

## APPEALS IN LIQUOR CASES ARE ALLOWED

DETAILED JUDGMENT IN LIQUOR CASES—KING VS. TOMMY AND MCKINLEY.

Below is the judgment of Judge Carleton in the liquor appeals of King vs. McKinley, The King vs. Kinney and The King vs. Tommy. An important point of law under the Intoxicating Liquor Act is decided by these appeals, namely that a member of the Provincial Police Force who induces the commission of an offence against the provisions of the Act becomes an accomplice in the commission of the offence and must be corroborated.

The appeals were taken from the decision of Police Magistrate, Claude M. Augherton, and the convictions were ordered set aside. Mr. R. P. Hartley argued the cases before Judge Carleton and Mr. Gage W. Montgomery represented the Crown.

The judgment is as follows: The law bearing on the issue in these several cases applies equally to all of them.

All of the charges are charged as of Saturday, August 31, of the present year.

On that day, Steeves, a member of the Provincial Police force of two years standing; Palmer, a laborer of sorts and at the time employed in Wright and Son's garage at Perth, N. B., a resident of Fort Fairfield, Me., U. S. A., designated a special constable, but still what he was appointed for and meant to be a "Spotter"; and a Mrs. Walchin, owner of the car used by the trio, spoken of by Counsel as "the lady"—it may well be that "The Colonel's lady and Julia O'Grady

Are sisters under the skin," but from Mrs. Walchin's conduct, especially with Palmer, I may be permitted to question her title to dignity—came to Woodstock in search of contraband liquor. They claim to have found and purchased it at the respective places of the defendants. The purchases appear to have been made by Steeves, and a spotter is relied on to corroborate an agent provocateur.

The circumstances, it will be seen, are not dissimilar, though perhaps not as strong as in the reported case of Rex v. Rogers, 46 C.C. 372.

There is a recognised distinction between an accomplice and an informer. The former, a co-equal participant in crimes who becomes an approver, should, for conviction, be (Continued on page four.)

## POTATO MARKET MUCH BRIGHTER

PROSPECTS FOR HIGHER PRICES EARLY IN THE YEAR.

Particulars of the December potato crop estimate for the United States, as compiled by the United States Department of Agriculture, which shows a yield of 357,541,000 bushels have been received.

This report gave an increase of 3,000,000 bushels over November estimates. This increase was mainly in the states of Virginia and North Carolina and does not add to the present surplus, as the crop from these two states has long been marketed. The 1929 crop is now 23 per cent. less than last year, the result of both a reduction in the acreage and a lower yield per acre.

From the same source came a report covering the certified seed potato crop of the northwestern United States and the provinces of New Brunswick and Prince Edward Island.

(Continued on page four.)

## LOCAL TEAMS IN BASKETBALL

SENATORS DEFEAT COLLEGIANS IN SLOW GAME AT ARMOURY.

The Senators took the Collegians into camp at the Armoury, Wednesday afternoon, score 38-17. The first half produced only fair basketball, both teams played a slow defensive game. The second half was fast and kept the large crowd of fans on their toes throughout. The locals were leading at half time 12-6. For the second half the Collegians opened up and tied the count. From then on it was very exciting, but the locals shooting even better and the forward line scored in quick succession.

The play, Reardon scored on a long shot, Chandler scored, Oldham sunk centre of the Collegians sunk also own rebound, Reardon scored, Oldham again got a rebound, Chandler sunk a nice one. Tommy scored twice in quick succession. The Collegians were playing a strong five man defence game. The half ended 12-6 in favor of the Senators.

The Collegians scored three baskets in quick succession to tie the count at 12 all. McNally replaced Oldham. Tommy scored followed by Chandler and Reardon. Hull scored a long one. Pickel replaced Chandler. Oldham replaced Creighton. The locals were playing faster basketball and sinking their shots, with 5 minutes to go the score was (Continued on page four.)

## AMENDMENTS TO NEW BRUNSWICK'S MARRIAGE LAWS

IMPORTANT CHANGES CAME INTO EFFECT FIRST OF THE YEAR.

On March 27, 1929, the Legislature of New Brunswick passed certain amendments to the Marriage Laws in this province. These amendments came into effect on January 1, 1930, and the attention of all ministers in New Brunswick is hereby directed to them.

1. Section 6 of Chapter 77 of the Revised Statutes 1272, is amended by adding thereto the following sub-sections;

(3) No person shall solemnize marriage unless he has, not less than five days before such solemnization, received notice of the names, places of residence, occupation, age and conjugal condition of the parties to the intended marriage, unless upon the production of evidence satisfactory to him that there exist exceptional and urgent circumstances, sufficient in his discretion to justify a departure from the rule hereby established.

(4) Notwithstanding anything contained in this section, marriage may be solemnized between persons, either of whom has landed at the Port of St. John from overseas with the intention of being married upon arrival at the said port, provided that the Port Chaplain or representative of the religious body to which either of said parties may belong, or if there be no such Port Chaplain, the person solemnizing the marriage may dispense with previous notice.

2. Section 12 of said Chapter is hereby amended by adding thereto the following sub-section:

(2) Before any marriage license shall be issued, the person issuing the same shall require a statutory declaration as to each of the intended parties in the form "B" hereto, which declaration shall be made by a resident of the Province of circumstances will permit, but if made by a person not so resident, such person must be personally known to the issuer of the license to be a responsible person. Such declaration must be made by someone other than an intended party to the marriage, but the same person, if he knows the circumstances, may make a declaration for each of the parties. The issuer of the license shall obtain previous authority for any variation from the Attorney General, or the Deputy Attorney General, or if the case is urgent and he cannot communicate with either of them, then such authority may be obtained in writing from the Mayor or Clerk of any City or Town, the Warden or Secretary of any Municipality, the Police or Stenographic Magistrate of any City or Town, or any Member of the Legislative Assembly. The issuer of any marriage license shall attach the declaration or declarations to the (Continued on page four.)



(New Brunswick Bureau of Information Photo)

## HEADS NEW BRUNSWICK POLICE

Brigadier General F. W. Hill, C.B., C.M.G., D.S.O., who assumed his new duties as Commissioner of the New Brunswick Provincial Police on January 1st. General Hill has been Officer Commanding the New Brunswick Military District and before entering military service was engaged in the practice of law.

## NEW CHIEF IN CHARGE OF PROVINCIAL POLICE

BRIGADIER GENERAL FREDERICK W. HILL, C.B., C.M.G., D.S.O., V.D., TAKES OVER COMMAND OF N. B. PROVINCIAL POLICE

Fredericton, N. B., January 2nd, 1930—Brigadier General Frederick W. Hill, C.B., C.M.G., D.S.O., V.D., the new Commissioner of the New Brunswick Provincial Police, took over his new duties at Provincial Police headquarters at Fredericton yesterday, succeeding Capt. E. C. P. Salt, who returns to the Royal Canadian Mounted Police, reporting at their headquarters at Ottawa with the commissioned rank of Inspector.

General Hill takes over a force with a personnel of 72 of all ranks, which was organized by Capt. Salt following his arrival in New Brunswick on July 1st, 1927, and which has proven its efficiency in many respects. With his knowledge of the law acquired through the practice of his profession for a period of more than 25 years, and his military experience, General Hill is regarded as having the essential equipment to especially fit him for his new duties. He will vacate his present military appointment as District Officer Commanding New Brunswick on February 1st, his retirement from (Continued on page four.)

## 100 BRITISH FAMILIES FOR NEW BRUNSWICK

ESPECIALLY SELECTED SETTLERS ALSO EXPECTED FROM SCANDINAVIAN COUNTRIES.

The Department of Immigration and Industry of the Provincial Government are getting ready for the reception of 100 British and numerous Scandinavian families to be brought out during the months of April, May and June, said Hon. J. A. Murray, Superintendent of the department on his return from Montreal, where he was in conference with Dr. W. J. Black, Director of Colonization for the Canadian National Railways, and Col. J. S. Dennis, Chief Commissioner of Colonization and Development for the Canadian Pacific Railway, regarding the settlement of new arrivals in this province during the coming spring.

Mr. Murray said he was fully convinced that both railways would do all in their power in helping to place additional settlers in New Brunswick. He expressed regret at the retirement of Col. Dennis as chief commissioner of Colonization Department of the Canadian Pacific Railway, declaring that Col. Dennis, who had served in that capacity for many years and had a wide experience, would be greatly missed in the future placement of British settlers in this Dominion.

Referring to the placing of boy settlers in New Brunswick, Mr. Murray said that last year the Province through arrangements with the Cossar Farm had brought out 153 boys up to the end of the fiscal year, and that of this number 148 boys remained and were settled in the Province. The government has entered into an agreement with the Federal Government at Ottawa, to bring in a number of specially selected boys in 1930 in addition to those being brought to New Brunswick through the agency of the Cossar Farm. These boys will be placed on farms in the province through the co-operation of the Provincial and Federal Governments.

## XMAS AT FLORENCEVILLE

Florenceville, Dec. 29—Mr. and Mrs. Thomas McCain had a family party at Christmas when Mr. and Mrs. Claud McCain, and family and Mr. and Mrs. William E. McCain were their guests.

Mr. and Mrs. Lorne Hume had as their guests for Christmas dinner Dr. and Mrs. Barry Hagerman and Mrs. Robert Hume.

Mr. Scott McCain and his daughter, Mr. Murray Dyer, entertained at a large dinner party Christmas night, Herbert Kilpatrick, Mr. and Mrs. Charles Caldwell, Mr. and Mrs. Harry Kilpatrick, Miss Dorothy Kilpatrick and Joseph Ritchie.

Mr. and Mrs. William Tweedie and Mrs. James A. Kilpatrick were dinner guests of Mrs. Edward McCain for Christmas.

Mr. and Mrs. Charles Estey and family spent Christmas with Mr. and Mrs. H. M. Estey.

## ALL STARS DEFEAT THE ATHLETICS

ATHLETICS GO DOWN BY SMALL MARGIN OF 3 PINS.

Last Friday night a very exciting three string match was rolled on Welch's Alleys between the Athletics and an all star team captained by William Oliver. This team which were beaten in a previous game with the Athletics by 44 pins managed to scrape through to a win by a margin of 3 pins. The Athletics lost the first string by 17 pins and the second by 33 pins, which gave the All Stars a margin of 50 pins going into the last string which is a considerable margin for such a strong team to have in a match. The Athletics then pulled themselves together and took 3rd string by 47 pins, the All-Stars scraping through by a bare 3 pins. It was so close that neither team knew which had won until the score sheets were counted up two or three times. J. Blake of the All-Stars had highest string and highest pinfall for the match. E. Taylor and G. Allan both had strings of 112 for (Continued on page four.)

## NEW BRUNSWICK BRIDGE CONTRACTS

PROVINCIAL DEPARTMENT OF PUBLIC WORKS PREPARING FOR VARIETY OF WORK WITH THE COMMENCEMENT OF THE NEW YEAR.

Fredericton, N. B., December 31st, 1929.—Notices appearing in the Royal Gazette today indicate that the Bridge Division of the Provincial Department of Public Works are preparing for a variety of new work with the commencement of the New Year.

Over the signature of Hon. D. A. Stewart, Minister of Public Works, notice appears calling for tenders for the metal superstructure of the Kelly Creek Bridge in York County. This bridge is located on the Trans-Canada Highway between Fredericton and Woodstock, about 17 miles west of Fredericton. The new bridge is replacing a wooden structure carried out by an ice jam two years ago, and during the past summer concrete and granite abutments were constructed for the new metal superstructure.

Tenders are also being called for lumber supplies for new flooring for the sidewalk of the Fredericton-even highway bridge across the Saint John River, 28 miles west of Fredericton, and also for creosoted lumber for flooring the French Fort Cove highway bridge, Northumberland County, the Charlo River highway bridge, Restigouche County, and the Eel River Bar high bridge, Restigouche County.

Miss Madelyn McBride, New York City and Miss Alice McBride, Moncton, are spending the Christmas holidays with their parents, Mr. and Mrs. Albert L. McBride.

## TRAIN SERVICE SUSPENSION IS PROTESTED

STRONG PROTESTS MADE FOLLOWING PROPOSED CURTAILMENT OF VALLEY RAILWAY SERVICE

Gagetown, Dec. 29.—The proposal of the Canadian National Railway to seriously curtail the passenger service of the Valley Railway has caused consternation up and down the St. John river valley. It is understood that the railway management proposes to discontinue the present satisfactory passenger service of one express train a day each way between Fredericton and Saint John, and to substitute an old burning electric signal car tri-weekly the rest of the days of the week the passenger service of this section being left to the tender mercies of an old time accommodation car, attached to the jerky end of a freight train. This suggestion comes after two years of satisfactory train service, and after a strong agitation by the people of this locality, which resulted in having mail carried by train instead of the old-fashioned car.

The proposed disruption of the passenger service will play havoc with the whole mail service in the valley, and is looked upon as a retrogression by all classes of citizens.

The question is being taken up by the Lower St. John Valley Improvement Association, whose executive have had some discussion on the question. There is a general feeling that if the proposed curtailment is not immediately abandoned that a series of public meetings in protest should be called at different points between Fredericton and Saint John, joint meeting with the Fredericton and St. John Boards of Trade to see if action cannot be brought to bear upon the railway officials.

It is felt by the officials of the Lower St. John Valley Improvement Association that with improved boat service, improved and enlarged hotel accommodations, the advent of electric light and power, improved postal service and improved highways, there should be no retrogression in connection with railway service.

The people of the lower St. John river valley are optimistic as to their future. The proposal comes as a dash of cold water on a community, which after two years of stagnation feels that it is again living on the road to progress.

## MARRIAGES.

At the residence of the officiating clergyman, 378 Cedar St. Woodstock on the 26th of December 1929 by the Rev. Richard Ople, Walter E. Sewell to Miss Maggie J. McCluskey both of Woodstock, N. B.

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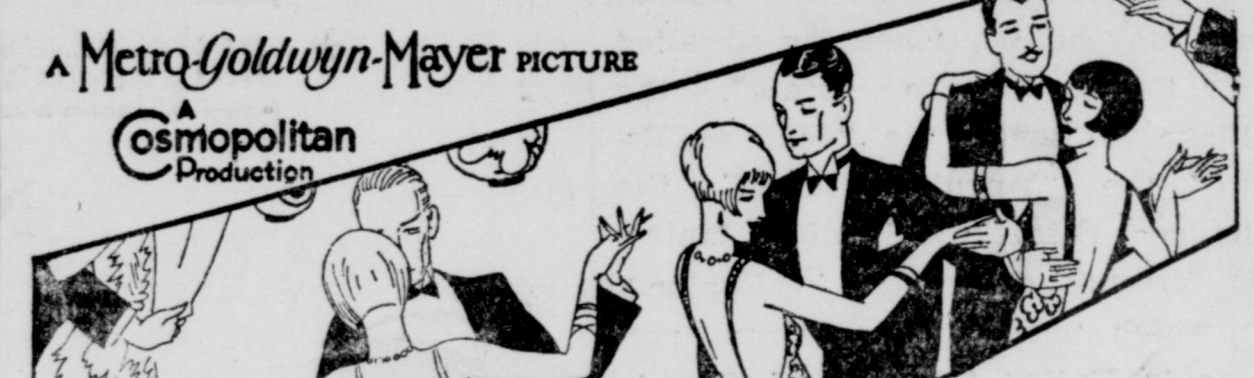
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