

THE DAILY MAIL

Published every afternoon (except Sunday) at 327-329 Queen Street, Fredericton, by
THE MAIL PRINTING COMPANY
Subscription Price, \$4 per year by carrier; \$3 per year by mail.
Telephone 67.

FRIDAY, OCTOBER 31, 1919

THE JURY SYSTEM.

The following article from a recent issue of a Buffalo, N. Y., newspaper, contains a lot of plain truth and will be read with considerable interest by those who have had the delightful experience of serving on grand or petit juries in this country:

When the case is given to the jury, the "twelve good men and true" are, as a rule, herded into a comparatively small room devoid of everything but a table and chairs, some matches and a few spittoons—to begin what is often a long-drawn-out and exhausting discussion of points, principles, facts, figures, rights and wrongs, which have perhaps puzzled the brains and taxed the faculties of the opposing lawyers for several preceding months, or at least weeks. The jury—who are laymen—are expected to decide all these contradictory considerations in a few hours.

If the case is one in which there are strong arguments on each side, the jury is likely to split; and, when unanimity seems impossible, to inform the court that they are unable to agree. It is just at this point that two extraneous and non-legal evils are prone to become operative. The court orders the jury to retire for further deliberation. To what? To an uncomfortable room where they have already passed weary hours, to a close atmosphere, and to a renewal of acrimonious wrangles, criminations and recriminations, with the result that in far too many instances the case is really finally decided by—

- (a) Fatigue.
- (b) Bullying.

Is this justice? Is it even law?

Bad as this state of affairs is where civil suits are concerned, it strikes at the very foundations of government when a man's life or his liberty is involved. Many a juror who has conscientiously voted again and again for the acquittal of an accused man, has, after the jury has been ordered back for further consideration of the case, supinely and basely voted for conviction rather than go through another siege of bullying from his fellow jurors or spend another sleepless night huddled up in a chair, curled up on the table, or stretched on the floor.

Is this the way to get a clear-headed determination of a criminal case, or of civil litigation? What, then, is the remedy? Simply this. Provide that in all instances when an agreement has not been reached by midnight, that the jury be escorted by deputy sheriffs to a hotel, where the jurymen can get a good night's sleep, and next morning bring clear heads and rested nerves to the consideration of the disputed points. Furthermore, Judges should strenuously deprecate anything like coercive methods of argument on the part of the majority in their efforts to "convince" a recalcitrant minority. So greatly does Magna Charta and the Constitution of the United States regard even a minority of one, that both these great instruments of human liberty declare that, without his vote, the verdict of the other eleven is null and void.

THE TWO LANGUAGES

Rev. Dr. Love, of St. Andrews Church, Quebec, undoubtedly spoke the truth at the Presbyterian Synod the other day when he declared that a better understanding between the two dominant races in Canada could best be promoted by encouraging the acquisition by both French and English of a knowledge of each other's language. A better understanding must come from greater mutual knowledge of the life and aims of the two peoples and that knowledge through the medium of the spoken and written word. There is generally far less ill-feeling and far greater mutual respect and admiration among those of the two races who understand each other's language than among those who do not. And it is a reflection on the English-speaking people of Canada that the percentage who have acquired the French language is much smaller than the percentage of French-Canadians who have learned English. It would be well as Dr. Love urges, if greater effort were made to have the school children learn both languages as far as possible.

The "great legal battle" promised by some sensational newspapers over the case of Werner Horne, the German dynamiter, failed to materialize. Werner Horne was treated exactly the same as any criminal would be treated in our courts. Being without counsel, the court offered to assign a lawyer to defend him, but he declined the offer. He was given an absolutely fair trial and the jury, after a few minutes' deliberation, returned a verdict of guilty. The sentence of ten years' imprisonment imposed by Judge Barry will meet with public approval. Horne can thank his stars that he was not caught on the Canadian side of the line at the time the crime was committed. On the completion of his prison term he will undoubtedly be shipped back to Germany.

Commenting on the recent by-elections, the Sydney Record says: "The result is a clear condemnation of the government and an indication of what awaits them at the polls at the next general election. What effect the recent move to adopt the Grand Trunk may have had on the voting it is not possible to calculate conclusively, but it is certain that a wise mind might draw many conclusions from Monday's verdict, following as it did so closely on the government's attempt to force this deal across. The Union government has had a nice reign of autocratic power, but these by-election results indicate that a large majority of government members may justly be possessed of an uncomfortable feeling that the reckoning is at hand."

Mrs. Martha Harvey, of this city, presented her annual offering at the provincial convention of the Women's Institute at St. John yesterday. She charged that politics and religion entered into appointments of committees and representatives to the Federal Institute. Mrs. Harvey succeeded in creating quite a hub-bub at the convention, but her remarks were not taken very seriously and no good purpose is likely to be served by the outbreak.

Toronto Globe: "Premier Foster of New Brunswick announces a progressive hydro policy. There must not be any retrogression in Ontario's hydro policy."

New York Sun: The Bishop of Peterborough says that England must choose between hell and Utopia. Like the rest of the world she will probably go on trying to mix the two.

Hamilton Herald: After all, it is not so surprising that there were more than 50,000 spoiled ballots in the general election. Woman, lovely woman, must serve her political apprenticeship.

THROUGH OUR SIEVE

The price paid for a cradle is hush money.

The oftener a man is sold the cheaper he feels.

Sometimes that wise look men wear is only skin deep, too.

Nobody ever made a good job of trying to be somebody else.

Living up to a man's "ideal" and living down to his level at the same time is the acrobatic feat which every devoted wife must somehow perform.

A chrysanthemum always wears the rapt, glorified air of a super cold slaw that has just escaped a baptism of salad dressing.

One way to keep your credit good is never to have anything charged to your account which you cannot afford to pay cash for.

We've heard a lot about a fool's paradise. We don't know whether or not such a place exists, but if it does we'll bet money it's crowded.

The reason a woman looks daggers at a man if he stares at her is that she would think she was growing old if he didn't.

There are dull days in the life of every married woman when she would rush right out and be a "vampire" or a siren, or something, only that children and the housecleaning interrupt her so.

IT'S JUST LIKE THIS, SEE!

American Forestry Journal: What makes leaves die? Once we thought it was Jack Frost, but now we have learned better. We know that they drop off because the tree has no further use for them. All summer she has bather through them and used their cells to store up food and drink. She has also used them as a mill for the manufacture of starch. They have helped her in all her undertakings throughout the season. Now her work is done. She is getting ready to go to sleep for the winter. She will stand as nearly dormant as possible, her sap will cease to flow and her energies will lie quietly in twig and trunk. So the leaves must go. Slowly the mother tree absorbs their nourishment and prepares to part with them.

Leaving on Vacation. Mr. George H. Clark of this city, is leaving this evening for Boston, where he will join his wife and with her spend a ten days' vacation in New York.

Moving Into New Garage. The Ford Motor Company is vacating its garage in Smythe street and is moving into the newly completed building in Campbell street. Several cars were moved to the new building yesterday and it is expected that the office equipment will be moved in today and tomorrow.

JURY FOUND TODAY FOR THE PLAINTIFF

In the action of Donald Ross vs. Samuel Johnston the jury brought in a verdict for the plaintiff in the court of Kings Bench today. R. B. Hanson K. C. appeared for the plaintiff and P. J. Hughes for the defense. This action concerned the sale of pulpwood by the plaintiff to the defendant for which the plaintiff claimed he had never been fully paid. The defendant contended that he had paid the full amount to the wife of the plaintiff in the absence of the latter.

The jury in replying to the questions of Judge Barry found that the contract for the purchase of pulpwood was contained in an oral agreement between plaintiff and defendant prior to preparing a written document, that the defendant was a contractor in his own personal right and not merely an agent, that the amount paid by the defendant to Mrs. Ross October 29, 1918, was \$150, and that the defendant made an unintentional error in the matter, that Mrs. Ross was not the agent of her husband. In response to a question by Mr. Hughes the jury found that Mrs. Ross delivered to her husband all the money she received from the defendant.

NO VERDICT YET RENDERED IN LONG CASE

Montpelier, Vt., Oct. 30.—The jury which will decide whether George A. Long was guilty of the murder of Mrs. Lucina Broadwell at Barre last May was still deliberating when court reopened this morning. The jurors had been out sixteen hours at that time without indication by way of request for instructions of what moot points had arisen.

Long, who had spent the night in jail, was held ready to be brought to court immediately there was any indication that the jury was ready to report.

LOCAL NEWS

An Arrival. Mr. and Mrs. W. G. Montgomery, formerly of this city, are receiving congratulations on the arrival of a baby boy at their home in St. John yesterday.

Given Three Years' Sentence. Harry Claybourn a colored resident of Barker's Point was sentenced to three years imprisonment by the Police Magistrate this morning having been found guilty of having carnal knowledge of a girl under fourteen years of age, his own daughter.

Surprise Party. About twenty-five friends of Miss Grace Quartermain gathered at the home of her parents, Mr. and Mrs. Arthur Quartermain, last evening, and held a surprise party in her honor. After a very enjoyable evening in which several presentations were made to Miss Quartermain, refreshments were served and the gathering broke up.

Social Last Evening. The young ladies of Mrs. J. S. Sutherland's Bible class held a Halloween Social last evening at the Fraser Memorial Hall. The gymnasium of the hall was specially decorated for the occasion with Halloween signs and ghostly reminders of that festive time. The evening was pleasantly passed in games and a short program of songs was carried out. Refreshments were served and the gathering broke up at an early hour.

Bought Farm at Stanley. Mr. James Fowler, who was called to this city recently on account of the serious illness and death of his mother, Mrs. James D. Fowler, is returning to Winnipeg this evening. Mr. Fowler has purchased the William Scott farm of some 250 acres at Stanley and will go in for the raising of thoroughbred stock. He will return to this city in about a month's time and will proceed to Stanley with his family. Mr. Fowler is a Military Medallist and lost a leg in action.

Convictions at Riverside. Chief Game Warden L. A. Gagnon has returned from Albert County. At Riverside before Magistrate A. A. Read three convictions for violations of the Game Act were secured. Frank Graves was fined fifty dollars for allowing men in his employ to hunt without a license and John LeBlanc and Archibald Power of Moncton were fined twenty-five dollars each for killing partridge during close season. Four other cases were postponed because of absence of witnesses. The case against Graves as the foreman of a lumber camp is one of the first of its kind.

PERSONAL

Mr. H. S. Campbell has returned from a business trip to Montreal and Boston. Mr. and Mrs. George H. Ferguson of Vancouver are visiting Mr. and Mrs. C. W. Hall at their home on Brunswick street.

Have You Seen Those Beautiful Down Puffs

-: AT :-

JOHN J. WEDDALL & SON

They are all new this season

and the celebrated **McLINTOCK QUILTS**, every one Guaranteed to be Absolutely Down Proof. All Colors. All Prices.

John J. Weddall & Son

MAKE YOUR HENS LAY PRATTS POULTRY REGULATOR

DOES MAKE YOUR HENS LAY. Produces Strong and Healthy Chickens. As an EGG PRODUCER IT STANDS UNRIVALLED and when used regularly your hens will lay throughout the year.

THIRTY HENS AT A CENT A DAY. Just think of keeping your flocks healthy and laying at a cost of a cent a day for thirty birds. That is all it costs to feed PRATT'S POULTRY REGULATOR. The wonder is that you would think of doing without it.

12 lb. Pail—the favorite size for many poultrymen \$1.75

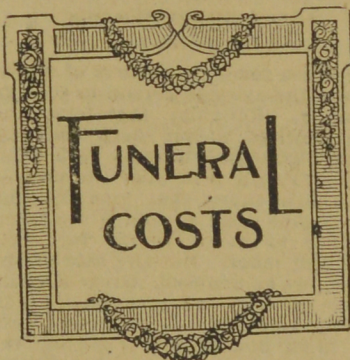
25 lb. Pail—put up for larger breeders \$3.00

Also put up in 30c., 60c. and \$1.20 packages. Sold under the guarantee that it must please you or money back.

For sale only by

R. Chestnut & Sons

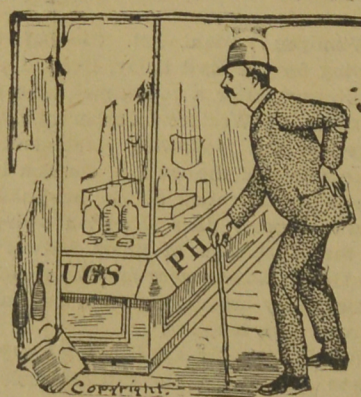
PLUMBERS AND HEATERS. THE HARDWARE PEOPLE. WHOLESALE. RETAIL. SOLE AGENTS FOR FREDERICTON FOR PRATT'S GOODS.



Funeral costs are largely a matter of taste and temperament. A funeral may cost little or much as the case may be. We base all charges upon actual services rendered, and the grade of funeral furnishings supplied.

HARRY R. ADAMS

Undertaker, 610 QUEEN STREET Night and Day Telephone connections



MUSTARD OIL LINIMENT. QUICK RELIEVING, PAIN EASING.

Will it really do the trick? Yes! Because it is quick relieving; it is naturally pain easing. It's all in the "snap" of its ingredients. It is good for every form of ache and pain that human is heir to. We don't think you can beat it.

STAPLES' PHARMACY. ALONZO STAPLES, Prop.

GAIETY A BIG LIVE-WIRE SHOW

TODAY and SATURDAY

WM. S. HART

— IN —

Square Deal Sanderson

Also ANTONIO MORENO and CARROL HOLLOWAY in "PERILS OF THUNDER MTN." Episode VIII

Monday—VIVIAN MARTIN in — "LOUISIANA"

PALMOLIVE

Soap, Cream and other lines of Palmolive goods at

WILEY'S PHARMACY, York St.

YE MECCA, TEA ROOM

LUNCHES AT ALL HOURS. OYSTERS IN SEASON. Orders Taken for Home Cooking.

GERTRUDE A. YOUNG Prop

'Phone - 219-21