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CIVIL ACTION AGAINST THE PREMIER OF ALBERTA THROWN OUT — CASE MAY BE REPEALED

Edmonton, July 4—Judgment in the Brownlee-MacMillan case, issued by the jury, counsel for the defendant Mr. Justice W. C. Ives today, will be moved for dismissal of the action protested by the Civil Liberties Protective Association. The association, it was announced, plans to hold a series of public protest meetings and solicit funds for the MacMillans to enter an appeal. If necessary the association will assist in carrying an appeal to the privy council.

Mr. Justice Ives today dismissed the civil action in which Vivian MacMillan, civil service stenographer, was awarded damages of \$10,000 and her father, Allan MacMillan, former mayor of Edson, \$5,000 by a jury in supreme court. The award was against Premier Brownlee in the action which alleged seduction.

The MacMillans must pay the costs. "This decision has set the clock back 300 years," said George D. Koe, president of the Protective Association. "We will make a public appeal for funds, if necessary, to take this case to the foot of the Throne," he added.

Mr. Justice Ives, who presided, had refused to enter the jury's verdict, and reserved decision on the defence motion for dismissal.

In his written judgment filed here today the judge said:

"In my view of the law the action must be dismissed with costs, including costs of discovery, and only one bill should be taxed. No evidence being offered by the defendant on his counter-claim, it will be dismissed with costs, including discovery."

The MacMillans can appeal the case, but have not as yet announced what action, if any, they will take. Under the Ives judgment, the MacMillans would be required to pay between \$1,200 and \$1,500 legal costs of Premier Brownlee. Their own legal costs could not be estimated. They have already paid jury fees of \$500.

In his judgment today acting Chief Justice Ives said:

AZTECS KNEW HOW TO FLY

MEXICO, D.F., July 5—A theory that the ancient Aztecs knew the principles of aviation and had perfected equipment for individual flying, was advanced today by J. Tenebaum, a Mexico City archeological student and collector. He announced that he would soon publish a book explaining his theory in detail.

Partly basing his theory on the fact that he has found carved stone figures representing men with wings and other plumed attachments, as well as bird-like tails on the lower part of their bodies, Mr. Tenebaum, adhering to the idea that the Aztecs were descendants of the ancient Hebrew and Egyptian race, identifies the Aztec king Netzahualcoyotl as being the King Solomon of Old Testament renown. The king, Mr. Tenebaum thinks, visited American shores and used flying equipment.

Mr. Tenebaum says that the "Voladores," who participated in certain Aztec games in which they swung from poles, were not only festival celebrants but beginners from daily "aviation" training schools, where they hurled themselves from the tops of poles and "flew" considerable distances.

One of the most important points upon which Tenebaum bases his theory is a figure representing a man wearing a kind of "goggles," a plumed helmet, two pairs of wings and an apparatus around his chest, which Mr. Tenebaum says, was used to keep the man rigid while in flight.

OLEAN WOMAN GETS SHARE

New York, July 5—Two sisters, Teresa K. Collins of Olean, and Alice Eichholz of Forest City, Pa., will share the estate of Mary Rose Melvin, according to her will filed today. The estate is valued formerly at "more than \$10,000." She died in Scranton Pa., May 11.

DIED

HILYARD:—At Halifax, N. S., July 4, 1934, Mrs. F. S. Hilyard, formerly of this city.

Funeral will take place on Saturday afternoon from the residence of the Misses Beverly, Brunswick Street at two o'clock. Interment will be made in Forest Hill cemetery.

MARIE CURIE TERMINATES A GREAT CAREER

Woman Who Was the co-Discoverer of Radium Dies in a French Sanatorium.

Sallanches, France, July 4—Mme. Marie Curie, the little woman whose work with her husband in a makeshift laboratory gave humanity the priceless gift of radium, died today.

For many weeks she had been under treatment at a sanatorium here for an anemic condition. She was 66.

Pierre Curie, the young Paris professor, who was the co-discoverer of the element, died in 1906, struck by a truck only a short while after he and his wife had won lasting fame.

Although honored by countless governments and societies as one of the most distinguished scientists and women of all times, Mme. Curie shrank from public view. She stayed at work in her laboratory whenever possible.

Twice she was given the Nobel prize in chemistry. In 1922 she became the first woman elected to the French Academy of Sciences, 12 years after she had been defeated for membership in the body.

Many Benefits

Thousands of victims of cancer have benefited from the Curie's discovery of radium, one of the world's rarest and most valuable substances.

Only a few ounces of it have been segregated. It is obtained from pitchblende. The effect of radium on human tissues has opened entirely new medical and scientific fields.

Lived Modest Life

Mme. Marie Curie, co-discoverer with her husband of radium, preserved throughout her life the best traditions of science.

Fame came to her threshold, but she shut the door of her workshop in its face; wealth were hers for the asking; but she turned all money prizes back into her chemistry or gave them to hospitals for cancer research; luxury might have been her lot without reproach, but she spurned it and lived frugally on her modest salary as a teacher in the University of Paris.

She consented to take but a mite of the huge debt owed by the world for the Curie gift to mankind in 1898 of a substance, which enriched many persons and brought relief or cure to countless thousands of cancer sufferers.

EGG LAYING CONTEST

The White Leghorn birds of Arthur Pringle of Stanley fell one point behind the leading pen in the New Brunswick egg laying contest last week. They produced 59 eggs which scored 65.3 points against 59 eggs and 65.9 points, scored by the Barred Rock pen by E. E. Askew. The total egg production for the week was 1403 eggs.

SUCCESSFUL ANGLERS

Messrs. H. W. Woods, and Hazen Flemming have returned from a successful fishing trip at Riley Brook on the Tobique River. They caught a number of nice salmon.

Too Much Liberty

Boston, Mass., July 5—Freedom instead of Liberty was what Sarah wanted.

I have had enough of Liberty", she told the court. "What I want is my Liberty".

So the judge granted her liberty from David Liberty of Chelsea. Cruelty was the ground.

K. P.'s REGULAR

The regular monthly meeting of the Knights of Pythias was held last evening at their lodge rooms in Queen street. Members of Seaside Lodge, of St. Andrew's were the honored guests. After the regular exercises refreshments were served, including strawberries and cream.

FISHING PARTY

A fishing party composed of W. G. Harris, D. Harris and W. Gosson, all of New York city, arrived here at noon today and tomorrow morning will leave by train for the Cain's river where they will spend a week fishing. They will be guided by George Allen.

The Misses Mary McMurray, Jean Thompson and Barbara McCunn have gone to Jasper Park, Alberta where they will spend the summer.

P. O. BOX 796

NEW BRUNSWICK PROTESTANT ORPHAN'S HOME

Office: Room 12, No. 50 Princess Street

H. Usher Miller, sec'y-treasurer James W. Brittain, president.

TO THE PROTESTANT PEOPLE OF NEW BRUNSWICK,

LADIES, GENTLEMEN and CHILDREN—

Do you realize that the entire Maintenance Overdraft of \$35,000 that has accumulated in the past four years, has accumulated in the summer months of these years? In other words the Protestants of New Brunswick forget their Orphans in the summer time, as their responses to the July quarterly appeals have been the poorest responses of all. Won't this year be an exception?

Unless the response to this quarterly letter is the best that has ever been made to a July appeal, we will have no alternative but to further increase our Overdraft before the end of this month. Surely you don't want this to happen. And most assuredly there is no excuse for the 220,121 Protestant People in New Brunswick failing in this obvious duty of theirs.

It surely is just as much our duty to feed these children in the summer as in winter. The Protestant People of New Brunswick for many years past have paid the cost in the winter-time—why not do likewise in the summer-time when the cost is less?

It surely is just as much our duty to clothe the bodies of these children to protect them from the sun and rain of summer as from the frost and snow of winter. Again why not do it when it costs less?

The Shelter exists the same for summer and winter. Educational Costs are nil for July and August. Fuel costs are very little in the summer time. Your Home is full to its capacity of 252 Little Ones. We can only give Shelter to others as you adopt out or otherwise care for some of those that are now in residence. It likewise costs less to comfortably shelter the Children in the Summer, therefore why not pay this lesser cost?

Won't You Please Respond To This Appeal? Won't you please make your gift now? Won't you please speak to others asking them to give now? Won't you also organize an effort in your neighborhood. Let us make this summer the Best Summer Financially the Home Has Ever Experienced. Again the only thing that will prevent an immediate increase of the Overdraft is a far better response to this appeal than has ever been made to any previous July appeal.

Counting upon you to do your part for the sake of the 252 Children that are depending upon you, believe us to remain,

Yours very truly,

JAMES W. BRITTAIN, President.
H. USHER MILLER, Secretary.

WILKINSON WAS ACQUITTED OF MURDER

Sydney, N. S., July 4—Granted a new trial after being sentenced to death, Walter Wilkinson was acquitted tonight in supreme court on a charge of murdering his sister-in-law Mrs. William Wilkinson.

The jury deliberated two hours and 50 minutes before bringing in the verdict to Mr. Justice Henry Graham.

A few minutes later the 32 year-old Glace Bay miner walked out of the crowded court room a free man for the first time in seven months and was received with wild emotion by a group of relatives and colliery workers.

Mrs. William Wilkinson was shot down late in November after she had taken flight to a neighbor's home. Charged with the crime, her brother-in-law was tried in supreme court before Mr. Justice W. F. Carroff, convicted and sentenced to be hanged.

Shortly before the day set for his execution, May 17, the supreme court granted a new trial on the grounds that conversation related by the neighbor should not have been admitted as evidence.

Mr. and Mrs. Graeme Taylor of Sherbrooke, Que., are visiting his parents Mr. and Mrs. G. A. Taylor.

CITY OF FREDERICTON

Notice of Assessment

The Assessment Roll for the City of Fredericton for the year 1934 is now in the hands of the City Treasurer for collection and all persons therein assessed are hereby required to pay the amount of their respective taxes forthwith to the City Treasurer at his office in the City Hall, Fredericton. A discount of five per centum will be allowed on all taxes paid on or before the 26th day of July next, after which date interest at the rate of one-half per centum per month will be added, and execution may be issued and proceedings had thereon as by law provided.

Dated at the City Hall, Fredericton, this 26th day of June, A.D. 1934.

FRED I. HAVILAND,
City Treasurer.

KIT-KAT

Will Open

THURSDAY NOON,
by MRS. T. O. MONAHAN.

where Lunches, Salads Sandwiches, will be served daily for business men and women

617 CAMPBELL ST.

one block from Regent and Queen Sts.

YORK MOTORS Limited

Notice Is Hereby Given that pursuant to Section 32 of "The New Brunswick Companies' Act, York Motors, Limited, will apply to the Provincial Secretary-Treasurer for leave to surrender the Charter Incorporating it, being Letters Patent issued under the hand and seal of the Provincial Secretary-Treasurer on the Eighth day of November, A.D. 1932.

Dated at Fredericton, N. B., this Thirtieth day of June, A.D. 1934.

YORK MOTORS, LIMITED,
R. A. SULLIVAN,
President.

PHONE 3-2364