

CIRCUIT COURT CONTINUES IN WM. CLARK CASE

Both Attorneys Speak to the Jury This Afternoon

All Witnesses Heard Charge Against the Accused Was Changed

Counsels for both crown and defendant will make their appeals to the jury this afternoon in the case of William Clark, Fredericton, who is being tried before the September sitting of the York Circuit Court on a charge of being in control of a motor vehicle while under the influence of intoxicating liquor. The charge had been amended by E. Allison MacKay, prosecuting attorney.

The case began yesterday with the prosecuting attorney E. Allison MacKay, Fredericton, calling upon four witnesses. The first witness called was Lance Corporal L. P. Ryder, R.C.M.P., Fredericton, who gave crown evidence as to the accident and leading up to the arrest of Clark. The next witness was Dr. McKenzie, of Prince William, who gave medical assistance to the persons who were in the car at the time of the accident. Walter McKenzie, McAdam Junction, and George Hood of Magundy, also gave crown evidence. This completed the case for the crown.

Following the hearing of crown evidence, E. Allison MacKay amended the indictment by changing it to the charge of having care and control of the vehicle instead of driving it. Leo F. Cain, the defense counsel, did not oppose this amendment but his application to have the case withdrawn from the jury was refused by the presiding judge, Justice J. H. A. L. Fairweather.

The defence then continued with the case. The first witness called was Arnold Parker, Magundy. The court then adjourned until 10.30 a.m. this morning.

When court was resumed this morning further witnesses were called. The first was Walter McLean, then William Clark, the accused in this case. Clark gave a graphic description of the accident and denied on the witness stand that he had been intoxicated up to the time the accident occurred. Clark was followed on the stand by Jack Fraser, Fredericton. He in turn gave his story to the court, the happening which brought about this trial.

At this point the court adjourned until 2.00 p.m. this afternoon when the lawyers made their appeals to the jury.

NEWS BRIEFS

RADIO SPEAKERS
C. R. Pollard, Conservative candidate for Charlotte county, D. King Hazen, K.C., Conservative candidate for St. John-Albert, and Col. A. J. Brooks, Conservative candidate for Royal, will all be heard tonight over stations CHSJ, CFNB and CKCV, at 9 P. M., Atlantic Standard Time.

FUNERAL TODAY
The funeral of the late Jerome Smith who died yesterday at the home of his daughter Mrs. Elijah Boone, was conducted this afternoon by Rev. Mr. Linton. The service will be held at Geary. The pall bearers were Howard Patterson, John McMurtrie, Walter Hall and Wm. Coyle. Interment was made at Geary.

UP AND AROUND
Ronald Stafford, son of Mr. and Mrs. Bernard Stafford, Marysville, who was thought to be suffering from an attack of infantile paralysis, is now able to be out again and appears to be in the best of health. Doctors attending him varied somewhat in their opinion, as to what sickness he was suffering from, but owing to his speedy recovery it could not have been infantile paralysis, it is said. One doctor expressed the opinion that his illness was caused by an injured nerve.

DIED YESTERDAY
There passed away at the home of her daughter, Mrs. Louise Harris, Barker's Point, yesterday, Mrs. Emma Rickens, aged 78 years, widow of the late Alfred Rickens. Mrs. Rickens came to Canada from Benoon, England, shortly after the death of her husband, sixteen years ago, to make her home with her daughter. Her death came following a short illness and infirmities of old age. She is survived by her daughter Mrs. Harris, and two sons, Alfred of Winnipeg, and John, of Norfolk, England. The funeral service will be conducted by Rev. D. L. Kennedy, Devon, Thursday afternoon at 2:00 p.m. at the home of her daughter and interment will be made at Sunny Bank cemetery.

MONA M'MAHON IS APPOINTED MAGISTRATE

Chatham Woman First of Sex to Hold Position

Local Appointments E. Allison MacKay Appointed Clerk of Peace

Hon. C. T. Richard, provincial secretary-treasurer, today announced in the Royal Gazette, the official government organ, several appointments, dismissals for cause and resignations approved by the lieutenant-Governor-in-council.

An interesting feature of the new appointments is the appointment of Miss Mona McMahon as sitting Chief Magistrate of the Town of Chatham. This is the first time in the history of the province that a woman has occupied such a position and it is not likely that a parallel incident will be found in the rest of the Dominion. This appointment adds to the distinction of Northumberland County of having the only woman active in public life in the province. Miss Frances Fish, the Reconstruction candidate in that county.

Among the resignations is E. Allison MacKay, who resigned the position of Clerk of the York Nisi Prius Sittings. His resignation is that of E. Allison MacKay, who resigned the position of Clerk of the York Nisi Prius Sittings. His appointment to the position of Clerk of the Peace, formerly occupied by Leo F. Cain, was announced in the same report. Albert R. Murray will take over Mr. MacKay's former position.

Other local people who received appointments today are Dorothy Monica Hughes, first Fredericton woman to be admitted to the bar, to be a Notary Public, and Percy G. Long, of Marysville, to be an Issuer of Marriage Licenses.

The appointments, resignations and dismissals are as follows:

His Honour The Lieutenant-Governor has been pleased to accept the following resignations:

Alden H. Peck as Sheriff of the County of Albert.

E. Allison MacKay as Clerk of the Nisi Prius Sittings for the County of York

H. G. Noble as a member of the School Board of the Town of Woodstock.

John A. Creaghan as Judge of Probate for the County of Northumberland, to become effective on September 30th, 1935.

W. B. Wisely of Minto as a member of the Sunbury Sub-District Board of Health

Hector Poirier of Bathurst as Sheriff of the County of Gloucester, to become effective on October 2nd, 1935.

Dismissals

His Honour The Lieutenant-Governor has been pleased to order that the following dismissals be made for cause:

Walter V. Powers of Grand Falls, as a Commissioner for taking affidavits to be read in the Supreme Court.

E. Archie Howlett, as Parish Court Commissioner for the Parish of Drummond in the County of Victoria.

Claude D. Clayton, of Marysville, as an issuer of Marriage Licenses.

J. Arthur VanWart of Hampstead as Judge of Probate for the County of Queens

Appointments

His Honour The Lieutenant-Governor has been pleased to make the following appointments:

For the County of Carleton

L. Allen McIntosh of Hartland to be a Coroner.

George True, of Woodstock, to be a member of the Board of School Trustees for the Town of Woodstock in the place of H. G. Noble, resigned. (Continued on Page Five)

GUNS

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Bear Drags Trap, Pole to Tree Top

(Special to The Daily Mail) MARYSVILLE, Sept. 25—Young Bruin has made his last trip to the town of Marysville. Or, at least, one young Bruin has made his last trip to the cotton town. One little bear in particular who has been annoying the townfolk for the last few days, was checked in his recent explorations of Marysville early yesterday evening when he was caught in a trap set by William Jamieson at the rear of Canada Street.

But, however, the mere fact of getting caught in a trap did not seem to bother this husky little Bruin, who weighed over one hundred pounds. He took trap and pole and dragged them to the top of a nearby tree where he was found by a group of men who went out to see what all the rumpus was about. Royal Peterson put a definite end to the bear's adventures when he shot it.

DEFINES AREA

The New Brunswick Dairy Products Commission announced today in the Royal Gazette the establishment of the Shediac Area as follows: The Shediac Area shall include the Town of Shediac and that portion of Shediac Parish lying within a two mile radius of the Post Office in the Town of Shediac and which includes the Villages of Point de Chene, Belliveau Bluff, Brule, Shediac West and Shediac Cape.

COMPANY INCORPORATED

The Royal Gazette gives notice of the incorporating of Charles L. Dougherty, barrister; William J. West, barrister, both of Fredericton; Mary C. King, book-keeper, Devon; Hazel V. Holder, stenographer, and Cory C. Sansom, stenographer, both of Fredericton, to take over as a going concern "The Minto Coal Company, Limited," with head office in Minto. The capital stock is \$400,000.00 divided into four thousand shares of one hundred dollars each.

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CAR ACCIDENT VICTIM DIES OF INJURIES

Had Been Critical Since Monday Morning Accident

No Inquest Police Say Death Was Caused By Accident

Duncan William McIntyre, 66 year old colored man, died early this morning at the Victoria Public Hospital as a result of injuries received when he was struck by a car driven by Miss Helen Bridges near Lincoln Monday morning. He had been in a critical condition since he was rushed to the hospital by ambulance shortly after the accident.

McIntyre is said to have stepped in front of the car which was proceeding in the same direction toward Fredericton about six or seven miles below the city on the Fredericton-St. John highway. The driver of the car blew the horn several times, but apparently McIntyre, who was slightly deaf, did not hear it, it was said. R.C.M.P. headquarters announced today that no inquest will be held.

The victim is survived by his widow, Theresa; one son, Trueman, Elm Hill; one daughter, Mrs. Sadie Eaton, Montreal; and one sister, Mrs. Amelia Wright, Fredericton. The funeral will be held Thursday afternoon with service at McAdam's Funeral Home at 2:30 o'clock by Rev. Mr. Jacques. Interment will be at the Rural Cemetery.

Ryan's Electrical department has some wonderful bargains in second hand radios. Some of them are just like new, having been repossessed. Before buying try Ryan's for prices.

Mary had a Little Lamp Better Light means Better Sight Come in and get a supply of genuine Westinghouse Mazda INSIDE FROSTED LAMPS At the New LOW PRICE! 15 watts 25 watts 40 watts 60 watts 20c ea. So now we're very glad to state In signing off this letter, That Mary's lamp's a WESTINGHOUSE, And Mary's eyes are better."

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