12 PAGES—Sworn Daily Average of 7072 for 1907.

THE CHARLOTTETOWN GUARDIAN

MORNING Daily—Catches All Early Mo ning Mails.

MORNING DAILY FOUNDED 1891 WEEKLY, (NOW RURAL DAILY) 1887

CHARLOTTETOWN, PRINCE EDWARD ISLAND, CANADA, TUESDAY, JANUARY 21, 1908.

15c A MONTH BY MAIL IN ADVANCE
$2.00 PER YEAR BY MAIL IN ADVANCE

RED CHAMBER IS CRITICISED

In the Commons, Some Members Favoring Abolition and Others Reform, or Submission to Popular Verdict at Polls.

OTTAWA, Jan. 20.—(Special)—The Lower Chamber had a long talk about abolishing the Upper Chamber and Mr. McIntyre of South Perth moved that the Senate be invited to co-operate with the Commons for changes in the Upper House, looking to an age limit, etc.

Mr. Miller moved for the abolition of the Senate on the ground that it has not proved its usefulness.

Mr. Lewis moved that the question be submitted to the people at the next general election.

Mr. McIntyre said the abolition would not be workable. If left to themselves the commons would assume an arbitrary attitude.

The real remedy would be a reduction average in the Senate.

He proposed a Senate of 25 percent appointed by provincial Legislatures, 50 percent by Dominion Government and a number according to its numerical stand by the Opposition.

Mr. Miller favored abolition. The Senate was not worth the quarter million a year it cost.

No further appointments should be made till death reduced the number to 50. It should then be abolished and the survivors pensioned at $2,000 a year.

REV. DR. PAISLEY DEAN OF FACULTY

At Mount Allison University, Dies Suddenly of Heart Failure---Had Been in Poor Health, but Kept About.

SACKVILLE, Jan. 20.—(Special)—Rev. Charles H. Paisley M. A. D. D. Dean of the Mount Allison Theological Faculty, died very suddenly at his home here at an early hour this morning.

He had been in rather poor health for some time but was around as usual yesterday, being in his accustomed place in Methodist Church at morning service.

He was taken ill about one o'clock this morning and passed away shortly afterwards, heart failure being the cause of death.

Dr. Paisley was born at Fredericton in 1843.

STEVEDORE IS KILLED BY FALL

Into Hold Of Steamer At Saint John, His Head Being Crushed

ST. JOHN, Jan. 20—(Special)—Jeremiah Donovan, stevedore, was killed this morning by falling into the hold of the steamer Melville, which is taking cargo at Long Wharf for South Africa.

The accident happened just before ten o'clock.

Mr. Donovan had not been seen for about fifteen minutes, when Dan Murphy, glancing down a hatch, saw him lying in a heap at the bottom, of the hold. One side of his head was crushed by the fall.

CHICAGO MARKETS

CHICAGO, January 20—(Special)—

Jan. Corn	61¼
" Wheat	102⅝
" Pork	$13.37
May Corn	59⅛
" Wheat	98½
Pork	....

Minard's Liniment Cures Distemper.

AUSTRALIA HAS TERRIBLE HEAT

Many Cases Of Sunstroke People Sleep Outdoors, And Theatres Closed

MELBOURNE, Jan. 20—(Special)—There is much suffering here because of the unusual heat wave throughout Victoria.

The people are obliged to sleep out of doors and there have been many cases of sunstroke.

Thirty-two deaths have been recorded from this cause during the past few days.

The theatres here are being shut down because of the heat.

TRAVELLER ROBBED AT WINDSOR, ONT.

TORONTO, Jan. 18.—A. Hope, a travelling salesman for a Montreal jewellery firm, was robbed of $500 worth of jewellery, taken from his valise at the Manning Hotel in Windsor.

WONDERLAND TO-NIGHT

The World Renowned Equilibrists And Head To Head Balancers and Acrobats—The Three Juliens

Tonight an entirely new line of entertainment is being billed for Wonderland. It is one that has drawn crowded houses wherever this trio of two men and a clever lady have made their appearance. They come here direct from New York, having only recently landed from an European tour which has encircled the world.

Their feats of acrobatism are simply marvellous, and the easy gracefulness with which they are performed, shows the skilful and difficult training of a lifetime.

Nothing like it has ever been seen before in this City, and it is but seldom that the opportunity offers of seeing anything that can compare with it. They are peers in their work, holding audiences spell-bound with the thrilling and daring acts they perform, acts which defy description while they almost pass com-

Continued on page 8.

THE KING VERSUS EDWIN O. BROWN

This Case Now Before The Supreme Court=== Chief Justice Sullivan On The Bench== Defence Pleads Insanity

The Supreme Court of this Province which was adjourned from Friday last met again yesterday morning in this City, when the case of E. O. Brown, found guilty by the Grand Jury of forgery on seven bills of indictment came up for hearing before Chief Justice Sullivan.

There was a large attendance of spectators in Court.

For the King the counsel were H. J. Palmer, K. C., (in the absence of Attorney-General Peters) F. L. Haszard, K. C., and A. B. Warburton, K. C. The prisoner was represented by A. A. McLean, K. C., and W. A. Weeks.

The indictment being read to the prisoner the clerk of the Court demanded of him : "Are you guilty or not guilty ? "

There was no reply to this, but instead, Mr. McLean, for the prisoner, asked leave to submit the following affidavits, which would show that the prisoner was not in a sound mental state or in a condition to instruct his counsel, and suggesting to the Court that according to section 967 of the Criminal Code of Canada if the prisoner is shown to be in such a state of mind that he cannot understand the nature of his offence then it is the duty of the Court to hold a preliminary hearing to test his sanity.

I, Peter Conroy of Charlottetown in Queens County in Prince Edward Island, Medical Doctor make oath and say as follows:—

I. That I am in the actual practice of the medical profession at Charlottetown in Queens County aforesaid.

2. That some time in September last I was requested by Mr. Herbert H. Brown brother of the said Edwin O. Brown to visit said Edwin O. Brown professionally at Queens County Jail to examine into his mental and physical condition.

3. That I deferred going to said Jail till the second day of October last when I called at the Jail and personally examined the said Edwin O. Brown. That I then found that the said Edwin O. Brown was of unsound mind. That I visited the said Jail on nine occasions since the second day of October last namely on the fourteenth day of October last; twenty-first and twenty-second and thirtieth days of November last, the third and seventh days of December last and the second seventh and fourteenth day of January instant.

4. That Drs. Victor L. Goodwill and Donald McLaughlan accompanied me to the Jail and took part in said examinations on four or five occasions and Dr. Goodwill accompanied me on at least two occasions. That Dr. Henry Johnson also accompanied us on several occasions.

5. That each visit occupied between two and three hours.

6. That after the personal examinations made by me and a careful study of the case I am of opinion that the said Edwin O. Brown is now a person of unsound mind, and a proper person to be taken charge of and detained under care and treatment.

7. That I believe the prisoner has not a reasonable comprehension of his present position and he is not now competent to instruct Counsel as to his defence.

(Sgd) PETER CONROY.

I, Victor L. Goodwill of Charlottetown in Queens County in Prince Edward Island, Medical Doctor, make oath and say:—

1. That I am am the medical Superintendent of the Prince Edward Island Hospital for the Insane.

2. That in or about the month of October last I was consulted by Messrs A.A.McLean and W. A. Weeks of Charlottetown counsel for the above named Edwin O. Brown about the said Edwin O. Brown's then mental condition. That I called at the jail to see the said Edwin O. Brown on or about the fourteenth day of November last. That I then personally examined said Edwin O. Brown and on the first visit I thought he had symptoms of insanity. That I visited him on eight occasion since the fourteenth day of November last namely on the twenty-second and thirtieth days of November last, the third and seventh days of December last and the second seventh fourteenth and sixteenth days of January instant, and on each occasion I made a personal examination of the patient. That I was accompanied on all my visits except one by Doctor Peter Conroy and on several of my visits Doctors Donald McLaughlan and Henry Johnson were present also.

3. That each visit occupied between two and three hours. That I observed the case closely and came to the conclusion that the said Edwin O. Brown is a person of unsound mind and a proper person to be taken charge of and detained under care and treatment.

4. I am prepared if the Court permits to give oral testimony in the matter.

5. In my opinion the prisoner is owing to unsoundness of mind unable to intelligently instruct counsel so as to make a proper defence to the charges laid against him.

(Sgd) V. L. GOODWILL.

I, Donald McLaughlan of Charlottetown in Queens County in Prince Edward Island, Medical Doctor make oath and say as follows:—

1. That I am in the actual practice of the medical profession at Charlottetown in Queens County aforesaid.

2. That previous to the prisoners arrest on the charges laid against him in the indictments now before this Honorable Court I was his physician and I prescribed for him for minor ailments.

3. That early in the month of September last the prisoner sent for me and I visited him at the jail. That I had then a long interview with him and I then observed clear evidence in him of mental derangement.

4. That since my first visit in September I visited him several times at the said jail in conjunction with Doctors Victor L. Goodwill and Peter Conroy.

5. That I also visited him alone and with Doctor Henry Johnson.

6. That on my several visits I observed a gradually progressing mental weakness.

7. That I diagnosed his disease as paranoia and the delusions which usually appertain to cases of that kind are apparent in the prisoner's case.

8. That owing to the prisoner's insanity I believe he is incapable of instructing counsel so as to be able to make a proper defence to the charges laid against him in the indictments now before the Court.

9. From my personal examination of the said Edwin O. Brown I came to the conclusion that he is a person of unsound mind and a proper person to be taken charge of and detained under care and treatment.

(Sgd) D. McLAUGHLAN.

MR. PALMER objected to the course adopted by the counsel for the defence. He thought the affidavits did not contain sufficient evidence of the insanity of the prisoner.

He would call attention to the manner in which the affidavits were drawn. He submitted to His Lordship that in this case where the question of insanity was to come into the affidavit the proper course would have been to advise the Attorney-General or the physician of the jail of the condition of the prisoner before going down to examine him. He could not shut his eyes to the act that up to the time of the arrest of the prisoner—a few days before his incarceration he was engaged upon a very important case, and up to that time there were no symptoms of insanity, no eccentricities that could throw any doubt upon the mind of a man as to the prisoner's sanity.

We had nothing whatever to do, said Mr. Palmer, with the prisoner's conduct at the time of the commission of the crime. If the prisoner is in his proper senses there is no one better able than a young barrister to instruct counsel. There must be some very strong reason for the statement that the prisoner is insane now. Take these affidavits—there is nothing in them to show that previously there was any symptom of insanity.

MR. McLEAN—If the affidavits are not sufficient we have the witnesses here to be examined.

MR. PALMER claimed that criminals were men of a depraved and illiterate class. If we take this ipse dixit of the medical men, the same could apply to all of these if brought up for serious crime. The same plea could be made, that they were of unsound mind and unable to instruct counsel.

The CHIEF JUSTICE—The question is not whether he was insane then—it is whether he is insane now.

MR. PALMER—There must be shown some more satisfactory evidence of paranoia. Experts have been fooled by artful men.

MR. McLEAN—I make the suggestion to the Court that the man is insane. If any doubt exists we will all the witnesses. I do not ask that an insane man be tried.

The CHIEF JUSTICE—The question is whether he can conduct his defence; whether he understands the nature of the charge against him. It is the duty of counsel to establish in the mind of the Court whether there is reasonable doubt as to the sanity of the prisoner. If there is reasonable doubt in my mind I will submit the question to a jury. The affidavits are a little bald. They swear the prisoner was unsound in mind. I look at the prisoner in the dock, and see nothing to lead me to think he is unsound in mind. I cannot say that I am satisfied from these affidavits.

Dr. F. P. CONROY was then put upon the witness stand. Examined by Mr. McLean he testified that he paid nine visits to the jail since the 2nd October last to see the prisoner. His condition then was the same as at the present time. There has been no change in his disease since. His form of insanity is characterized by the delusion of oppression or persecution on the part of certain persons—a form of paranoia. He has one particular delusion, fixed, ineradicable on that point. He talks volubly and well but with no sense or substance. It it impossible to fix his conversation on any one point. It is absurd to say the prisoner was feigning insanity. He writes a great many letters but there is nothing in them. He does not appreciate his position; does not know how he is going to get out of it. The witness said he was positive the prisoner was insane now, and did not think he could conduct his defence.

Cross-examined by Mr. Palmer the witness said that his experience of insanity was limited to what occurs in his regular practice as a city practitioner. He was not an expert. He had been retained by H. H. Brown to ascertain the condition of body and mind of the prisoner. On the first visit he formed the opinion that prisoner was insane from his general behavior and conversation. The accused showed no sign of physical infirmity except paleness.

Mr. Palmer very skillfully conducted the cross- examination at this stage and wished to know if the witness did not think the prisoner was feigning? Was he not simulating? Are there not many instances of simulation of insanity?

To all these questions the witness replied no.

Drs. Goodwill, McLaughlin and Henderson were also examined and cross-examined. Their evidence was similar to that of Dr. Conroy, save that each had noted some little detail differently to the others. All apparently agreed in their conviction as to the prisoner being of unsound mind, and all were of the opinion that they had not been imposed upon.

All of these witnesses were cross-examined by Mr. Palmer, and the counsel for the Crown cleverly took advantage of every opening to shake the weight of evidence on the question of the prisoner's unsoundness of mind.

Drs. Goodwill and McLaughlin mentioned the prisoner's delusion or impression that all his troubles were owing to a certain enemy who had put him where he was. They all three considered him as showing signs of paranoia. Dr. Goodwill, being asked if he would have gone alone to see the prisoner in jail, thought it would not have been prudent to do so—for often men who are quiet in appearance are really dangerous.

In conversation with the prisoner in jail, Dr. McLaughlin had noted the exalted opinion of himself possessed by the accused; his distrust of others and his inability to grasp the gravity of his present position.

In reply to repeated cross questioning from Mr. Palmer regarding the possibility of the prisoner feigning symptoms of insanity the witnesses did not think he had done so.

The last witness examined yesterday afternoon was H. H. Brown brother of the accused, who testified on the stand as to the prisoner's fancy that he was being persecuted by his father and brothers. He spoke of business transactions with his brother, and of his suspecting that the accused was on the borderland of unsoundness of mind.

At the conclusion of the testimony Chief Justice Sullivan announced that there had been evidence adduced to establish reasonable doubt that the prisoner's mind condition was unsound, therefore the matter of deciding the question would be one for a jury to decide.

Court was then adjourned till 10.30 this morning when the jury will be chosen and the case proceeded with.

Condensed Advertisements

To late for Classification

SEE PAGE 6 FOR RATES

WANTED Three boarders can be comfortably accomodated at 150 Dorchester Street. 1-21d3ipd

LOST, bunch of seven keys with short chain attached to ring. Finder please leave at Mathieson & McDonald's office. 1-21d3ipd.

WANTED—good boys who wish to earn money after school hours. Leave names at Guardian Office at once. 1-18 d3i.

LOST, Saturday evening near Hillsboro Square green plaid belt. Finder please leave at American Consul's, 66 Hillsboro street. 1-21d3ipd.

WANTED: Ladies or gentlemen to sell Catholic Books of all descriptions. Write for particulars. Catholic Publishers Limited, Winnipeg, Can. 1-21d1w.

MISS NELLIE DOUGAN, for a number of years milliner with M. Trainor & Co., is prepared to do millinery at her home, 11 Dorchester St., until further notice and will be pleased to see all her old customers. 1-21d1ipd.

TO CURE A COLD IN ONE DAY.

Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature on each box. 25c.

SUFFERINGS OF SCHOONER'S CREW

Driven Ashore in Icy Hurricane They Spend Eleven Hours on a Ledge, Give Up Hope but Were Saved.

HALIFAX, Jan. 20.—(Special)—Exposed to the fury of a North East hurricane, soaked to the skin and with the temperature at zero, the crew of the schooner Ada Mildred, which went ashore on Gammon Ledge, at the entrance of White Head harbor, spent eleven hours on a narrow ledge of rock until taken off by fishermen from shore this morning.

Late last night the schooner drove ashore in the height of the furious gale.

Hope was practically abandoned by the crew but three seamen agreed to struggle to the ledge with line and with this a dory was hauled back and forth all the crew were landed.

FIVE OF SEVEN WERE POISONED

In a Texas Farmer's Family by Arsenic Placed in the Flour Father, Mother and Three Children Are Dead.

ROCKDALE, Texas, January 20.—(Special)— Five of the seven members of the family of C. Sauer, a farmer, died of poison yesterday and the other two are reported in a dying condition today.

Arsenic has been found in the house and it is believed that the poison was placed in the flour of which bread was made.

Sauer and his wife and three of the children are dead.

JOHN E. REDMOND IS CHAIRMAN

DUBLIN, Jan. 19—The Irish parliamentary party re-elected John E. Redmond to the position of chairman today. At the same meeting a motion was passed endoring the resolution was passed endorsing the resolu- United Irish League approving the action of Mr. Redmond at his recent conference with William O'Brien, and expressing the opinion that the agreement then reached removes every objection, on the ground of principle, that the Nationalists outside the party had to rejoining the ranks.

CURZON AND BANNERMEN

LONDON, Jan. 17—Sir Henry Campbell-Bannerman, the Prime Minister and Lord Curzon of Kedleston, have just been selected as rival Liberal and Conservative candidates for the Lord rector-ship of Glasgow University. A piquant contest is expected to ensue in view of Lord Curzon's recent complaint that he had been debarred from entering the House of Lords by the ordinary channels by the refusal of Prime Minister Campbell-Bannerman to allow him to take his place with all the other viceroys of India, among the seats of the upper house.

IN ITALIAN SOMALILAND.

ROME, Jan. 19—Major Ciccodicola, the Italian minister at Addis Abeba, has protested to Emperor Menelik regarding the attack of Abyssinians upon caravans and residents in the Lugh district, and presented a demand for satisfaction and reparation.

The Emperor said he was deeply grieved by the affair. He laid the responsibility upon chiefs who had rebelled against his orders. He added that he was prepared to give every information to Italy. He ordered the recall of the Abyssinians, the evacuation of Lugh, the punishment of the guilty, and the payment of an indemnity to the sufferers. The British, French and German representatives supported the Italian demand.

Coughs, colds, hoarseness, and other throat ailments are quickly relieved by Cresolene tablets, ten cents per box. All druggists.

A COLD BLOODED CASE OF MURDER

LONDON, Eng., Jan. 19.—"I wish to give myself up for murder. I killed my wife this morning about 2 o'clock.

Walking into the police station at Seonehouse, Devon, George Robert Crook, a young laborer of 25, startled the officials on duty by making the above confession.

On going to the man's house in High street, the police found the body of Mrs. Crook, who had apparently met her death by strangulation. She was 21 years of age.

Crook showed complete unconcerned about his terrible position. After surrendering he quietly picked up a paper in the charge room and began reading the day's news.

One of his friends, to whom Crook said "good-bye" asked him what he meant, and in reply, it is said, Crook made the following statement:—

"I have done it—I have killed Flo. I have been out to mother's; I have broken her poor heart. I never intended to do it. She (meaning his wife) kept on talking to me, and I told her to stop. I went out for half an hour. When I came back she started again. I said 'Stop it' and she laughed in my face. Then I did it."

BOULDEN AND QUINN TO-NIGHT

At "Fairyland" tonight Boulden and Quinn the celebrated musical comedy team will open up an engagement both are musicians who have won fame through the Continent for their skill as instrumentalists and their remarkable cleverness in presenting novel and unique features. They play on various instruments starting with the cornet and ending with the bells. Their act has drawn crowded houses everywhere and in the Orpheus Theatre, Halifax, where they appeared this winter their engagement was extended considerably beyond the original limit. When it became known that their services had been secured for Charlottetown the Fairyland management was heartily congratulated by many of its citizens who had heard of the reputation of the great musicians and were glad that they were given an opportunity of hearing them.

The Boulden and Quinn act is the big feature of a big performance which includes also a magificent pictoral program, the splendid yachting song by Mr. Maddison the star baritone.

Owing to the extra charge in securing the expensive double vaudeville bill the admission will be ten cents during Boulden and Quinn's engagement.