

Way Back in 1797

Black tea sold in England for £3 per pound, and was available only to the richest people. It was not then known that Ceylon and India had the most suitable climate for tea growing. Today you can buy from us Matchless Blend Ceylon Tea at 55c lb. 5 lbs. or more 50c lb. It's the kind mother says is "Good Tea," and pleases both in strength and flavor. We have also Orange Pekoe at 80c lb. 5 lbs. or more 75c lb. well worth the extra cost and all the popular package teas as well. Shall we send you a pound?

Store Closes 5.30. Last Delivery 4.30.

Jenkins & Son Everything that's Good to Eat.

IN MEMORIAM

EDNA GODFREY

On November 14th the community of North Wiltshire was thrown into the deepest gloom when it became known that Edna the beloved and eldest daughter of Mr. and Mrs. John T. Godfrey had passed away, succumbing to a severe attack of heart disease. For several months Edna had been suffering but it was hoped that youth being on her side she would prove more than conqueror after a severe struggle, in which she showed the greatest fortitude and cheerfulness, the angel reaper came and garnered her pure young soul for higher service in Heaven's kingdom.

Edna was beloved by all who knew her. Her pleasing manner, kind spirit, enabled by a willingness to help in all that pertained to the good of the community and church, made her very popular with the young people of North Wiltshire. She was a member of the Division, and of the Young People's Mission Band of the Methodist church. Needless to say both these institutions will miss her. The service was conducted by her pastor the Rev. Henry Pierce of Cornwall, assisted by Rev. Kingsley Taylor of the River. The service was attended by a large crowd of mourners who came to show their sympathy and respect to the dead, and the members of the family. May He Who gives the garment of heaviness, and the oil of joy for mourning pour His own soothing peace upon this sad and sorrowing family in this hour of heavy affliction. (Patriot please Copy.)

MR. GEORGE HOWLETT ANANDAOLE

The death has taken place of Mr. G. Howlett, who passed away on the 26th inst. at the advanced age of 85 years. Mr. Howlett enjoyed the best of health during his very useful life and suffered little toward the end. He was confined to his room for a few weeks and quietly passed away in the fulness of his glory and faith in His Saviour's Love at the home of his

Jury Charge in The McKinnon Trial

Delivered by Chief Justice Mathieson at Supreme Court Yesterday Morning.

Kenneth W. McKinnon, charged with breaking and entering Reddin'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 delivered 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 entering the shop of D. O.M. Reddin, Victoria Row, and stealing therefrom five pipes, one set of military hair brushes, a quantity of chocolates, a number of fountain pens, a quantity of cigarettes and a bottle of Churchill's iodine, all of the value 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 subtlety 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 vigilant in the performance of their duties will evidence of crime be collected and properly presented to the Court. It is a difficult task that devolves upon the law officers of the Crown and the Attorney General in this province. I can speak with the experience of a good many years in that office and of the necessity 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 instructed 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 admissible 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 submitted 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 will perform your oath of giving a true verdict according to the evidence. You know that it took centuries 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 at the same time, men have been striving to make the law as nearly perfect an instrument as they can. But always, always, wrongs appear that cannot be righted under the law. In laying down general rules that are necessary for guidance it will often appear that single 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 today 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 agree that what must be excluded from consideration. All rumor, all report, all preconceived 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 evidence given before you in the Court. "For instance, there was some talk in your presence about a document that was alleged to have been signed by the accused. Now gentlemen, that document failed to comply with the requirements of the law and its contents, or its existence 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. It is possible for you to go as far as you can and that is all that is required 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 scattered items of evidence referring to several other matters, for example, 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 of chain of evidence that runs clean through it—the evidence of Furze—you have nothing but scattered 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 consideration. I will make no comment upon 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 prisoner 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 facts in evidence. And if those 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 implicate the accused." "You see, gentlemen, you will have two things to consider, although you should give to Furze's evidence, and then you will have to consider whether there is evidence in corroboration. "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 taken. 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, whether 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 evidence 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 incriminating must be independent testimony which affects the accused by connecting or tending to connect him with the crime. It must be evidence which implicates. The corroboration need not be direct evidence 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 regard to the evidence of an accomplice and of the character of the evidence that must be given in corroboration. "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. There is not enough of other material to form a case, so that the strength of the case is the strength of that chain of evidence which Furze supplies, with any corroboration that may be given. And that chain is just as strong as the value of his oath. It has that much certain strength. I do not think that there would be any advantage to you in your reviewing the character of the evidence given by that witness. I have never seen or heard any evidence that was so utterly unreliable. That he would swear that a thing was white did not for one moment convince you that it was white or anything like white. You might guess from it some other color entirely. It might be, as I suggested, that Furze is a moral degenerate. Very likely he is. I will say that he is a most dangerous element to be loose in any society. A man so utterly regardless of all moral responsibility who one moment will swear one thing and the next moment swears the very opposite, and who admitted that when he swore to the first statement at the Stipendiary Magistrate's Court he knew he was swearing to what was false, it would be a terrible thing if, after the revelation he has made of himself, he were allowed to go forth from this Court a free man for many a day. If ever there was a case where a prosecution should be laid for perjury—and should be prosecuted through to a conclusion that is the case of Furze. "I said that the evidence of Furze is worth exactly what his oath was worth. Perhaps some of you gentlemen may think it is worth more than that. Sometimes some truth comes from the greatest liar that ever lived since Ananias—Sometimes kind of truth for a jury to rely upon. You see, gentlemen, you are judges of the case, and you must find your judgment on the

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IS THE PROHIBITION LAW BEING RIGIDLY ENFORCED?

Official Returns Disclose That Since the Year 1919 Not 50 Per Cent of the Fines Imposed Reach the Secretary.

Under the Prohibition Law the Secretary of the Prohibition Commissioners keeps an index of the names of the persons against whom convictions have been made arranged in alphabetical order compiled from data compelled to be supplied to the Secretary, under a penalty, within three days of each conviction, in the index shows that until the end of 1919, the last year of the Arsenal Government, all the fines imposed with one exception are accounted for, but since then more than half are still to be accounted for. The Secretary explained to the representative who interviewed him that he did not know whether the fines in question had been paid or not but they had not reached him. The appended list is taken from the index, only letters and figures and counties are substituted for the real names of the defendants and their place of residence.

Table with columns: Paid to Secretary, Not Paid to Secretary, Name, Amount, Date. Lists various individuals and their associated fines and dates.

It will be seen from this detailed statement that of the total of \$26,080 imposed only \$13,080 has reached the Secretary, though the law compels the officials to make immediate returns.

And so the spittle that was taken and that might have been corroborative evidence falls even in its identity. Now there is an other matter of the pipe. This also might have been evidence of great importance. McLeod met the prisoner at Down's barber shop, prisoner offered to give him a meerschaum amber stem pipe valued at \$22.50. McLeod thought it a joke. Then he went out in his car with prisoner and presently forgot all about the pipe and about other things. Clifford Down the barber says that he heard the prisoner tell McLeod he had found a pipe and that he was going to give it to him.

"Here is evidence given by intelligent witnesses. Dan McLeod and Clifford Down, and it is evidence in regard to a subject that might be brought home. Has it been brought home? If it is to be accepted by you as corroborative evidence you will have to satisfy your mind of all reasonable doubt that the pipe of which the prisoner spoke to McLeod was the pipe which was stolen from Reddin's. You will have to find beyond any reasonable doubt that the prisoner did not find such a pipe or any pipe. If you can find from these statements of McLeod and Down that it was a certainty, as nearly as things can come, that this pipe was the one stolen from Reddin's and that McKinnon did not find it on the street as he said, you would then have an item of corroborative evidence and it would be a very important one.

"There was also the matter of the brushes. Mr. Reddin gave his evidence of the disappearance of the brushes in the store. You must satisfy yourself that they were among the stolen things and to do that you must keep in mind that those brushes were kept in the store and that things kept in a store for sale are sometimes sold—sometimes even without the knowledge of the owner. If there were other parties who could make a sale,.... If McKinnon had in his possession brushes which were stolen at the time of that robbery, in his office, it would be an item

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