

CAPITOL

TO-DAY ONLY

MUGGS, MOLLS and HO-HO HOMICIDE!

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NEWS-COMEDY SHOWS 2:30 7-9

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DORETTA MORROW with JAMES WHITMORE

ADDED SHORT Shows 2:30 - 7 - 9

PRINCE EDWARD THUR. - FRI. - SAT.

Advertisement for 'By The Light of The Silvery Moon' musical featuring Doris Day and Gordon MacRae.

ALSO NEWS & CARTOON - SHOWS DAILY 2:30 - 7 - 9 -

CAPITOL THUR. - FRI. - SAT. DON'T MISS THIS EXCITING

'The THUNDERBIRDS' Starring JOHN DEREK and MONA FREEMAN

ALSO 'JUNGLE DRUMS OF AFRICA' NO. 3 - SHOWS DAILY 2:30 - 7 - 9 -

THE EASTERN GUARDIAN

AGENTS:—MONTAGUE: Harold F. Landry, Mrs. Byron Stewart, Mrs. Bruce MacPhee, Miss Mye Wigginton, Pius McKinnon. AGENT GEORGETOWN: Waldon Lavers.

The Guardian may be bought at the following places in Montague: Blue Dome Restaurant, and Guardian Office; in Georgetown: The Post Office; in Souris: The Snack Bar and H. Richards & Son.

THERE WILL be a Liberal Women's Club meeting at the Poole Hotel, Montague, Thursday at 8:30 p.m. Prominent speakers will attend. Slides will be shown. All Liberal ladies are cordially invited.

SUCCESSFUL TEACHING—Congratulations are extended to Mrs. Nellie Hendrickson whose class of Grade VIII pupils at Pisquid West School' final examinations with above-average marks. Smart class, smart teacher or both?

Committed To

Continued from page 1 Crown and Magistrate MacDonald, after prior warning asked the accused if he wished to make a statement.

He replied on instruction from counsel that he did not. Asked also if he wished to present witnesses, he said not at this time. Magistrate MacDonald then committed the accused to stand trial in the Supreme Court at the July sitting.

Constable's Evidence

Cpl. Allen M. Johnston, R.C.M.P. Charlottetown, was the first witness yesterday morning. He identified a box of 22 long rifle cartridges which he had found on the window ledge on the Arnold premises. It contained 28 rounds. He turned it over to Constable John Murrant of the Souris detachment. He also found some expended cartridge shells under the south steps, another in the driveway, and two under the front veranda. On June 2nd he found one seal of a liquor bottle, and on June 18th found another.

He identified a bottle of liquor found in the pocket of a coat which was in an upstairs room where the deceased slept. He understood the coat belonged to the accused. Also on June 18th he found an expended shell in the front hall, and another under the front step.

He presented photos taken of the deceased. The witness said that the photos showed various flecks on the face which did not appear to be powder burns as appeared in evidence on Monday, but resembled burned and unburned powder driven into or embedded into the flesh of the face. When asked if he thought the gun was fired at close range, he said he had not conducted any experiments.

He said that the door of the bedroom opened directly on the foot of the bed, and although opened at approximately a 70 degree angle, he thought that one could walk straight in the room. In describing the room, he said the left side of the bed was against the wall, the head three inches from another wall, and the foot 17 inches from the opposite wall.

Downstairs a hallway led from the front door. The stairs were on the left, the kitchen door on the right, and in the rear a door leading to a rear sitting room. He said also that one could enter this room directly from the kitchen.

He stated that he had found a coat at the foot of the bed of the deceased. One sleeve of this coat was turned inside out. When asked if there was any evidence of a struggle, he stated that a chamber pot was smashed, and littered the floor near the foot of the bed. It seemed recently broken, he said, since it had not been tramped in.

On cross examination by Mr. Bell, the witness said he had not seen any other signs of a disturbance, nor did there appear to have been a fight in the room. Asked if

any others of the Arnold family were there at this time, he said that there were none. That the accused was sitting in the police car, Leoda Blaxland, the next witness, stated that Ezra Arnold and Raymond MacDonald had picked her up about 9 p.m. Ezra was driving the truck. They went to Morell for cigarettes. MacDonald went to the restaurant to get them. Finding that they did not have matches, they drove to Daniel Matheson's. Raymond went in, then they started back to Morell. They did not go all the way, but turned around and returned to Matheson's to pick up Shirley. They then drove to Morell. Following this they drove to the Arnold home. Ezra drove the truck in the garage, backed it out, drove it in again, and on backing it out again scratched the fender. He got out to look at it, and at this point MacDonald took the keys out of the ignition and had them in his hand. The witness also got out of the truck, and MacDonald and Shirley remained inside.

Before they left, she asked them to return for her in fifteen minutes. It was then 9:35 and she had to be home at 10:00. As the truck was leaving, Ezra called them back so as to get a bottle of ginger ale which was in the truck. She and Ezra went into the house, into the kitchen, Ezra lit the lamp. She sat down on a chair. She was not aware of anyone else in the house. She saw a bottle on the table containing a dark liquid, and saw Ezra pour some ale in a glass and then some liquid, and drank it. The bottle was about half full. On the table were two glasses, a bottle, a plate and the lamp. She could not remember seeing a box of shells on the table.

They then went into the sitting room, off the kitchen, and sat on the couch. Later she left and came out to the kitchen.

Heard Someone Calling

Ezra also came to the kitchen and started to pour himself another drink. She tried to take the bottle from him, but he put it in his coat pocket, then he took it out again, and poured himself a drink. He sat on the chair with her, then arose and pulled down the blind and resumed his seat. The witness went out on the veranda, and Ezra came out also after a short time. While she was on the veranda, she heard someone calling Ezra. She told him this when he arrived, and he said she was looking. The sound, she said, came from outside the north of the house. Ezra went in the house, and came out again. The witness stated that Ezra said "I have a revolver, and if there is anyone around the house, I am going to shoot them." He circled the house. She said she had not seen the pistol. He returned to the veranda, and on going near him, she felt something cold and hard. He went into the house, and she went out to the road to walk home. While on the road, she said that she heard a noise like a car or truck backing from the direction of the house. She stayed there a few moments, then continued home. The truck was parked by the dance hall at Morell as she passed, and someone was sitting in it.

On cross examination, she said that while in the truck she thought MacDonald was drinking, and although he was saying what she considered foolish things, she did not hear him say anything against Harris Arnold. She said they stopped to speak to a girl, Frances Sinnott, while on the road later in the evening. She said MacDonald wanted to drive, but that she did not want Ezra to drive. She did not think Ezra was drinking. At the house, she said, that when Ezra wanted to drive the truck into the garage for the third time, she and Shirley asked him not to. It was then MacDonald took the keys. She reiterated that she heard someone calling Ezra but that she did not recognize the voice.

Mrs. Daniel Matheson, sister of Mrs. Arnold, said that Mrs. Arnold had not been living at home for some time. On the morning of June 1st, Shirley came to her house and spent the day. Mrs. Arnold arrived there late in the afternoon, when the boys returned from town. She was also in the house that night when they arrived to pick up Shirley. She went to bed shortly after ten, and was awakened by someone calling her. She came down and Shirley came in. Later she saw Mrs. Arnold and Ezra in the house. She phoned Dr. Burden at St. Peter's. While going to the phone, she heard Ezra say to MacDonald, "You filled me with the liquor you poured into me."

Other questions by Mr. Campbell eliciting a reply regarding statements made in her presence, brought an answer that the witness could not recall. Mr. Campbell then said that he would withdraw the witness' name from the bill for the crown. He then proceeded to cross question the witness, and asked her if she had discussed the case with anyone. The witness replied that she had not.

On cross examination by Mr. Bell she said that when Shirley had arrived she was crying. Prior to Shirley's departure with the boys that night, she said, Mrs. Arnold had gone to her sister's home. Mrs. Ruthven MacDonald, she stated that she heard the remark made by Ezra to MacDonald.

Arthur Charles Eldershaw the next witness, said he was standing near the dance hall when Ezra asked him to go in to get MacDonald,

aid, which he did. Said it was sometime after ten. He said Ezra was sitting in the truck with Shirley. After MacDonald came out, they drove away.

Cecil Francis Myers said he saw MacDonald at the dance, and talked to him. MacDonald was there for some time, but later disappeared from the hall for some time, and later returned.

Police Evidence

Constable F. H. Pinnock, R.C.M.P., Souris, said he picked up two cans near the Arnold home, and gave them to Constable Murrant. He produced a package of clothing which he identified. He said he received a phone call at 11:50 June 1st. He and Constable Murrant went to the Arnold home. When they drove in Dr. Burden, coroner, was there. A truck was parked near. They spoke to Dr. Burden. Then a young man got out of the truck. Murrant asked him who he was, and he said he was the son of the deceased. Murrant then asked him what happened.

At this objection to the evidence as to the statement made by the accused might not be voluntary, and might be without proper warning and as such it might prejudice the position of the accused.

Mr. Campbell recognized the formal objection, and continued the questioning. After Constable Murrant asked Ezra what happened, the accused said "I killed my father, and should be hung for it." He was placed under arrest after this.

On cross examination the witness said he had not gone to Bristol looking for Ezra Arnold, but went as a result of a phone call on a shooting accident.

While they were talking to Dr. Burden he told them that there was a dead man there, and he mentioned Ezra's name to them. About then Ezra got out of the truck.

Q. Would you have gone looking for him had he not appeared? A. This man Arnold appeared, and Constable Murrant asked him what happened.

Q. Did you not know what had happened? A. We knew only that a man was dead. He (Dr. Burden) also mentioned Arnold's name connected with it.

Q. Then you realized that this was the man wanted? A. Yes, Arnold would then have been put under arrest.

Q. The Arnold warned by you or Constable Murrant before he asked Arnold what happened? A. No.

Q. Then he was arrested. A. After he replied to the questioning.

Constable John Murrant, R.C.M.P., Souris, identified the two cans as the ones given to him by Constable Pinnock. The first part of his evidence was similar to that of Constable Pinnock. He said that after they spoke to Dr. Burden, and then someone got out of the truck. He went to meet this person and asked him if he was the son. The person said that he was. He then asked him what happened. At this point Mr. Bell entered another formal objection on the same grounds as the previous one. The questioning then continued.

Found Pistol

The witness stated that the accused said "I shot my father, and I should be hung for it." He was then placed under arrest. The witness took the accused to the police car with Constable Pinnock. Later he went to get a jury. He returned, and went into the Arnold house into the kitchen. He found a pistol on the floor under a corner cupboard. He opened the breach, and saw a 22 cartridge in it with the mark of a firing pin on it. On June 2nd at Souris Barracks he removed the cartridge and saw that it had been fired. He also looked on the top of the cupboard and found a box of 22 longs containing 13 rounds.

At this time the witness had all arrived, and they viewed the body, and the inquest was adjourned. Later, he, Pinnock and Ezra stayed in the police car until Staff Sergeant Dunlop and Cpl. Johnston arrived. Later again all except Cpl. Johnston went to Souris, arriving about 3:45 a.m.

While in the office, he, Dunlop and the accused had a conversation. Dunlop warned the accused and explained the warning to him. The conversation was first oral, then committed to writing, and this was signed by the accused. It was later typewritten, and this was also signed by the accused.

Mr. Campbell asked the witness if he had the statement, and the witness produced it.

At this point Mr. Bell objected to the admissibility of the statement, which led to legal controversy, and the closing of the preliminary hearing.

However Mr. Bell proceeded with the cross examination of the witness.

Q. From what Dr. Burden said you knew a man was dead? A. Yes.

Q. Did Dr. Burden refer to Ezra? A. He said there is his son, as Ezra was getting out of the truck, and I went over to him and said "You are the son?"

Q. Did you proceed from what Dr. Burden had said to you? A. No.

Q. Did you give warning to Arnold before arresting him? A. No.

In connection with the report of evidence given by Raymond Joseph MacDonald at Monday's hearing, the word "not" was inadvertently omitted from a sentence. The paragraph should have read as follows:

Jumbo Jackpot Winner



—Photo by L. F. McInnis.

Mr. Nick Power (left) and Mr. Bill Stevenson (right), Canada Packers City Salesmen, present the prize of \$100 to Mrs. William Trainor, Mt. Ryan, winner of Canada Packers' Jumbo Jackpot last Monday evening. Although four other parties were called by the Jumbo Jackpot operator, they answered with "Hello". However, Mrs. Trainor, when called, immediately answered with the word "Klik", the correct word made up of missing letters in the last week's ad. Mrs. Trainor told Canada Packers representatives that she has been playing Jumbo Jackpot since its beginning, but felt that her chance of winning was slight considering the number of other people eligible. Although she is a regular user of the Jumbo Jackpot products, she told the Canada Packers representatives that most of her prize would be used to purchase further quantities of these products.

THE McNULTY FAMILY

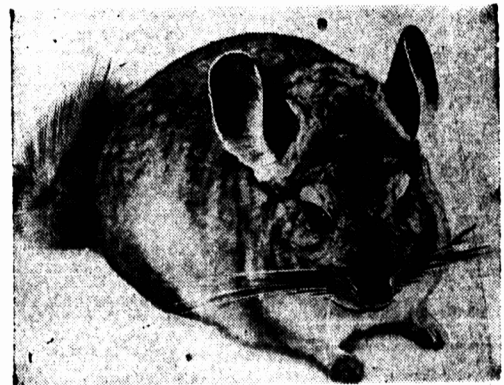
in person MORELL HALL THURSDAY, JULY 9th, 8:30 P. M. Be sure to see this great show. Sponsored by the Benevolent Irish Society

Liberal Party Broadcasts

WEDNESDAY, JULY 8th - 7:15 P.M. MRS. JOSEPH RODD, President, Charlottetown Liberal Women's Club FRIDAY, JULY 10th - 12:00 Noon HOWARD DOUGLAS, President, Douglas Bros. and Jones Ltd.

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