

## BOYS PLEADED NOT GUILTY AND CASE FELL DOWN

MAGISTRATE GAVE WORDS OF WARNING, HOWEVER

Chief of Police Unable to Produce Evidence Against Boys in Hallowe'en Disturbances.

Six boys summoned to the police court on the serious charge of doing damage by night to real property appeared before Police Magistrate Limerick Monday afternoon. The boys entered a plea of not guilty and the Chief of Police who was the informant not being able to produce sufficient evidence to support the charge, the case was dismissed.

A. R. Shipp, K. C., appeared in court on behalf of the accused and the fathers of the boys also were present. One witness was examined. After that the charge was withdrawn.

**Words of Advice**  
Although the charge was withdrawn His Honor addressed a lecture to the boys. He told them that there was a way to have fun without destroying property and putting the owners to the expense of repairing damage. With a word of advice he let them go.

**Good Things at a Discount.**  
Buy your Ready-to-wear garments and furs just now during Edgcombe's discount sale.

**Fire This Morning.**  
The fire department responded to an alarm from box 13 this morning at 8.20. There was a chimney fire at the residence of Rev. J. J. Colter. No damage was done.

**Expecting Shipments.**  
Chief Inspector W. D. Wilson is expecting a shipment of three barrels of beer seized at Campbellton and three barrels of liquor seized at Green River by Sub-Inspector McLaughlin.

**At Bebbington's.**  
John Bebbington has in his well appointed greenhouse a large supply of splendid lettuce and celery, nice roses and carnations as well as other flowers, in full bloom; also a very large assortment of potted plants.

**Hunting Party Here.**  
Messrs. Walter and W. J. Strauss, of New York, are registered at the Barker House on their way to Rocky Brook, where they will spend a few weeks hunting at the camp of W. Harry Allen.

**Case Continues Today**  
The case arising out of a local druggist refusing to call assistance when requested to do so by a policeman is being continued in the Police Court this afternoon. The incident occurred during the disturbance at the corner of Queen and Carleton Streets on the evening of November 6th.

**Died Last Night.**  
The death occurred last night at her home, 220 Saunders street, of Miss Gertrude Marion Smith, daughter of Mr. and Mrs. James Smith, after a lingering illness, at the age of thirty years. She is survived by her father, mother and one brother Fred. The funeral will take place tomorrow.

**Basketball Series**  
The annual U. N. B. inter-class basketball series will begin on Thursday and be completed next week. Six games will be played and in the case of ties the totality of points in all games played will decide the winning team. Last year the Senior team won with the second year men runners-up. The Junior team look the best bet this year. It is expected that C. B. Burden will handle the whistle in most of the games.

**To Take Bill Sharen.**  
Thomas W. Murphy, of Poughkeepsie, N. Y., accompanied by a gentleman named Clarke, arrived here this morning for the purpose of arranging for the transportation of the trotting stallion Bill Sharen, which was purchased by Mr. Murphy on Saturday last from Archie Alcorn, of Blackville. Frank C. Murchie, of St. Stephen, who acted for Mr. Alcorn in the sale, also arrived here this morning. All are at the Barker House.

**Masonic Visitation.**  
J. D. E. F. Mackenzie, Masonic Grand Master, accompanied by J. Twining Hartt, of St. John, Grand Secretary; G. P. Burchill, of Nelson, Grand Director of Ceremonies; D. C. Clark, of St. John, P. G. M.; R. S. Barker, of Fredericton, P. G. M.; George D. Ellis, of St. John, and all officers of Grand Lodge, paid an official visit to Alexandria Lodge, F. and A. M., Devon, last night. An official visit will be paid to Hiram Lodge, F. and A. M., Fredericton, tonight.

**Court Opened Today**  
The October session of the York County Court opened this afternoon in the County Court House at 2.30. There are five cases on the docket one being a non-jury case. The jury cases are James G. Douglass, Sr., vs. John Green, Sr., an action for lumber sold and delivered; Jeremiah Holland vs. Charles Ross, an action on a promissory note. John J. Johnson vs. W. G. Clark for damages caused to plaintiff by being dismissed without due notice and William Illingsworth vs. Wardlow Kilburn for damages done to a cow. The non-jury case is that of The Leroy Plow Co. s. John Clark & Son. This case has been repeatedly held over awaiting the taking of evidence in Montreal by a commission. The action is one for goods sold and delivered.

## JOSEPH OWENS SENT UP FOR TRIAL FOR KILLING WOODFORD CLOSE IN MISTAKE FOR A BEAR

G. T. Feeney, Counsel for Defence, Asked for Discharge on the Ground of Accidental Shooting—Police Magistrate Limerick Said Enough Evidence Existed to Put the Man on Trial—Committment will be in Blank—Question of Bail.

Joseph Owens charged with illegally killing Woodford Close at Kentville Settlement, near Nashwaak Village, on the morning of Thanksgiving Day, was sent up for trial at the York Sittings, Court of Kings Bench on the third Tuesday of January, by Police Magistrate Limerick this morning. Close was shot in mistake for a bear while hunting. Owens was charged with illegally killing Close. He was committed in blank by the Police Magistrate who will attach the evidence to the commitment.

The evidence was completed this morning the witnesses examined being Dr. B. M. Mullin, coroner, C. Wesley Clowater, R. V. Good and Harold Smith.

G. T. Feeney counsel for the defence and F. H. Peters Clerk of the Peace both addressed the court.

**Dr. B. M. Mullin**  
Dr. B. M. Mullin, coroner, said that he was notified on Thanksgiving Day of the death of Close. He proceeded to Nashwaak Village where he viewed the body upon a wagon. He conducted an inquiry and decided that the shooting had been an accident. He then issued a permit for the burial of the body. Woodford McNeil did not say to him at that time that he had shouted to Owens as the latter fired, "Hold on, wait a minute."

**C. W. Clowater**  
C. Wesley Clowater was examined particularly on the point of the issuing of a game license to Joseph Owens the accused. He stated after questioning that he issued a license in the name of Owens on the afternoon of the day on which Close was killed. A son of Woodford McNeil came to his place by automobile and asked for the license. On request he antedated the license October 14th four days before the date of the shooting and one day before the opening of the game season.

**R. V. Good.**  
R. V. Good of Fredericton formerly residing in Millville, was called. Witness, Glen Libby and Woodford Close were hunting near Kentville along the Old Stanley Road on Thanksgiving Day. Close went ahead to hunt for deer. The others set rabbit snares. They heard three rifle-shots. Thinking it was Close firing they hurried after him. In twenty minutes they sighted a number of men one of whom Woodford McNeil said "Libby, we have done an awful thing. We have shot a man." Witness found Close lying with a rifle-bullet wound in his left shoulder. He was alive then. The wound was by a bullet from a high-power rifle carried by Joseph Owens. There was a clear view at the place with no windfalls. It was a hardwood ridge. Witness paced the distance from Close to where Owens stood

when he fired it. It was forty-two paces. The morning was bright and clear with no haze. The sun was shining over the right shoulder of a person going up the hill.

Witness was present when Dr. B. M. Mullin, coroner, conducted an inquiry. He heard Joseph Owens say he had shot Close and also heard Woodford McNeil say Owens had shot him. Witness had no doubt that Owens had killed Close.

**Cross-Examination.**  
Cross-examined by G. T. Feeney witness said that they started setting snares about nine o'clock setting along the Old Stanley Road. The party met no person till they saw McNeil. The road had not been used for years. There was small growth on both sides of the road, consisting of small wiry bushes, with some evergreens. The width of the road was about sixteen feet. Close was found lying beside a log evidently used at some time as part of a bear-trap. At the request of Mr. Feeney witness drew a plan of the log and the road. In the opinion of the witness there was a good clear view in the distance of forty-two paces, with no obstruction. Witness saw no bushes projecting almost to the centre of the road. Lumbering operations were being carried on there now and bushes might have been knocked off of place.

**Harold Smith.**  
Harold Smith of Nashwaak Village sworn, said he was acquainted with Joseph Owens, Woodford McNeil and William Montieth. Witness was hunting by himself on the morning of Thanksgiving Day. He met McNeil, Owens and Leo Chambers that morning. Witness met Wm. Montieth at Alex. Abernethy's. Witness and Montieth while together did not meet McNeil, Owens and Chambers. Witness was not present when Coroner Mullin conducted an examination.

Cross-examined the witness said that when he met Owens, McNeil and Chambers he asked the time of day. Owens told him He asked where they were going. They replied they were cruising. Witness told them he and Montieth were going hunting up the Dunbar in the afternoon. Witness was alone when he met the party. McNeil was mistaken when he said Montieth was with witness. Montieth joined witness at the home of the latter.

Mr. Peters stated that this closed the case for the prosecution.

**Mr. Feeney's Address.**  
Mr. Feeney asked for the privilege of addressing the court. The case was the first of the kind brought before the New Brunswick courts. It was recognized that accidents during the hunting season were frequent. Dr. B. M. Mullin, coroner, had held an inquiry and had decided that the death

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# Continuation Sale

So many could not get out or get served on Saturday's Twenty Five Per Cent Sale that we have decided to continue it this week in both Ladies and Gent's Ready to Wear Departments.

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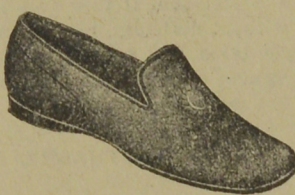
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