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CHARLOTTETOWN, CANADA FRIDAY, OCTOBER 13, 1922

By Mail, Canada, \$2.50 U. S. A. \$4.50
Annual Subscription, Delivered \$5.00

Roadside Shooting Case Settled Before Magistrates

Pinette Man Fined for Unlawful Discharge of Shot Gun Which Damaged a Motor Car and Came Near Ending in a Tragedy.

The sensational shooting case, which occurred near Eldon on Monday night, Oct. 2nd, which resulted in the damage of a motor car belonging to Mr. Fred Hubley, and in which the four occupants escaped injury almost by a miracle, was settled before Magistrates D. E. Shaw and A. J. Dougan yesterday afternoon when the defendant, John Robert Ross of Pinette, paid a fine of \$65 (costs included) for recklessly and unlawfully discharging firearms upon the public highway.

The Attorney General opened the case for the crown, Mr. Justice N. Hines appearing for the defence. Mr. Ross pleaded not guilty to the charge of pointing and firing a loaded gun at the plaintiff.

Frederick Hubley of Pinette, the first crown witness called testified that on the evening of October 2nd he left Orwell Cove, where he was working, in his Ford car. He called for Amos McLeod, picked up three young ladies, Mamie Belle and Margaret Nicholson, and proceeded to a meeting of the Christian Endeavor Society at Kirkross Church. They were late in arriving and did not go into the meeting but started back shortly afterwards. At Orwell Cove they left Miss Mamie Nicholson and went through Eldon on to Pinette. Witness was driving with one young lady in the front seat, the remaining two being seated in the rear.

On the way to Pinette, after passing Dixon's, the car stalled on a hill and the lights went out. After stopping a few minutes they decided to go on to Pinette where they might secure new lamps from Mr. McRae. After proceeding about a mile they passed two men, walking on the left hand side of the road, each carrying a gun. Witness recognized Mr. Ross as one of them and heard him sing out "Where are your lights?" just as the car passed. The car was on a slight down grade and there was a bank at the side of the road 2 or 3 feet high, but he did not notice whether the men were walking on the bank or on the road.

The next that happened was the discharge of a shot gun from the roadside. The body, hood and windshield of the car were struck, a hole being smashed in the glass of the windshield some three inches square almost directly in front of the steering wheel. Later witness found that three or four shots had struck the rear of the hood, which was down at the time. The shot marks were about two inches below the top and were not far apart. The hood was folded and the shot must have pierced three or four folds.

After describing the position of the other marks on the car, which he had taken into Charlottetown to be examined by the Magistrate, witness said he did not look to see whether his clothing had been marked—he new nobody was hit, and that was the important thing.

"After hearing the shot whistling past, didn't you stop then?" asked the Attorney General.

"No, sir," was the reply.

"Why?"

"The girls didn't want me to stop."

"Do you know why?"

"I could guess," (laughing.)

Witness stopped the car about four hundred yards away, after passing the gates of Mr. Ross and Mr. Chas. Pantan. He and McLeod then walked back to find out what the trouble was. They met Mr. Pantan at his own gate. He was carrying a gun. After some conversation with him the whole party, including Mr. Pantan, went to see Mr. Ross at his home. They asked him who fired the shot.

"I fired it," said Mr. Ross.

When he was told of the damage to the car he said "I did not fire the shot at you at all, I fired it at the side of the road." He told witness to get the car fixed and he would pay the damages.

After this conversation witness got new lights at Pinette and drove his friends home. The car has not been fixed yet.

"Has there been any ill feeling between you and Ross?" asked Mr. Johnston.

"Not that I know of, I don't know of any reason why he should have fired at any of us," was the reply.

(Mr. Hines) Witness did not see anyone fire the shot. The men they passed were on the road not far from the wheel-tracks. There were eight shot marks on the car. Mr. Ross said he fired because they had no right to go with out lights. He said he did not fire at the car but at the side of the road to scare them.

"Did he think you were going to have him arrested?"

"No."

"What made you begin proceeding?"

"I thought first it was only the windshield smashed. But when I found seven or eight shot marks I changed my mind."

"Did anybody want you to bring proceedings?"

"Yes, Mr. Jas. Nicholson, father of one of the girls."

Witness believed the car was more than fifteen yards away when the shot was fired. He did not examine the ground after wards.

Amos McLeod, Pinette, who was with Hubley, gave testimony along the same line. The heads of the people in the rear seat would be above the hood when it was hit. He did not believe Ross fired point blank at the car. Ross when he saw the damage to the windshield said he could hardly believe it. He knew Ross as a gentleman and they had always been the best of friends.

Mr. Ross' Evidence.

The evidence of Mr. Ross was to the effect that he had fired the gun upon the ground in front of him just by way of salute. He had been out shooting geese on the shore at Pinette River with Mr. Pantan and about 10 p. m. turned back to the road on return home. He was carrying loaded, an old muzzle loading gun under his arm. On the road they heard voices. The car disintegrated, and saw a car coming without lights. Witness said to Pantan he would ask them for their lights, and as the passed he did so. Witness was walking a little ahead of Pantan in the ditch at the side of the road. After he had shouted to them, and just at

Steamship Honolulu Burned at Sea

Passengers and Crew Numbering 400 Took Refuge in Boats. Officers Remained on Board Rescue Ships Rushing to Scene.

(Special to The Guardian.)
SAN FRANCISCO, Cal., Oct. 12.—Passengers and crew of the City of Honolulu took to the lifeboats today as the great ship formerly 506 was transport Heron, burned 500 miles off the California coast. It is estimated that the passengers and crew totaled about 400. Captain R. H. Lester of San Francisco, chief officer, William Brust, the chief engineer and radio officer remained aboard the blazing liner, determined to remain at their posts to the last. They were unable to stay aboard the ship for long for at 10.12 a. m. the radio corporation here picked up the word "all hands gone" stray messages picked up just before the radio operator closed down his set and said a last "good bye" described the flames licking around him as he sat at his key. At 10 a. m. the following radiogram picked up by the radio corporation of America's station here told the story. All left but Captain, chief officer, chief engineer and radio operator. They are standing by. The City of Honolulu was returning to Los Angeles from the Hawaii Islands with tourists, many of them from the eastern states. Wireless messages at intervals told of the breaking out of fire and of the desperate fight made against it and of the final order to abandon the ship. The flames first reported at 5 a. m. today constantly gained head way until the scores of passengers were ordered into the small boats. The steamer Enterprise, the nearest vessel to the scene at 5.30 was believed rushing to the rescue.

Summerside Man to Face Grave Charge At Supreme Court

Charged with attempted assault upon a young girl, Louis Jane Cotterell at the home of Mr. Frank Weeks, Fredericton, where she was carrying a gun, a middle aged merchant traveller of Summerside, who was arrested following the charge and has since been released on bail, was yesterday remanded by Magistrate D. E. Shaw for the Supreme Court. The defendant is released on \$1000 recognizance and the girl will also be required to give a security for her appearance to the amount of \$100.

The first summary hearing of the case before Magistrate Shaw on Sept. 7th, when the Cotterell girl, who is an orphan, swore that on August 30th, when she was alone in Mr. Week's house, the defendant called for water for his car and after finding there were no men in the house entered into conversation with her, gave her some pieces of candy and attempted an assault upon her. She took one small piece of the candy which made her sick for several hours.

The accused denies absolutely the truth of the allegation and reserves his defense.

After they passed, he let fire with the gun still under his arm, the muzzle pointing to the ground.

Mr. Hines: "What did you fire the gun for?"

"For no other reason but as a salute."

"How many shot did you have in the gun?"

"About half a handful, B. B. Shaw."

"There would be more than eight?"

"Yes, and more than eighty."

"What do you suppose happened when you struck the car?"

"The shot must have skidded on the ground."

"Did you know you hit the car?"

"No, not until afterwards."

Mr. Pantan and witness next day found a shot hole in the ground and the gun wadding.

Mr. Johnston: "I suppose you recognize that you did a very senseless and reckless action?"

Witness: "I do now, yes, indeed."

Mr. Pantan in his evidence testified that he knew Ross did not raise the gun, when he was carrying under his arm when he fired the shot. The car at the time was not much more than twenty feet away. After talking to Ross, Hubley seemed satisfied with the explanation given. The girls were joking and they were all talking to Ross in a friendly way. He saw the marks where the shot struck the ground a day or so afterwards and found the gun wadding on the side of the road.

"The load Ross had in that gun would have torn the whole back of the car if it had been pointed direct," he declared.

Mr. Hines for the defense submitted that the affair was an accident, without the slightest criminal intent.

Mr. Johnston quoted the penal code against the unlawful discharge of firearms. "Had somebody in the car been killed, it would certainly have been a case of manslaughter; because if anybody in a committing an unlawful act does any other injury, he must be held responsible for the consequences. The Crown in this case believed there was no malicious intent but there remained the minor offense of pointing a gun whether loaded or unloaded, at anyone."

The magistrates in fining Mr. Ross said that under the circumstances the full penalty for this offense of \$100, would be reduced to \$50 and costs, which

Peace Conference to be Held in Scutari, Nov. 1

Treaty of Sevres Will be Replaced by New Settlement in East. Greeks Have Signed Armistice Terms.

(Special to The Guardian.)
ROME, Oct. 12.—The Near East conference will be held at Scutari just outside Constantinople, November 1. According to information in foreign office circles, foreign minister Schanzer will represent Italy.

This conference is the one tentatively arranged for by the Allies at Paris recently to replace the treaty of Sevres with an entirely new settlement in the Near East.

The Allies originally suggested that the conference be held in Venice but the Turks asked that it be convened in the Near East.

Martial Law for Greece

ATHENS, Oct. 22.—It is expected that the government will declare martial law throughout Greece, as a precautionary action against disorders on the part of groups objecting to the surrender of Thrace. The majority of the people have accepted the loss calmly.

Greece decides to evacuate Thrace.

PARIS, Oct. 12.—Greece has decided to sign the Mudania armistice convention and evacuate Thrace according to the conditions stipulated in that document. The French Foreign Office was officially informed today.

Lord Curzon thanks officials.

(Special to The Guardian.)
LONDON, Oct. 12.—Lord Curzon, British Foreign Minister in the name of the British Government has officially thanked Sir Horace Rumpold, the British High Commissioner in Constantinople and Lieut. General Sir Charles Harrington, commander of the British forces in the Near East for their tact and skill in handling the Mudania Conference. It was announced today.

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"Friendly Enemies" Made Big Hit Last Night

The Klark-Urban Company's Plays Increasing in Popularity at the Prince Edward Theatre.

The well established popularity of the Klark-Urban Company was amply sustained at the Prince Edward Theatre last night in the fascinating three-act play, "Friendly Enemies." There was a large attendance and the applause was frequent and enthusiastic.

The scenes, which were laid in "the home of the Pfeiffers" gave a good opportunity for artistic stage effect. The acting throughout was vivid and the play ran smoothly from the rise of the curtain to the finale in the closing act. There was plenty of mystery and humor and the pointed epigrams which ran through every scene like a bright thread kept the audience keenly on the alert.

Miss Maisie Cecil, as June Block, enthused her personality into the lines and delighted her admirers. Miss Pauline Thomas was just plain "Nora" but she was charming throughout and received a generous share of the applause. Miss Lillian Shrowbury as "Maudie Pfeiffer" was also seen in splendid advantage. In the male characters, Mr. William Short as Walter Stuart, Mr. Harden Klark as Karl Pfeiffer and Mr. LeRoy Kenneth as William Pfeiffer, made a very strong trio. Mr. C. C. Blundell had the difficult role of "Henry Block" and Mr. Fred Sharkey came out strong as the Secret Service Man. Altogether the play was one of the best yet produced by the Klark-Urban Company this season.

Tonights' performance is a comedy drama "Three Wise Fools."

Federal Government Will Pay Interest On G. T. P. Lines

(Special to The Guardian.)
OTTAWA, Oct. 12.—The federal government it was announced today has decided to pay the bonded interest on Grand Trunk Pacific branch lines in the west and prevent them from being taken over by the provinces of Saskatchewan and Alberta as would be their right if one more interest payment becoming due in November were defaulted.

Palestine Arabs Dissatisfied

JERUSALEM, Oct. 12.—Unless Emir Abdullah, brother of Emir Feisal and ruler of Trans-Jordan demands independence for Palestine, the establishment of a national Arab government and the withdrawal of the Balfour declaration favoring the Jewish homeland, he must not presume to speak for the Arabs of Palestine. This warning is contained in cables despatched by the Arab leaders here to the Emir, who is now in London negotiating with the British government regarding the future of his country.

The Arab executive committee sending a delegation of Palestine Arabs to the Near East conference, in the hope of securing a revision of the Zionist policy.

Brilliant Reception at the Mayor's Residence

The residence of His Worship Mayor Jenkins, 36 Brighton Road was the scene of one of the most brilliant and enjoyable social events of the season, Wednesday afternoon from 4 to 6 o'clock, when Mrs. R. Harold Jenkins, and her daughter Mrs. Frederick A. Gates were "at home" to about three hundred and fifty callers.

There was a double reception, Mrs. Jenkins being "at home" for the first time since her husband became Mayor, the reception first announced having been postponed owing to the death of her mother, and Mrs. Gates was "at home" for the first time since her marriage.

The many guests who were present on the delightful October afternoon were most enthusiastic in their expressions of admiration at the beautiful manner in which the various rooms had been decorated for the occasion. There was a profusion of lovely flowers. Gold and green were the predominant colors in the drawing-room and pink and white in the tea room. The centre table in the tea room decorated with pink chrysanthemums and smilax made a most attractive picture, and the hall was covered with flowers.

Mrs. Jenkins wore a handsome gown of taupe satin with rose trimmings, and the fair young bride looked charming in tangerine canton crepe with silver trimmings.

Mrs. Chester MacLure ushered the guests into the tea room. Mrs. Fred Smallwood of St. John's, Nfld., and Mrs. J. A. Clark of this city poured tea and coffee. Mrs. D. DeBlois cut the ices. Refreshments were served by four young ladies, the Misses Edith Moore, Marion Gates, Alexa Love and Isabel Acorn, assisted by Mrs. W. C. Cook, Mrs. G. Chester Acorn, Mrs. J. D. Jenkins and Mrs. Russell Bell, Miss Evelyn Jenkins, a young sister of the bride, attend of the door.

Desire Formation Of New Province

General Movement Among Farmers of Western Part of Ontario

PORT ARTHUR, Ont., Oct. 12.—Declaring it as his belief that the formation of a new province for this section of Ontario was an absolute necessity, but that it must be proven, Alfred Pitt, general merchant, of Dryden, Ont. tonight addressed upwards of one hundred members of the Port Arthur Board of Trade at a luncheon meeting.

Mr. Pitt stated that as the "Government of Ontario" had refused to give facts and figures of the administration of that part of the province lying between White River and Insoit an organization must be formed to secure the figures independently. Mr. Pitt stated to the meeting there was little use of going ahead with the proposition until "a dragnet had been spread over this section and the figures secured, by competent accountants to show just how much was being taken out and poured into Toronto," declared Mr. Pitt.

The Board of Trade did not commit itself to the idea, but may do so at a later date. No resolutions were passed, but speakers intimated there was a general movement among the farmers at the western end of the district said to be headed by Dr. Garvey of Rainy River, for an organization to forward the new province project. It was also intimated that a conference of all United Farmers of Ontario clubs would be held.

Quebec is Annoyed With Premier King Over C. N. R. Board

QUEBEC, October 12.—The fact that Premier King has not even answered the messages and letters of protest he has received from his Quebec friends on his alleged neglect to appoint a representative of the district on the Canadian National Railway Board is causing a situation not far from a crisis in the Liberal ranks here, Major C. G. Power, M.P., speaking this evening, attacked the new board of railway government ownership.

He stated that when he had read the announcement regarding the composition of the board he was convinced that Quebec was represented. Hon. P. J. Paradis, who had been mentioned, was an excellent man, and if he refused, there were others. "The new board may be a very excellent one," he said, "but I believe that if one man refused others could be asked in this city. There are such experts as Mr. J. G. Scott, who has been one of the pioneers of railways in this district, and who would be a perfect representative."

LAVIGUER PROTESTS

"I sent further protests today to Hon. Dr. Beland and Hon. Jacques Bureau, and I am sure they will take the matter up immediately. We have been protesting in the course of the last campaign against the abandonment of Quebec, and now Ontario gets the Liberals in this province have done for the Government, justice should be rendered. We would really believe that the old regime was on. Under the Melghen Government, which we denounced last year, the province had one representative in the railway board, which was a smaller body, and now we are getting the same with a larger board. The province of Quebec is greatly interested in the progress of the National Railways and we are certainly going to protest to the limit.

"I have always been a good Liberal, but if my party could not do better than that, I do not think I could rely on me any longer. However, I refuse to believe that

The Weather

Temperature, Tide, Moon, Etc.

TORONTO, Oct. 13.—Frensh westerly winds. Fine and cool. High tide this afternoon at 3.47 and tomorrow morning at 2.46. Sun sets this afternoon at 5.18 and rises tomorrow morning at 6.16.

Summerside tide eighteen minutes later than Charlottetown.

CONDENSED SPECIALS

RATES.—10c. per line per day. 5c. per line per day for 3 days or over. 3c. a line per day for 6 days or over. Count 6 words to a line. Groups of 5 figures, initial letters, count as one word. 10 per cent. discount for cash. Address forms part of ad. and must be paid for. Special Rates Furnished Room ad. for seven words for one week. Situations wanted, for seven words. 50c per week.

*WANTED IMMEDIATELY AN experienced Ranch Manager for The Charlottetown Silver Black Fox Company Limited, (married man preferred). Apply by letter stating age, married or single, experience and salary wanted with free house. H. M. Davison, Secy-Treas., P. O. Box 206.

*FORD CAR AND SOME GARAGE tools for sale. Apply to Earl Collett Bedeque, 10054-11-21

*FOR SALE—BASE BURNER, NO 12, good as new, apply 98 Elm Ave., 100036-10-3

*YOUNG MAN WITH GOOD EDUCATION wants work of any kind. Apply H. care of Guardian, 20002-12-21