

Arthur Bannister Appeal was Dismissed Today

NEW BRUNSWICK'S
HOME COMMUNITY
PAPER

The Daily Mail

THE DAILY MAIL
GOES HOME AND
IS READ

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FREDERICTON, N. B., FRIDAY, APRIL 24, 1936

Weather: Moderate winds, fair and cool today and on Saturday

N. B. LEGISLATURE PROROGUES TODAY

Maugerville Sea Wall and Other Public Works

It Is Time for Permanent Construction to Prevent Damage From Freshets

Major Lawson Moves

Daily Mail's Suggestion Re Extension of Richibucto Road Also Taken Up

An effort is being made by Major W. C. Lawson, M. P. P. for Sunbury to have construction of a permanent nature made along the river between the turn of the road Maugerville and McGowan's Wharf at Sheffield—a distance of between twelve and fifteen miles. Major Lawson wants to see, and is trying to impress upon the government, the matter of having a hard-surfaced road built through the Maugerville-Sheffield section, and what is of greater importance still, he wishes to have a sea-wall erected to shut out the ice freshet and a large measure of the water freshet that has been a yearly menace to the residents of this section of the province for many, many years.

Maugerville is one of the most thriving settlements in New Brunswick. It is a delightful countryside in the summer but the residents have had to put up with this annual freshet which not only destroys private property and has destroyed private property to the value of hundreds of thousands of dollars and government property including highways to the value of many hundreds of thousands of dollars extending over a period of years. Many plans have been made to protect the public and private property in this section but all have been helpless to cope with the spring conditions. Major Lawson feels, and in this it is understood, that he has the sympathetic ear of the premier and minister of public works that the time has come when some permanent contribution must be devised to overcome these natural conditions. This, it is understood, will cost a great deal of money but when the cost is spread over a period of years and when the results are permanent the expense will result in an eventual saving not only to the province but to the people of Maugerville and Sheffield.

Another matter which is being taken up by Major Lawson and which was suggested last summer by The Daily Mail is the extension of the old Richibucto road from the Burpee Stream to Abright's Corner a distance of five miles, and the use of that road as a short route to Chipman and Minto. It will cut off approximately eleven miles as against the road around by McGowan's wharf, and in addition to this it will have the advantage of being away from the flooded area, which makes the lower portion of Sheffield impassable at certain seasons.

The Daily Mail after its representative had made a survey of this section last year, pointed out that the men on the relief project had already built a fairly good road over the larger portion of this route and that all that

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SCADDING VERY WEAK, FEET IN BAD CONDITION

HALIFAX, April 24—Flown to Halifax after being rescued from Moose River gold mine, Alfred Scadding was recovering in hospital last night, but Dr. H. K. MacDonald said the condition of his feet was "causing some concern".

Scadding's general condition was satisfactory, Dr. MacDonald added.

Taken from the emergency hospital at Moose River before noon, Scadding was moved in an ambulance over five miles of boggy road to Long Lake,

where a Royal Canadian Mounted Police plane was moored. He was accompanied by a doctor and a nurse. After the plane landed on Halifax harbor greatest care was taken in removing the patient to a waiting ambulance. First a crane lifted the plane high into the air and lowered it onto a pier.

Very weak but courageous, Scadding smiled for the crowd clustered around as he was carried to the ambulance.

SAW LITTLE CHANCE OF RESCUE FIRST FEW DAYS

Burnt All the Dry Wood Available in the Place

The dramatic story of how Dr. D. E. Robertson and Alfred Scadding lived for 240 hours in an underground pit, of the Moose River gold mine, and how Herman Magill, their companion died in the arms of the distinguished Toronto surgeon, has been unofficially reported.

During the last period of dynamiting Dr. Robertson believed it impossible they would be saved, and had thought the whole mine area had caved in.

More imaginative, Scadding pictured the shaft house toppled into the pit, carrying its crew with it and thus barring rescuers of knowledge where the men were when the fall occurred.

For the first five days of their imprisonment the three saw little chance of rescue.

They could not hear the dynamite blasting at the surface or the diamond drill.

The story says that for two days after the cave-in April 12 they burned bits of dry wood in the hopes the smoke would be seen above. By Wednesday their supply of wood gave out and they had no indication that their signals had been seen.

Magill, 30 year old barrister and part owner of the mine, died early on the morning of April 20. For hours in the pit Dr. Robertson had held his companion in his arms seeking to give him life-saving warmth. Pneumonia developed, however, and death came less than 24 hours after the diamond drill broke through to the shaft.

Slept Well

The three slept well during the first few days of the entombment, and hunger did not cause them great suffering. They drank water freely.

When they slept they locked themselves in one another's arms to preserve what heat foodless bodies would generate. Because they did not hear the diamond drill break through Saturday night, the three did not tell the world they lived until early Sunday morning.

When a flare dropped into the shaft

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Quick Action Not Talk Wanted

If it is true, as suggested at the Board of Trade meeting last evening, that certain influences at Halifax are being brought to bear upon the Federal authorities at Ottawa, to prevent our C. N.R. bridge being built the sooner that local people get busy the better.

It is stated that if the bridge is not built that grain and other exports may be routed down the C.N.R. via Moncton and on to Halifax. If the bridge is built the traffic comes via McGowney and Fredericton and on down the valley to the seaboard at Saint John. This traffic down the valley will provide work for the railway men and for others at Devon, Fredericton and elsewhere in this section.

What are we doing as people to impress upon W. G. Clark, M.P., and the authorities at Ottawa that we have the natural outlet to the sea and that this bridge built to standard size, and the road bed put in condition form the keystone and the connecting link to this outlet. There is no use in saying that Mr. Clark said this or somebody else said that. WHAT WE WANT IS THE POSITIVE AND DEFINITE ASSURANCE THAT THE CONSTRUCTION OF THIS BRIDGE HAS BEEN DECIDED UPON AND THAT IT WILL GO THROUGH AS EARLY AS POSSIBLE. No indefinite statements should satisfy us in view of the rumors regarding outside sources.

There was no mention of the bridge in the estimates brought down at Ottawa yesterday. Why not? This bridge will take a year or two to build. We should know now where we are at.

The bridge went out in March—a month ago. Tenders for removing the obstructions across the river channel closed on April 8. The progress made in clearing the river has been altogether too slow and we have been altogether too slow in allowing it to be so slow.

If there is anybody interested in this section in a practical way—not all talk—let them get interested actively and start moving. If we don't get busy and do things in a practical way, we will all fall asleep some day and we will have to get dug out. Action, not "bull," is what is wanted.

AN ARTILLERY SALUTE FOR THE PROROGATION

Fifteen Guns Fired This Afternoon as N.B. Legislature Ends Duties—Session Lasted Six Weeks and One Day—106 Bills Introduced.

For the first time in the history of the New Brunswick Legislature an artillery salute has been authorized to be fired at the prorogation of the Legislature this afternoon. Fifteen guns are to be fired by the artillery unit in charge of Bliss Amos.

The present session has lasted just six weeks and one day. In all one

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ASSISTANCE TO WHEAT MILLS UNDER FIRE

The Public Accounts committee of the N. B. Legislature wound up its last meeting yesterday afternoon. At the final session J. K. King, deputy minister of agriculture, explained assistance given by the late government to wheat mills in Carleton county. By order-in-council, \$2,000 had been granted the mills in Centreville and Lakeville. The act provides for such assistance in the establishment of mills.

J. G. Boucher, M.P.P. for Madawaska, claimed that the \$1,000 granted the Centreville mill was an "election bonus," for that mill had received \$1,000 at its establishment twenty or twenty-five years ago. In Madawaska a mill received a bonus of \$1,000 and had been refused another. E. W. Melville, M.P.P. for Carleton, said that the Centreville mill was entitled to \$2,000 according to its capacity, while G. W. Perry, M.P. for Carleton pointed out that there were fourteen mills receiving bonuses in the province. He said that the Carleton county ones were not mak-

FORMER OPPONENTS IN AGREEMENT

OTTAWA, April 24—Conservative Leader Bennett and Hon. H. H. Stevens, the only Reconstructionist in the House, once political friends, then enemies, supported the same view in the House of Commons today.

They protested against a change proposed by Finance Minister Dunning, resulting in Canadian National Railway deficits being voted by Parliament the same year they occur. The present practice is to vote the money the year after.

It was only a skirmish on the proposed change. A lengthier discussion slated for later in the session.

The finance minister attempted to introduce a bill providing for capital appropriations and refunding costs of the railway for this year but did not press it when the Conservative leader suggested it should come later.

Civic Aviation

The government has under consideration a definite national civil aviation policy. Defence Minister Mackenzie told a questioner in the House of Commons yesterday. Civil aviation will be developed independently "of any aeronautical developments for military purposes," the minister said.

SHEFFIELD PLANT ESCAPES WRECK BY SABOTAGE

LONDON, April 23—The Daily Mail said tonight another case of suspected sabotage in connection with defenses was being investigated at Sheffield.

This attempt, the newspaper said, was an effort to damage a giant fly-wheel in the engine room of a factory engaged in the manufacture of steel and wire for aircraft and torpedo boats.

Magill did not want his wife to know he was in serious condition. Monday morning, April 20, he sat up suddenly, spoke incoherently and in two minutes he was dead.

The above report comes unofficially.

GAMBLING IS AN EVIL IN THE PROVINCE

Proposes to Ask Outside Vendors to Pay License

(By Mrs. J. L. Neville)

The house in committee of the whole considered a bill in regard to the assessment valuation of the Swift Canadian Co.

Reported as amended. Mr. Porter asked the committee to reconsider the bill respecting the levying and assessment of rates and taxes in the city of Saint John.

A bill to provide for the government of the city of Saint John by an elective committee was recommended with amendments.

Third readings were given several bills.

The whole house committee considered a bill in respect to gambling devices and slot machines.

The attorney general stated the slot machine is an evil. An act to deal with slot machines and gambling devices must be such as to suppress the gambling business.

Mr. Melville wanted to know if this amendment covered any other form of gambling to which the attorney general answered, in the negative.

General administration of the province will be administered by the R. C.M.P., stated Mr. McNair, and will not enter cities and towns where there is police service.

The amendment of the license and taxes act was discussed and reported as amended.

The Intoxicating Liquor Act amended now provides for a one-member commission and a deputy commissioner. This is following the footsteps of other provinces. A Deputy would be ready to step in and assume the responsibilities in case the first commissioner cannot act. The deputy would be paid during the time actively engaged.

An Act respecting licensing of Transient Salesmen brought some clashing. Mr. Blakeny thinks restriction on trade might prevent an outsider coming in with harticle that are needed and not manufactured in the province.

Mr. Richard said the act deals only with house to house canvassers, vendors, books, magazines, etc.

The bill was held for further consideration and later recommended.

Opposition Leader Squires and Provincial Secretary-Treasurer Richard clashed in the Legislature's committee of the whole last night over the government's bill to increase taxation on insurance companies, banks, chain stores and other extra-provincial corporations.

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Supreme Court Decides to Endorse Death Sentence

Arthur Bannister Will Hang on June 20 for the Murder of Philip Lake at Pacific Junction

Daniel's Appeal Pending

Mrs. Bannister Will Be Taken to Kingston Penitentiary Today—Husband Visited Mother, Sons

HOSPITAL SENDS A CONTRIBUTION TO MINERS' FUND

Elderly Lady Sends a Personal Check For \$25

Toronto, April 24—The fund for the miners who toiled in the rescue of Dr. D. E. Robertson and Alfred Scadding from the Moose River gold mine had \$20,000 in sight today, Norman Sommerville, K. C. announced tonight.

"Actual cash at the Toronto headquarters of the Canadian Red Cross Society was \$12,000," Mr. Sommerville said "with untold numbers of contributions at bank and society branches throughout the country not counted yet." Among the contributions received today was \$10 from invalids at the Hospital for Sick Children in Toronto where Dr. Robertson is chief surgeon.

In the Ottawa office of the Red Cross citizens constantly inquired if they could contribute to the fund to be sent to men who rescued Dr. Robertson and Alfred Scadding of Toronto from the mine at Moose River, N. S. One elderly woman left a personal check for \$25. "We are so glad the Red Cross is taking up contributions," many questioners were quoted as saying. "When it is impossible to express gratitude personally, a fund such as this helps us show our feelings."

FUN ON WHEELS

NEW YORK, N. Y., April 24—Even the gentle sport of cycling has its complications in New York City.

Latest "accessory" is a special railroad train which will haul bicycle riders into Connecticut once a week and let them have a few hours of freedom from the big city's traffic.

The appeal of Arthur Bannister from conviction for the murder of Philip Lake at Pacific Junction, N.B., was dismissed by the Appellate Division of the Supreme Court of New Brunswick, which resumed its April session this morning. Judgment was handed down by Chief Justice J. B. M. Baxter.

Arthur Bannister was sentenced to hang on June 20 for Lake's murder by Hon. Chief Justice Barry at the last sitting of the Westmorland County circuit court. His brother, Daniel, was sentenced to hang for Lake's murder on the same date, and his appeal is pending.

In judgment handed down this morning Chief Justice Baxter declared "the learned trial judge told the jury it was murder or nothing . . . we think he was entirely right. The conviction must be affirmed and the appeal dismissed."

The Appeal court this morning took up the final case on the April docket of the court, that of George Watt vs. Town of Newcastle. Court adjourned sine die, and remitted it to the next term of the court. Chief Justice Baxter, and Justices Harrison and Grimmer comprised the court today.

Journalistic Methods

The judgment said in part: "On the argument the court expressed the opinion that the third and fifth grounds would not justify leave to appeal. While the facts in support of the third ground show a condition of affairs that is no credit to the press of this Province, and while the trial record shows that the learned trial judge disapproved of the journalistic methods which were being pursued, yet it is too much to assume that there existed a widespread public hostility to the prisoner which would render the County of Westmorland an undesirable place for his trial. The jury were carefully examined on challenge and we see no reason to think that the improper newspaper publications affected the mind of any member of that body . . . The court also felt that there was nothing in the fifth ground. Mr. Lambert was permitted to appeal on the remaining grounds, which will be taken up in order."

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City Council Business Is Being Done in Private Room

TOO ILL TO WORRY ABOUT CHANCES FOR RESCUE

Imprisoned in the bowels of the earth and seriously ill with pneumonia, pleurisy and stomach ulcer, Herman Magill was too ill to worry about the chances for rescue.

After communication had been established through the drill hole he did not talk to his wife, although the doctor talked to Mrs. Robertson and Scadding spoke often.

Magill did not want his wife to know he was in serious condition.

Monday morning, April 20, he sat up suddenly, spoke incoherently and in two minutes he was dead.

The above report comes unofficially.

City Affairs Discussed in Private and Arranged Before Coming to Regular Council Meeting.

According to Alderman F. S. Mundle and others making statements in public, all city business is transacted in a private Committee meeting before the Council opens each month. After the Aldermen have all agreed, they come out into the regular open meeting room where the public are allowed to know what is going on and discuss matters in public. It appears that the press are not allowed into these meetings. In fact the press has been refused to these meetings.

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TO BUILD 20 MILES AT EACH END OF ROAD THIS YEAR

A lively but inconsequential flurry occurred in committee of the whole early yesterday concerning the projected road from the Tobique to the Miramichi, during which Premier Dystart stated that this year it was proposed to complete 20 miles at each end of the highway to reach the heart of the hardwood areas.

The standard would be that of secondary roads, and would cost about \$10,000 a mile, including grading, bridges, etc., he said. The road would be about 22 feet from shoulder to shoulder and narrower than the regular standard.