and on Tues- day morning secured a room. I was not there when the moving took place. On Wednesday I was home all forenoon and between 3 and 4 o'clock in the afternoon I went up to see the new office. No one was there but Dr. McKinnon and myself. He did not have much office furniture except the oak desk. His medical and surgical books were piled on top of the desk. There would be about ten books altogether. The desk was about a yard and a half wide. His book-keeping books were piled in- side the desk. Dr. McKinnon was arrested Thursday night between 12 and 1 o'clock. I was in bed. Two officers came to arrest him. One remaining downstairs. Shortly after 9 o'clock next morning I went into the office and found the street door unlocked and the office door open. The doctor had only one key for outside door. Police Sgt. Walker was there. He was search- ing for something but did not find anything. I remember Sgt. Brad- ley coming to my house with my father and searching everywhere from the third floor to the cellar. They found nothing. I never saw my husband with a set of military hair-brushes or with any of the articles referred to. Our baby is eight months old.

(Cross examined by the Attor- ney General) When I went on Saturday morning to my husband's office I found him asleep. I never saw him drunk in my life and never saw him take a drink. I hear I Dan McLeod say he saw Dr. McKinnon on a certain morning; I say he did not see him that morning.

Lawrence Gaudet (sworn) I live at 95 Queen St. (spittoon pro- duced) I never saw this spittoon before. I know George Furze. He came to my place with a parcel under his coat in the latter part of October. He went into my back shop for a drink of water. He had a parcel wrapped in newspaper. There was an offer made to me for negotiations for sale. Furze was in the back of the shop for about five minutes. It was about 11 o'clock at night. I did not know the contents of parcel.

A brief examination of Lieut. R. H. Stewart Secretary of the G. W. V. A., concluded the case.

Addressing the jury on behalf of the defendant Mr. G. S. Inman emphasized the contradictory evi- dence given by Furze and claimed that the evidence produced was in sufficent. There was no evidence to show that iodine, or that hair brushes were stolen on the night of the robbery beyond the testi- mony of Furze, who proved him- self to be a perjurer. Constable Weeks was hired by the Crown to do a certain thing. He was on the stand for half an hour this morn- ing and was so mixed up he could not tell on what date he was hir- ed. Counsel submitted that Week's memory was proved to be faulty, and that therefore he could not be relied upon with regard to the hair brushes. As to Furze, he swore the prisoner guilty and he also swore him innocent. A dog could not be convicted on the evi- dence of perjurer. Counsel con- cluded with an appeal to the pris- oners youth and family connect- ions.

Attorney General Johnston, ad- dressing the jury on behalf of the Crown said that it must be evident to them that the public are more than interested in the pro ceedings which have taken place in the Court room during the past few days.

"You heard His Lordship this morning when he stated his judg- ment with regard to the admission of certain evidence by one of the crown witnesses that the officer had told prisoner he had got him- self into a dirty mess. It was a dirty mess at the time the words were spoken and after the exhibi- tion which we saw on the witness stand during the course of the trial it is a dirtier mess today than ever. You saw that poor unfortu nate "pal" of the prisoner on the witness stand, perjuring himself to get McKinon out of trouble. We must have justice in the community and we must strip this case of its hair-spittings and subterfuges and refinements and get to the kernel of it. If men are going to combine and commit crime and break into people's shops and houses and commit perhaps mur- der before it is over, let us not hesitate on our part to do at least our duty. Mr. Weeks, who has been sneered and jibed at, simply did his duty. He has hired by the Crown because we thought he was the most available man. Crime has become so rampant in this country today that the crown has been under the necessity of getting additional men to look af- ter cases of this nature and to investigate them. Are these men going to be sneered at for protec- ting your homes and lives as best they can? It is really time that the best sentiment of the people of this province got behind the officers of the law and saw to it that laws are upheld. . . . That poor unfortunate tool who went on the stand to perjure himself —whether it was because the master mind of the bunch had been at work or not we don't know—that poor tool was ready to swear to any ting, not to help the Crown but to try and prevent the Crown from getting at the evidence of guilt. And it was like dragging teeth tooth by tooth, to get the infor- mation out of him. . . . The learned Judge permitted me to cross-exa- mine him because he was a hos- tile witness to the Crown, and if he is a hostile witness and we forced him to confess that he and his pals broke into this place—is it not the strongest kind of evi- dence?"

The Attorney General conclud- ed with a review of the evidence in the case and emphasized upon the jury the importance of check- ing crime at a time when perhaps it has been more rampant than at any other time in the history of the province.

His Lordship reserved his charge to the jury for the morn- ing and adjourned the Court until 10.30 a. m.

Kenneth W. McKinnon, charged with breaking and entering Red- din's Drug Store and stealing goods therefrom, was acquitted yesterday morning. The jury were out an hour and a quarter and came down at 1 p. m., with the verdict "not guilty." There was some cheering in the Court which was quickly suppressed.

When the court met yesterday morning, the Chief Justice deliver- ed the following charge to the jury:—

"Gentlemen of the Jury: The bill of indictment which the Grand Jury has brought in against the prisoner is for breaking and enter- ing the shop of D. O.M. Reddin, Victoria Row, and stealing there- from five pipes, one set of military hair brushes, a quantity of choco- lates, a number of fountain pens, a quantity of cigarettes and a bottle of Churchill's iodine, all of the val- ue of $100 or upwards.

"You have heard the evidence, the evidence of an exceedingly bold robbery which took place in the city of Charlottetown, in a manner so open and notorious that it must either have been the work of men so hardened in crime that they scorned all subterfuge or else of men who were lacking in ordinary common sense, or possibly whose senses were drugged by drinking

"It may seem to you very strange indeed in a robbery in which the guilty parties had scattered their evidence, the marks of their foot prints, so far and wide, that there should be any question at all of doubt in regard to who the guilty party or parties might be. We know that just in proportion as the law officers of the Crown are active and viligant in the performance of their duties will evidence of crime be collected and properly present- ed to the Court. It is a difficult task that devolves upon the law officers of the Crown and the Attorney Gen- eral in this province. I can speak with the experience of a good many years in that office and of the ne- cessity there is of exercising the most watchful care and diligence to see that the available bailiffs, constables and other officers are sent to their duties without delay and that they are properly instruct- ed in the procuring of evidence, so that when they come to the Court with statements made to them they shall have so conducted themselves that those statements will be ad- missable in evidence.

"Now Gentlemen, you are face to face today with one of the most serious duties that devolves upon the citizens of a free country, you have to find a verdict of guilty or not guilty upon the evidence sub- mitted to you. You are the judges and the sole judges of the facts of the case. That is your province. It is the duty of the Court to lay down to you the law which binds both the Court and the Jury, and within the confines of that law you will perform your oath of giving a true verdict according to the evid- ence. You know that it took cen- turies to build up the firm edifice of British law that has been so built up partly by the statutes of our parliaments and partly by the decisions of our courts; and al- ways the wisest men have been striving to make the law as nearly perfect an instrument as they can. But always, always, wrongs ap- pear that cannot be righted under the law. In laying down general rules that are necessary for guid- ance it will often appear that sin gle cases of injustice may be done. I will refer to the application of this question later as I proceed.

"Let us see where we stand to lay in this case. Let us consider the evidence that comes within the scope of your judgment, and before we enter upon that field let us see what must be excluded from con- sideration. All rumor, all report, all pre-conceived impressions in your minds must be rigorously swept away and you must come to the decision of this case as if there were nothing whatever about the evidence or about the people who are concerned in it except what you have learned from the evid- ence given before you in the Court.

"For instance, there was some talk in your presence about a docu- ment that was alleged to have been signed by the accused. Now gentle- men, that document failed to com- ply with the requirements of the law and its contents, or its exist- ance even are not evidence for your consideration. You must make no reference to such a document; you must, as far as you can, expel the memory of it from your mind. I know that it is impossible that that should be completely done, but it is possible for you to go as far as you can and that is all that is re- quired of you.

"You are in a unique position in that there is one witness and one only who professes to tell the whole story of this robbery. That is the witness Furze.

"The only strand of evidence that runs through the whole case is the evidence of Furze. There are scat- tered items of evidence referring to several other matters, for exam- ple, referring to a coat; a spittoon; some brushes; a conversation about a pipe and so on. But if you take out of the case that one strand or chain of evidence that runs clean through it—the evidence of Furze—you have nothing but scat- tered pieces of evidence that, if they were all assembled together, would not make up a case.

"Now Gentlemen we are at a critical point for your consider- ation. I will make no comment up- on Furze's quality as a witness just now and I will assume that he told one story only and that that story was the one that charged the pris- oner with the theft and the taking away of certain of the goods to his own office, and of being present when the breaking-in took place. We will assume that that is the only story Furze told and I will lay down the law to you on just what that story would be worth. For greater assistance I will give you the very words in which the law in the great leading cases upon this question was expressed: "As to the weight and value which a jury ought to give to the evidence of an accomplice this is it; the rule has long been established that the Judge should warn the jury of the danger of convicting the prisoner if the only evidence against him is that of an accomplice. Unless that evidence is corroborated in some particulars it is insufficient to im- plicate the accused."

"You see, gentlemen, you will have two things to consider, although one at a time. You will have to con- sider what weight, if any you should give to Furze's evidence, and then you will have to consider whether there is evidence in corro- boration.

"First as to the evidence of Furze I have said that the jury should be warned of the danger of convicting upon the evidence of an accomplice alone; and I will tell you why, and it is well illustrated in this case. The witness, who has participated in the crime, goes on the stand with a full knowledge of every step tak- en. He can tell a connected story, convincing in every part, because it is true in regard to the evidence. He knows the truth at least, whe- ther he tells it or not; and all he has to do is to put in the name of another and say "This person was with me." Recall some of the evid ence that came out and what this witness Furze did in the case of McLeod. Why, he simply added McLeod's name to the list of those who were at the robbery and he was able to tell a connected story in which McLeod was carried right through it. You see the danger then of accepting the evidence of an accomplice alone is that he, knowing the circumstances of the crime, is capable of fitting into them some other person whom he wishes to incriminate.

"The evidence given in incrimi- nation must be independent testi- mony which affects the accused by connecting or tending to connect him with the crime. It must be ev- idence which implicates. The cor- oboration need not be direct evid- ence that the accused committed the crime—it is sufficient if it is merely circumstantial, provided it connects him with the crime. Now that is the whole of the law in re- gard to the evidence of an accom- plice and of the character of the evidence that must be given in cor- oboration.

"You have seen, gentlemen, that there is but one chain of evidence leading through the whole case— the evidence of Furze and that without that the case cannot stand

(Continued on Page Eleven)

Keep Little Ones Well in Winter

Winter is a dangerous season for the little ones. The days are so changeable, one day bright, the next cold and stormy, that the mother is afraid to take the chil- ren out for the fresh air and exe- cise they need so much. In conse- quence they are often cooped up in overheated, badly ventilated rooms and are soon seized with colds or gripe. What is needed to keep the little ones well is Baby's Own Tab- lets. They will regulate the stom- ach and bowels and drive out colds, an by their use the baby will be able to get over the winter season in perfect safety. The Tablets are sold by medicine dealers or by mail at 25 cents a box from The Dr. Wil- liams' Medicine Co., Brockville, Ont.

Aches And Pains Of Rheumatism

Sometimes They are Unbearable

There are weather conditions that make rheumatism worse. They are not the same in the cas- es of all persons. Some rheumatics suffer more in dry warm weather than in moist, cold weather, but all suffer more or less all the time.

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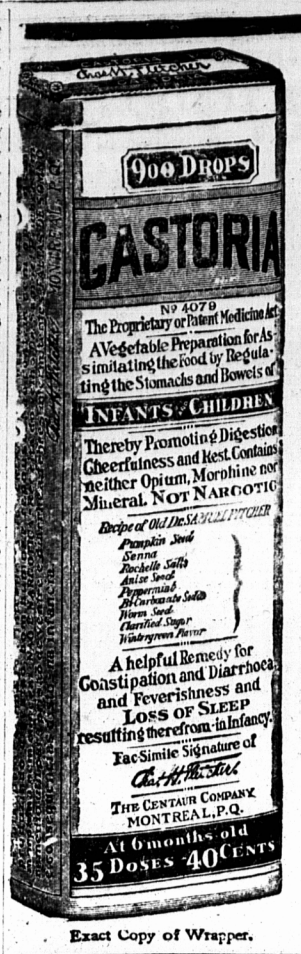

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