

Generally speaking, the sensa-
tional is always degrading.

THE CHARLOTTETOWN GUARDIAN

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CHARLOTTETOWN, CANADA, WEDNESDAY, JULY 6, 1927

The really social man is the man
who knows how to share.

Charlottetown Guardian Two Cents
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JAPAN MAKING DETERMINED LAST STAND

For Right to Possess An Unlimited Number of Small-Sized Submarines.

(Canadian Press)
GENEVA, July 5.—Japan is making a last determined stand at the tripartite naval conference for the treaty right to possess an unlimited number of submarines under 600 tons displacement for the purposes of coastal defence. If she loses as appears probable, Japan will immediately ask it is understood for an increased proportion of authorized submarines under the projected Geneva treaty.

Relief For Stricken People Object Of Conference

(Canadian Press)
GENEVA, July 5.—The adoption of a convention for collective governmental relief for people stricken by disasters like earthquakes and floods, is the object of an international conference which has just opened at the League of Nations under the presidency of Dr. Wilhelm Kuehl, former German Minister of the Interior.

EXPLOSION AT THE NAVAL CONFERENCE

China Issues Solemn Warning That Delegates Must Not Discuss Questions Affecting Her Interests.

(Special to the Guardian)
GENEVA, July 5.—Fourth of July Chinese fireworks exploded at the tripartite naval conference today when Nationalist China issued a solemn warning that the delegates must not discuss questions affecting the interests of the Chinese people.

Chinese Expel Russian Advisers

(Canadian Press)
LONDON, July 5.—Reuters Hankow correspondent says a number of the Russian advisers to the Hankow nationalist regime who were recently ordered to leave the city have departed by train for Cheng Chow, Honan Province. Marshal Fong Yu-Hsiang, who ordered the departure, provided a guard for the expelled Russians.

BYERS FOUND GUILTY. TO BE SENTENCED THURSDAY

Jury having disagreed were sent back to Return with A verdict Against The Prisoner.

The case of the King vs. Byers concluded at the Supreme Court yesterday. After the address to the jury by the lawyers for the Crown and defense and the charge to the jury by Chief Justice Mathieson, the jury retired at about 12.30 and returned at 2.30 the foreman announcing that the jury could not agree. His Lordship replied that he could not see, how they could disagree, with the evidence at hand and instructed the foreman to return for another hour. The jury retired to deliberate again and in less than half an hour brought in a verdict of guilty with a strong recommendation of mercy on account of youth. The Chief Justice thanked the jury and told them the recommendation would receive proper weight. He then discharged the jury.

The following are the addresses to the jury:

Mr. J. J. Johnston, K. C., said in part: One thing distinguishes a trial by jury in this country from other countries—yeomen are selected who emerge not from the dust and cobwebs of the study, but from the free open air of a pasture land to sit in judgment on their fellow man. He said he had experience of thirty years at the Bar and from this experience he hoped the privilege of trial by jury would never be taken away. He would be satisfied if they returned a verdict that would send the prisoner to the penitentiary if they were satisfied of his guilt. They must not be prejudiced by what they heard or read in the papers and they must not be swayed by the fact that the Administration of Justice has fallen down during recent years. This young man, said Mr. Johnston has never been before a Court and if the Crown had anything against him they would have brought it against him. The prisoner brought into the factory of the Condensed Milk Factory with intent to steal—that fact must be established beyond any reasonable doubt. You will be instructed in the law by His Lordship, but you and you alone render the verdict. No other power or authority can wrest this privilege from you; you are to render the verdict. The Crown must prove a break; they must prove some one entered the building and must prove the intention of stealing and they must prove it was the prisoner in the dock. If they fail to establish the facts on any one of these the prisoner is entitled to the verdict of not guilty. The first question to consider—was there an entry made? If the glass was broken and the man did not enter you cannot convict for entering, a most serious charge, and one that would send this boy to the penitentiary. One witness said the glass was 10 x 14 or 12 x 12; (here counsel asked prisoner to stand) "Could that glass—should that boy get through a pane of glass 10 x 14 or 12 x 12?" I say it was physically impossible for the prisoner to squeeze through this opening without smashing the glass. The doors were locked—one witness swears that—but nothing was stolen. Then they tell you there was some blood on the box, blood on the pane of glass, but they did not tell you whether the blood was inside or outside. "Why did they not bring the box into court? That was the duty of the Crown and why was it not shown to you." The Crown has failed to show that this boy entered the building. They must also prove if entry was made that it was made with the intention of stealing. What evidence have you of this? No goods were found on him; not a penny's worth of goods have been stolen, so far as the evidence shows. They find a man outside the window lying on a fur coat. Is that the act of a person entering to steal stuff or is it the act of a drunken man? They said nothing to him and he ran away but came back, picked up the coat and threw it at the window—that is the evidence. Another question was, is the prisoner the party who was there that night? That's a question of identification. Only two men were on the stand who said they were there that night. One man said he had no idea who it was and the other could not swear positively. You saw the frantic efforts to make one witness, Gregory swear it was the prisoner he saw that night. The books are replete filled with cases of innocent men, some of whom have gone to the gallows on identification. Mr. Johnston here quoted instances where witnesses on oath identified prisoners but later found they were mistaken. Lord Alverston, said Mr. Johnston, strongly denounced the method of pointing a finger at a prisoner and identifying them in this manner. He strongly denounced the attitude of the Crown

HONORED BY CANADIANS



Honor is due the surviving Confederation daughters who gathered at Toronto this week in Geneva. From left to right these are: Hortense Cartier, daughter of Sir Leonard Cartier; Mrs. J. D. Gwynne, daughter of Sir Leonard Cartier; Mrs. George C. Macdonald; Mrs. W. J. Gwynne; daughter of Sir Leonard Cartier; Mrs. George C. Macdonald; daughter of Sir Leonard Cartier; Mrs. W. J. Gwynne; daughter of Sir Leonard Cartier; Mrs. George C. Macdonald; daughter of Sir Leonard Cartier.

The person who broke and entered with intent to steal. I charge there is evidence of breaking and entering. There is evidence of intention to steal but now you come to the point where your real difficulty comes in—who did this? You have not to find who that person was but whether it was the prisoner at the Bar. Why is this prisoner at the Bar on trial now? Why is he brought forward as the man who did these things? Gay, a cheesemaker at the factory testified that at 12.15 one night the factory was broken into. Going home near the factory, he swears he met the prisoner. He appears to have no doubt. The prisoner was wearing a fur coat. It was a very cold night. He spoke to the prisoner. Witness knew the time he left Charlottetown—at 12 o'clock. The prisoner stopped and talked with him, so it was not only the observation of a passerby, but the stopping and talking. We all make errors in identification when the parties are a distance away but when he stopped and talked it takes on a new quality of strength. This witness does not come before this Court to swear false. One man may get up and swear "yes" and another "no" and you would not know which to believe. In reviewing the case and the different witnesses you may believe one and disbelieve the other, you must consider the character and independence of the witness. This witness Jay, went to Gregory's where he worked and as it was very cold that night the latter wished to go to the factory to see about some valves. When they entered Gay saw a man go through a window. He told about the box, the blood stains on the box, blood stains on the broken glass, blood stains on the coat. This stain of blood ran through in regular sequence and points to the guilty person. Whoever broke that window and moved that box appears to leave the blood marks Gregory says it was a colored man or a dark man, but in the end Gregory cannot be absolutely sure. He cannot swear the man he saw is the man that sits in the Box. I am sure you will see there is a grave doubt here. The situation is surprising—a man sprang up from the ground and threw a fur coat and Gregory did not know what was coming next. In the excitement he could not tell who the man was. He was a colored man. The prisoner was arrested at 9.30 the next morning. When examined it was found the "little finger" was cut bone deep. Even after eight or nine hours it was still oozing blood. It was cut as if by a sharp instrument and bled so that on the right side of coat there was blood. The prisoner explained this. Here you will exercise your own judgment. He (the prisoner) explains that he and White had been drinking in his mother's house and remained there until twenty minutes to two and when White went home and left the bottle about one third full. When some one knocked at the door and the alarm was sent that officers of the law were at the door on a raid, he thought the bottle would be seized. What did he do? If it were you, would you throw the bottle away or would you run out on the roof carrying the bottle with you and destroy it. But he says he got out on the roof with the bottle. Another feature of the "howd"—he says I smashed the bottle when I got out and cut my finger on the glass. You surely must have been greatly impressed with the police who appeared on the stand—you could not fail to be impressed with their zeal and activity. Those men told you that after 9.30 in the morning they took "spear" of the blood stains.

Japanese Company In Financial Difficulty

(Canadian Press)
LONDON, July 5.—Reuters Tokio correspondent says news from Geneva regarding the naval conference has been overshadowed by the financial situation of the great Kawasaki dockyard company which was involved in the recent crisis of the Fifteenth Bank.

Toll Of Tragedy Increased To Seven

(Canadian Press)
NIAGARA FALLS, N. Y., July 5.—The toll of Monday's grade crossing tragedy was increased to seven today, when Michael Pawloff eight years of age died in Memorial Hospital. His mother, Mary Pawloff, and his five brothers and sisters were instantly killed last night when their automobile was struck by a New York Central passenger train at the Sugar Street crossing. Michael and his father Samuel Pawloff were injured. The father is the sole survivor of the family.

Commission Concludes Halifax Sittings

(Canadian Press)
HALIFAX, N. S., July 5.—The Royal Customs Commission concluded sittings here at noon today. Adjournment was taken to meet at Charlottetown tomorrow afternoon. Charlottetown sittings which will probably occupy one day and a half, will conclude the work of the commission until September, then sittings in Ottawa will take place. The closing day of sitting here was devoted very largely to concluding the investigation into affairs of the Atlantic Import Company and the Atlas Shipping Company which was started yesterday.

Prof. George Methven New Organist At St. James Church

Professor George Methven, formerly of Perth, Ontario, arrived in Charlottetown last Thursday evening to take up his new duties as organist and choir-master of St. James' Presbyterian Church. Professor Methven has been received with great cordiality and has already made for himself a wide circle of friends in this city. Professor Methven received his musical training in Edinburgh, Scotland where he was privately instructed by many of the most eminent artists of that city. For a number of years he served as organist of the College Street Union Church and in 1912 he was called to Newfoundland where he officiated in St. Andrew's Church, St. John's. Shortly after Professor Methven came to Pembroke, Ontario, and has since served in many cities in Upper Canada, among these were Perth and St. Catherine's, Ontario. He holds the degree of A.C.C.O. (Associated College of Canadian Organists). We cordially welcome Professor Methven to Charlottetown with the prediction that he will undoubtedly prove an acquisition to musical circles of the city.

An Appreciation

In connection with the Provincial Diamond Jubilee of Confederation Celebration Mr. Justice Arsenault, Chairman of the Program Committee wishes to publicly acknowledge the able assistance of the chairman of the different committees and their assistance.

His Worship Mayor Miller was chairman of the Civic Committee who were in charge of the Victoria Park arrangements, the traffic, etc.

Mr. D. J. Riley, Chairman of the Fireworks Committee, Mrs. McCready and Miss Dorsey who were joint chairmen of the School Children Committee and were ably assisted by the Superintendent and the Teachers of the different City Schools.

Mr. L. B. McMillan, Chairman of the Sports Committee.

Great credit is also due to Mr. H. R. Stewart the Assistant Provincial Secretary who was indefatigable in his efforts to make the celebration a success and who accomplished his many duties with marked ability.

Mr. Walker the Secretary gave a great deal of time to reporting the work of the general committee.

The general committee had many meetings and aided greatly with their counsel and advice.

Last but not least Major Keith Rogers, Chairman of the Radio Section, accomplished a task never heretofore attempted in this Province. He was able to hook up with the broadcasting stations at Drummondville, Quebec, amplify the low wave and broadcast it so that not only the local program but the Ottawa program as well was heard throughout this Province, Nova Scotia and New Brunswick. His was real pioneer work in this Province and we should be proud to have a man here with the ability to accomplish this great task. In this work Major Rogers was ably assisted by his partner, Mr. Walter Burke. To the Lieutenant Governor the public is indebted for the great interest he took in the celebration and for the untiring energy he displayed in carrying on the program.

KING OF EGYPT ON VISIT TO ENGLISH KING

Political Gossip Says the Visit is Not Unlikely to Result in the Conclusion of an Anglo-Egyptian Alliance.

LONDON, July 5.—King Fuad, of Egypt arrived here today to pay a short visit to King George. He was received at the Victoria Station by the King, the Duke of York, Prince Henry, other members of the royal family and most of the cabinet ministers.

King Fuad came from France and the Prince of Wales met the royal visitor at Calais, bidding him welcome to British shores. All the customary ceremonial of court etiquette was observed at the Victoria Station, guards of honor, levee dress, hunting and floral decorations with aeroplanes circling overhead, and after formal introductions and presentations, King Fuad had a great popular ovation while driving through the decorated streets to Buckingham Palace where there was a ceremonial presentation to Queen Mary.

Later the King of Egypt placed a wreath on the cenotaph and paid formal visits to various members of the royal family and then returned to the Palace for a state banquet. The visit which political gossip says is not unlikely to result in the conclusion of an Anglo-Egyptian alliance, placing the relations of the two countries on a far more satisfactory and firmer basis, has begun in a most cordial and promising spirit. Extremely friendly speeches were exchanged at tonight's banquet.

Panther Carried Off Little Boy

NICE, France, July 5.—An African Panther being trained for a new animal picture, became unruly and carried off Cloco Machin, a five year old film artist yesterday, biting him seriously before being captured. The boy's father was training the animal.

Condensed Specials

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Announcements, Coming Events, Meetings Etc

- **ROBIN HOOD RAPID CHINA OATS, Better oats, Better china. All Grocers. 7513-7-3-2 wks
- **Reserve July 14th for Tea at Milton. 7482-7-2-2w.
- **Fort Augustus Tea Party Wednesday, July 20th. 7279-6-23-16i
- **Come to the ice cream social at Graham's Road, Tuesday evening, July 6th. 7540
- **Look—Fight! Fight! Fight! O What a show, Victoria Hall tonight, Masonic Hall, Hunter River, Thursday. 7552
- **Mammoth Tea Party at St. Peter's, Wednesday, August 17th. 7409-6-29-wfm9i
- **Grand tea party at Cavendish Wednesday, July 6. Do not miss it. If not time, will be held following day. 7427-6-29-wfm. 4i
- **Inquire Re Chronic Diseases 112 Prince Street, Dr. CHI. Don't delay, recovery in next three months. 6063-41 Sept 3.
- **Come to ice-cream lawn dance and horse-swing at Benschaw, Friday the 8th. 7560-7-6-31.
- **Rollings Hotel at North Rastico is closed on account of sickness until further notice. 7541-7-6-21
- **Social and dance Webster's Corner, Friday, July 8th, Ladies with plea tree. 7573-7-6-31.
- **Come to the ice-cream Social in South Granville School Friday, July 8. Proceeds in aid of school. 7562-7-6-31
- **The tea which was advertised to take place in Souris on July 2nd has been postponed until August 4th. Announcements later. 7571-7-4-31
- **Remember the date, Monday, July 18 for the usual good tea and pleasant social time at the Festival in Marshfield. 7564
- **Reserve Wednesday, July thirteenth for the West Covehead Annual Tea at St. James United Church. 7569-7-6-21
- **Warning—Don't forget stupendous show Souris Thursday, Georgetown Friday, Montague Saturday. See this one if you never see another. 7543-7-6,21
- **Play—"Little Miss Jack" will be presented by the Whitehorse Players in Lower Freetown Hall under the auspices of the Women's Institute on Tuesday, July 5th. Admission 25c and 35c. 7515-7-4-21
- **Mrs. E. C. White is opening up an ice cream parlor known as "The Belvedere" at her home at East Royalty and will be glad to meet all her customers and as many more as wish to come.
- **A meeting of the Presbyterian Congregation at Marshfield will be held within the Church there on Monday, July 11th at 7.30 p.m. Full attendance requested. Important business. Rec. W. Bruce Muir, Moderator. 7576-7-6-21