

Daniel Bannister Has Been Granted New Trial

The Daily Mail

NEW BRUNSWICK'S
HOME COMMUNITY
PAPER

THE DAILY MAIL
GOES HOME AND
IS READ

VOL. XLII., NO. 126

FREDERICTON, N. B., TUESDAY, JUNE 2, 1936

Weather: Moderate, higher temperature; Wednesday, cloudy, showers.

Definite Assurance That C. N. R. Bridge Started this Year

Hon. C. D. Howe, Minister of Railways, Assures
Delegates at Successful Ottawa Conference

Modern Heavy Type Bridge Will Be Built

W. G. Clark, M.P., Had Previous Assurance and
Plans Are Now Being Prepared

Some months ago, a few days after the C.N.R. bridge was washed away, W. G. Clark, M.P., who was at Ottawa came home immediately in order to obtain first hand information regarding our requirements about a new bridge. As soon as he returned to Ottawa Mr. Clark immediately had an interview with Hon. C. W. Howe, Minister of Railways, and others in authority regarding the rebuilding of the bridge. He was assured by them at that time that a new bridge would be started at as early a date as possible. A few days later Mr. Clark wired The Daily Mail to the effect that the plans were then in hand and a modern, heavy type structure would be built to replace the bridge which was washed away by the abnormal flood of March last.

At that time it was recalled that Sir Alexander Gibb, famous port engineer, had reported to the federal government as far back as 1932 that in his opinion the Canadian National Railway should run direct into West Saint John by means of the Valley line from Fredericton. It was pointed out that with a new modern bridge between Fredericton and Devon traffic could be routed over the Trans-continental through McGivney Junction to Fredericton and from Fredericton to Saint John. This would do away with the necessity of the C.N.R. routing traffic to Saint John via Moncton and thus save many miles of haul.

In order to provide for this shorter haul it will be necessary in addition to the building of the new bridge to put the line between McGivney and Fredericton, and also between Fredericton and Saint John to a certain extent, up to standard requirements. This will probably require re-grading.

In order to strengthen the hand of Mr. Clark and to remove any doubt about the early building of the bridge a delegation from Fredericton city council consisting of Mayor Kitchen and Aldermen Maxwell, Crewdson and Forbes left here during the weekend for Ottawa and yesterday had an interview with Hon. Mr. Howe, Minister of Railways. They were accompanied in their call on the Minister by Hon. J. E. Michaud, Minister of Fisheries; W. G. Clark, M.P. for York-Sunbury; and W. M. Ryan, M.P. for Saint John. Hon. Mr. Howe gave definite assurance that the reconstruction of the railway bridge between Fredericton and Devon would absolutely commence this year and that the new bridge would be of a modern heavy type structure. The following wire was received by The Daily Mail



HON. J. E. MICHAUD, M.P.
Minister of Fisheries who assisted
our Delegates in their Bridge In-
terviews

GOV.-GENERAL TO ATTEND DEDICATION

AMHERST, N. S., June 2—Lord Tweedsmuir, governor general of Canada, will be present at the dedication of the new museum recently constructed at Fort Beauséjour national park, which will take place in the near future. The new museum is being filled with historic relics from the Chignecto district, relics that featured the early history of the Isthmus, including the battles between the French and British for the possession of this territory.

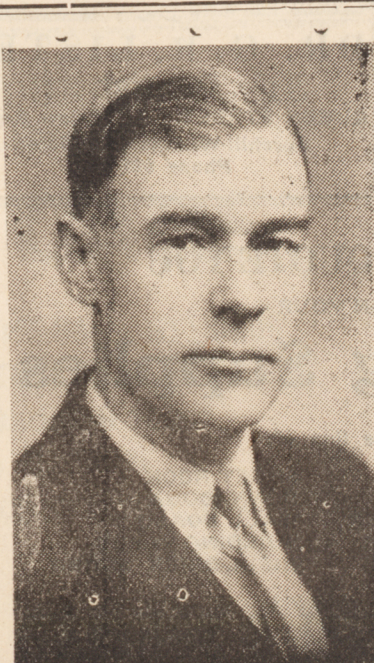
last evening from Mayor G. Willard Kitchen:

Ottawa, Ont., June 1.
Daily Mail, Fredericton.
Delegation from Fredericton City Council consisting of Mayor Kitchen, Aldermen Maxwell, Crewdson and Forbes, accompanied by Hon. J. E. Michaud, W. G. Clark, M.P. and W. M. Ryan, had successful interview with Hon. C. D. Howe, Minister of Railways, at Ottawa this afternoon. Mr. Howe gave definite assurance that the reconstruction of the railway bridge between Fredericton and Devon will commence this year, bridge to be of modern heavy type.

G. WILLARD KITCHEN.



WILLIAM RYAN, M. P.
for Saint John, who Assisted the
Fredericton Delegates on Bridge
Matter



MAYOR G. WILLARD KITCHEN
Who Headed Delegation to Ottawa

The Valley Route

The C.N.R. bridge will be rebuilt. It will be started this year. It will be of a most modern type. This assurance was given to W. G. Clark, M.P., shortly after the bridge went out. It was repeated officially yesterday by the Minister of Railways to a Fredericton delegation composed of Mayor Kitchen and Aldermen Forbes, Maxwell and Crewdson who journeyed to Ottawa over the week-end for the purpose of strengthening Mr. Clark's hand in the matter.

The construction of the new bridge will be of immense benefit not only to Fredericton but to Saint John as well. It will also mean a much shorter haul for freight from Western and Central Canada to the sea.

As far back as 1932 a famous engineering authority, Sir Alexander Gibb, reported to the Federal Government that the natural route of the Canadian National Railway was by way of the Valley Railway to the sea at Saint John, thus obviating the necessity of running through traffic via Moncton, an addition of several miles for heavy traffic. Construction of the new bridge will be an important factor in this regard.

In addition to the construction of the new bridge a certain amount of regrading and other work would be involved in bringing the McGivney Junction-Fredericton section up to the standard.

The Valley route to the sea is what this section of the Province is entitled to. In addition to this there is no question whatever that many thousands of dollars each year will be saved by the railway in making the shorter haul. As one prominent railway official has said, "The Fredericton-Devon bridge is the keystone to the railway situation in this region."

Mr. Clark, M.P., Hon. J. E. Michaud, our Cabinet Minister from New Brunswick, are to be congratulated on their efforts in this regard. The Fredericton delegates and W. M. Ryan, M.P. of Saint John, are also entitled to praise for their efforts in helping to push the project along.

DOWNFALL OF RYAN BLAMED ON M'MULLEN

VANCOUVER, B. C., June 2—R. R. Tucker, retired Deputy Warden at Kingston Penitentiary, said recently he thought Norman ("Red") Ryan would have "gone straight" after his release on parole if he hadn't come under the influence of Edward McMullen, partner-in-crime of the late gang leader, and now dying from self-inflicted gun wounds in a Seattle Hospital.

"I think Ryan would have gone straight had he not met McMullen after his release from penitentiary," said Tucker, who served for ten years as Deputy Warden at Canada's largest penal institution.

"Ryan was volatile, easily led. McMullen was cold as ice, silent immovable as a Gipsy's curse. Ryan had a bright future when he left penitentiary. McMullen had none but crime. I have no doubt he lured Ryan away from the path of rectitude. He was the most dangerous man I ever knew in Kingston."

If it had not been for McMullen Tucker said, Ryan might never have resumed the life of crime that led to his death in a hail of police bullets in an abortive hold-up of the Sarnia, Ontario, liquor store two weeks.

15 More Ministers Than Churches

SACKVILLE, June 2—The settlement committee of the Maritime Conference of the United Church met this afternoon in Eubethorian Hall, with Rev. A. D. Archibald, Grand Falls, president of the Conference, present. Rev. L. B. Campbell, Sydney, was appointed chairman of the committee in place of Rev. Dr. A. S. Rogers, Saint John. Rev. Harold Tomkinson, Yarmouth, secretary, also was present. The committee dealt with matters of ministers seeking retirement, leave of absence, transfers and interim calls and made a start on the regular calls.

The settlement committee faces a difficult task, as there are 15 more men than churches. The first draft of the station sheet will be presented Thursday morning. Rev. Thos. MacLennan, Annapolis Royal, was appointed assistant secretary to Mr. Tomkinson, who is returning to Yarmouth.

THOMAS SAYS BUDGET PROBE HOUNDED HIM

LONDON, England, June 2—The London Daily Mirror quoted J. H. Thomas, Colonial Secretary who resigned following the budget leak probe as saying "I am a broken man". The newspaper said he spoke from his hideout, "somewhere in Devon".

"What was the inquiry about?" the former colonial secretary was reported to have asked. The newspaper said he answered his question by saying, "to find out what they could about Jim Thomas".

"I was in public life for forty-five years", the Daily Mirror stated Thomas went on. "Now they do this. It's shattering enough to break up any one. You cannot blame me if I feel bitter."

The newspaper said Thomas described his son Leslie, also involved in the budget leak investigation, as "an innocent victim put in the pillory", and reported the former cabinet member declared he was being "honored from public life".

Large Number at Funeral Today of Coles P. Kitchen

Tribute was paid to Coles P. Kitchen, one of Fredericton's best known residents as the funeral was held at the home of Mr. and Mrs. Richard Dunn, parents of Mrs. Kitchen, at Victoria Mills, at 2.30 o'clock this afternoon. Friends of the late Mr. Kitchen, young and old, attended his funeral and there were many floral tributes. Ven. Archdeacon A. F. Bate conducted the service and interment was made in the Rural Cemetery extension. The pallbearers were W. E. Vaughan, Alex. C. Fleming, Harry Watson, Harry Smith, Arthur Anderson and Thomas Whittey. The chief mourners were as follows: Paul Kitchen, Hamilton G. Kitchen, Willard Kitchen, Albert Kitchen, Mayor G. Willard Kitchen, Walter Kitchen, Douglas Kitchen, Wentworth Kitchen, Herbert Kitchen, Dow Kitchen and Richard Dunn.

WEATHER STATISTICS

Weather statistics for May as furnished by the Dominion Experimental Station today are as follows: Maximum temperature, 84 degrees; mean, 50.09; minimum, 27; rainfall, 3.81 inches; snowfall, 1 1/2 inches; sunshine, 172.9 hours.

ETHIOPIA DIVIDED INTO FIVE PARTS BY MUSSOLINI

Capitals of Administrative Divisions Named by Mussolini — Test Mobilization on Northern Frontier Under Way

ROME, June 2—All Ethiopia was divided into five parts today by Benito Mussolini, creator of the new Roman Empire.

His cabinet approved a project by which each part becomes an administrative division. They are:

Eritrea—Capital, Asmara.
Amhara—Capital, Grandor.
Galla and Sidamo—Capital, Jimma.
Harar—Capital, Harar.
Somaland—Capital, Mogadiscio.

The cabinet announced each division represented a homogeneous organism, "ethnically, geographically, and politically."

Addis Ababa was named the capital for the new administrative organization of Ethiopia, with a viceroy in charge, aided by a vice governor-general and the chief of the general staff, the latter handling military matters.

Flanking this central government, the cabinet ordered two consultative bodies set up—a governor's council presided over by the viceroy and composed of the highest officials in Italian East Africa and a general "consulta," formed of resident citizens chosen by the viceroy from established merchants, and industrialists and six chiefs and notables chosen among East African subjects.

The cabinet declared "the cabinet guarantees" for the Mohammedan religion. At the same time the Coptic Christian Church was made the object of explicit regulations because of its connection with the Coptic church of Egypt. These regulations, however, were not announced immediately.

It was stated, however, that the Coptic church of Ethiopia now is reunited with the Patriarchal See of Alexandria and the Egyptian Coptic Church. Traditionally Alexandria was the Mother Church of the Coptic sect to which Ethiopian bishops held ecclesiastical allegiance. In recent years the connection has been broken off and the Coptic Church nationalized.

It pays to advertise in The Daily Mail.

Queen Mary Greeted By Great Numbers

Fails to Oust Blue Ribbon for Speed From Liner Normandie

Speed Lowered at Last End of Journey

Ocean Greyhound a Floating Hotel, a Beautiful Ship, and Safe



J. S. HUNGERFORD

TO BE PRESIDENT AND GENERAL MGR. OF THE C. N. R.

It is reported today from Ottawa that when the changes now under way in regard to the C.N.R. are completed that S. J. Hungerford will become President and General Manager of the C.N.R. No detailed announcement has yet been made in regard to the proposed changes.

GOING TO MONTREAL

John Black, well known barrister is leaving within a few weeks for Montreal, where he will in future reside with his daughter-in-law, Mrs. J. D. Black and her children. At present he is staying with Mr. and Mrs. Jack Penety in this city.

Said "In Her Pocket"

In fact a report aboard ship was that the Queen Mary had the record "in her pocket" despite a weekend fog that caused her 200,000 horsepower turbines to be throttled to half speed and, at times, to slow. The Queen Mary might have clipped 29 minutes from the Normandie's mark, these persons said they had learned, had not the liner's speed been cut the last four hours out.

Neither Sir Edgar Britten, the proud commander, nor Sir Penny Bates, chairman of the line, would confirm these statements.

Sir Percy said that if the Queen Mary's speed was reduced, it was in order that her schedule might be kept "to the minute."

(Continued on Page Four)

Second Trial Granted to Daniel Bannister, Sentenced to Hang For Philip Lake Murder

Judgment is Handed Down This Morning by Appellate Division of Supreme Court.

Daniel Robert Bannister, who was convicted in the Westmorland County Court of the murder of Philip Lake at Pacific Junction on April 6, has been ordered a new trial by the Supreme Court of New Brunswick.

Judgment was handed down this morning as the Appeal Court began its June term here, with Chief Justice J. B. M. Baxter and Mr. Justice Grimmer and Harrison presiding.

At the Attorney General's office this morning it was stated that the date for the new trial has not yet been set. Daniel Bannister has been sentenced to hang at the Westmorland county jail in Dorchester on June 20, on the same date that his brother Arthur Bannister will pay the supreme penalty for the murder of Philip Lake at Pacific Junction early in January last. The Bannister trial which took place at Dorchester during the month of April was one of the most sensational criminal cases held in New Brunswick in recent years.

The Judgment
Following are excerpts from the

judgment of the Appeal Court this morning:

It was not suggested that the accused actually killed Lake. If he is responsible for that death it is by virtue of Sec. 69 (2) of the Code, which provides that "if several persons form a common intention to prosecute an unlawful purpose (and to assist each other therein, each of them is a party to every offence committed by any one of them in the prosecution of such common purpose the commission of which offence was or ought to have been known to be a probable consequence of the prosecution of such common purpose."

Under this section it was for the prosecution to prove: 1. That the accused and others had formed a common intention to prosecute an unlawful purpose, in this case the abduction of the Lake baby and to assist each other therein. 2. That an offence was committed by one of them in the prosecution of the common purpose, in this case the murder of Lake by Arthur Bannister; and, 3. That the murder was or ought to have been known to be a probable consequence of the prosecution of such common purpose.

It is unnecessary to rehearse the facts which are practically identical (Continued on Page Four)

LOCAL MEN SENTENCED

Richard Atherton pleaded guilty to a charge of unlawfully assaulting police officer Osborne Brown while engaging in his duties on Saturday night and was sentenced to a jail term of six months by Magistrate Limerick. He was sentenced to a fine of \$8 or a jail term of 30 days when he pleaded guilty to a charge of being drunk in a public place. Ralph Kitchen, also of this city, was found guilty on a charge of wilfully and unlawfully obstructing Officer Brown in the discharge of his duty and was sentenced to a jail term of two months. Kitchen pleaded guilty to the charge of having liquor in an unauthorized place and being drunk in a public place and was sentenced to \$100 or two months on the first charge and \$8 or thirty days on the second charge. The case arose out of a racket at the Royal Cafe on Saturday evening.

ABLE TO BE UP AGAIN

Friends will be pleased to learn that A. O. I. Crookshanks, assistant superintendent of the C.N.R. at Devon, is able to be up today following an attack of illness which he suffered at his office on Saturday. He was expected to be able to be at his duties this afternoon.