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The Daily Mail

THE WEATHER.
Maritime — Southwest winds foggy with local showers; warm inland. Saturday clearing.

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FREDERICTON, N. B., FRIDAY, JULY 17 1914

TWO CENTS PER COPY

Hon. J. K. Flemming on the Stand Before the Royal Commission

THE MARKET HAS STRONG TENDENCY

New York, July 17.—A fairly strong tendency was shown at the opening but dealings were professional and buying seemed to represent covering of shorts. Not much was expected for remainder of week as it was thought those speculatively inclined would hesitate pending possibility of a rate decision before opening on Monday.

On the selling movement which started shortly after opening fairly good support was rendered on scale down but that did not seem to produce a rally and at end of the first hour market was still inclined to weakness.

Penna sold off with rest of eastern trunks on persistent rumors that Interstate Commerce Commission decision would be unfavorable and there was also quite a little selling of steel.

(Quotations by J. M. Robinson & Son, Bankers and Brokers, Fredericton, N.B.)

STOCKS	Open	Noon
Copper	69 1/2	69 1/2
Brooklyn	90 1/2	90 1/2
C.P.R.	137	136 1/2
Lehigh	136 1/2	136
Soo	122	122
Pennsylvania	110 1/2	109 1/2
Reading	162 1/2	162 1/2
Union Pacific	156 1/2	156 1/2
U.S. Steel	69 1/2	69 1/2
Sales to 11 o'clock, 82,000.		

PUBLIC DEMAND FOR BATHING FACILITIES

Private Boathouses Used by Public In Eastern Part of the City

The foot of Lansdowne street is growing in popularity as a bathing place and scores of all ages and both sexes can be seen sporting themselves in the water there at any time morning, afternoon or evening. Boat houses owned by private individuals, including H. R. Babbitt, W. T. Chestnut and Mrs. Chestnut, have been placed at the disposal of the public as dressing-rooms but the number of bathers is so great that a number use the clumps of willow-trees as dressing-rooms.

Residents of the lower part of the city are urging that the civic authorities should take steps to have dressing-rooms erected there for the convenience of the public. Last year a vote was made by the City Council to provide a shelter for bathers in that locality but the matter was never carried out on account of the necessity of having a caretaker for the dressing-rooms.

The A. & B. Club wharf is also used by bathers while in the West End the old Alameda mill wharf is very popular. There is however, a strong feeling that the city should supply proper facilities for bathers.

WORLD'S NEWS IN SHORT METRE

New York, July 17.—New Haven directors unwilling to accept Massachusetts legislation.

Carrazza to go to Mexico City to arrange peace with Carbajal, Mex. can congress will be dissolved today; all political prisoners freed by Carbajal.

Coutts and Co. London, amalgamated with Roberts Luddick & Co., under the name of Coutts & Co.

@ ENTERTAINED EMPLOYEES.

A. Murray and his employees returned from their drive to Oromocto at 9.30 Thursday evening, having spent a very enjoyable afternoon. The staff are loud in their praises of Mr. Murray for the good time and excellent supper provided.

Eminent Sabbath School Worker Is Still Under the Impression That His Connection With the Boodling Fund Was Right and Proper---Admits Securing a Loan From the Fund for a Hard-up Lumber Company of Which He is the Head---Named His Man Teed as Custodian of the Fund---Acting Premier Clark's Amazing Statement About Berry

(Special to The Mail.)

St. John, N.B., July 17.—Premier Flemming continued his testimony before the Royal Commission this morning. He explained his purchase of fifty-five shares of Maine & N.B. Power stock, which was paid part in cash and part by notes. His recollection was very poor, touching his meeting with Mr. Brankley, Mr. Teed and Mr. Berry in his room in Fredericton but he said he would accept Mr. Brankley's statement as correct. He said the contributions had no influence on the fixing of the bonus or stumpage. This concluded his direct testimony.

The witness was then cross examined by Mr. Carvell, counsel for Mr. Dugal. Mr. Carvell first dealt with the premier's statement touching increased revenue under the new law, compared with the old and forced the admission that lumber was worth fifty per cent. more now than fifteen years ago. Touching the price per mile, Mr. Carvell had the premier read from reports showing that lands sold before the new law came in force for prices ranging from twenty dollars a mile to five hundred dollars a mile and that places where prices were below one hundred dollars were situated where lands were fairly well depleted; yet these prices were paid when licenses only had five years to run so that the hundred dollars bonus so much boasted of by Flemming, was proved to be considerably below the real value of the timber lands.

Mr. Carvell forced the admission that at one time he did speak of placing the bonus at \$150 a mile. The premier said that the only information he had on which to fix the bonus was Berry's report and what Mr. Loggie might have told him. When Mr. Carvell pointed out that Mr. Loggie swore he never was consulted, Mr. Flemming then admitted he might not have asked his advice on the bonus. Berry made his request in writing and so far as location and classification were concerned it would be the same as an order-in-council. He did not remember telling Berry the council was divided as to the amount of the bonus but he would not swear that he did not.

Mr. Flemming said no changes were made in Berry's classification and admitted that Berry practically classified lands.

When asked why an order-in-council was not passed before July first as required under the act he said Berry had not submitted his report in time.

Q.—And Berry had not yet collected the money for this fund.

Flemming—Apparently not. On the questions touching Berry's doings, Mr. Carvell had great difficulty in getting direct answers and Flemming's counsel would repeatedly interfere. Asked if he had any knowledge that Teed had collected money before July tenth, Flemming answered he did not know whether he had or not. He knew of Teed collecting some fifteen thousand dollars from McLean and some from Snowball along about July sixteenth.

Flemming admitted being in the legislature when charges were made but did not deny them. He admitted meeting Berry at McAdam Junction about the time he left the country. He did not talk to him about going away. He denied having induced Berry to leave the country.

DOESN'T WANT BERRY.

Questioned by Mr. Carvell: "Are you prepared to sign a telegram asking Berry to come back since you say you had nothing to do with his going away?"

Flemming—I will not sign any such telegram.

He had no recollection of Gould trying to force the introduction of the Valley Railway bill.

Under the most strenuous cross questioning Mr. Flemming admitted that George C. Cutler and James Robinson both approached him and suggested a contribution.

Q.—Did you tell George C. Cutler that you would receive contribu-

tions? Flemming—Not in so many words. I gave him no satisfaction.

Q.—Did not you tell him that he had insulted you by such an offer?

"I have no recollection that James Robinson proposed a lump sum but he did speak of contributing if certain things were done in a certain way. Cutler said he would be willing to contribute fifteen thousand dollars for educational purposes. It might or might not be a corruption fund. I did nothing to dismiss Berry. No recollection of telephoning Colonel Loggie to pay Berry's salary for May but would not like to swear that I did not. When Berry started to collect the fund he knew my mind had been fixed on one hundred dollars bonus per mile."

Flemming was still under cross examination at the time of wiring. St. John, July 17.—Premier Flemming was the star witness at the Dugal inquiry yesterday, and today many thousands will read his denials—and his admissions.

He denied extorting money from the lumbermen, directing that extortion, or receiving any of the money.

But he admitted selecting E. R. Teed to take charge of the money, just as Teed said. Mr. Flemming made distinctions. He swore solemnly that he told W. H. Berry that he, Berry, must not receive the money, and that he told Berry he himself could not receive it—but, said Flemming, if the lumbermen are going to pay it, E. R. Teed is the man to handle it. So he assigned Teed to the job. Subsequently he said, Teed, when very ill, sent him the keys to the safety deposit box containing the funds, but he, Flemming, never used the keys, never went near the money never got any of it—except that \$15,000 loan and the \$9,000 for his Gould stocks.

Flemming swore he believed the fund was made up of voluntary contributions. He spoke as though the idea that a fund be raised originated among the lumbermen. He swore Berry told him so and that he believed it.

As for Teed, the premier admitted readily enough that he selected Teed as custodian of the cash, and his seeming conclusion was that so long as Teed was not an official of the department the transaction was all right.

Moreover, he swore that he didn't know Berry was taking part in the levying of the graft, much less that he was using threats in doing so. The premier even said that if he had known compulsion or threats were being employed he would have put a stop to it.

The premier denied having profited personally by the collections, which he referred to as a campaign fund.

His evidence came somewhat unexpectedly at the afternoon session. He was called as the first witness in reply to the questions of his counsel, M. G. Teed, K.C.

Throughout the day as the premier sat in court and listened to the details of the management of the fund being related he showed more unrest than he has since the inquiry opened. When he took the stand his first answers were in a scarcely audible voice and his voice shook as he spoke. As the examination proceeded his voice steadied and strengthened somewhat, although at no time was it much above a whisper except when he understood to justify his administration of the crown lands department. For the most part he sat far forward with his head resting upon his hand, alert and ready. His mind was working clearly and he answered for the most part readily and in a tone more of sorrow than of anger.

Soon after four o'clock Mr. Teed asked for an adjournment in order to have time to confer further with his client. Cross examination was thus postponed until today. Mr. Carvell suggested that from one standpoint it was an excellent time to suspend. The premier will continue this morning under Mr. Teed's questioning, and then will come the

cross examination.

Apart from the evidence of the premier that of the acting premier, Hon. George J. Clarke, was the most surprising of the day. Mr. Clarke announced that when Berry left the country he was regarded by the government as no longer in their service, although they have taken no notice of his departure, have received no resignation from him, or have taken no steps to dismiss him. Neither as head of the government nor as attorney general did he think that he had power to induce Berry to return.

AFTERNOON SESSION.

The court resumed at 2.40 p.m., when Hon. George J. Clarke, attorney general and acting premier of the province, was called as a witness.

In reply to Mr. Carvell he said that he had been acting premier since some time in April.

Q.—Is W. H. Berry an officer of the provincial government?

A.—I understand that he is not now.

Q.—Since when?

A.—I understand since the time he left for the United States. He left voluntarily and without permission, and since that time he has not been regarded as in the employ of the government.

Q.—Did he send a written resignation?

A.—Not that I know of. It might have been sent to the head of his department.

Q.—Has any official action been taken by you or other members of the government?

A.—Not that I know of; not by me or to my knowledge. The minister of lands and mines might have done so.

Q.—Have you taken any steps to get Mr. Berry to return to give evidence at this inquiry?

A.—I have not.

Q.—Has he received his salary for the month of May?

A.—I understand that it was paid in the usual course by the department.

Q.—Has he been paid for the month of June?

A.—I understand that he has not.

Mr. Carvell—I wish to draw your attention to a statement appearing in the synoptic report of the proceedings of the legislative assembly of New Brunswick, 1914, page 103, as follows:

"Hon. Mr. Clarke—Further that he was authorized by James Kidd Flemming to state boldly and publicly that he denied absolutely every charge contained in the notice of motion; that he did not, though the agency of W. H. Berry, chief superintendent of scalers, unlawfully extort from the lessees of crown land of the province the sum of \$15 per square mile over and above the amount of the bonus paid by them as set forth in the annual report of the crown land department. There was not one word of truth in that or in any other charge contained in the resolution, and he would be prepared to show the people the absolute falsity of such charges when the proper tribunal should have been appointed."

Q.—Did you make use of these words?

A.—I presume that is correct.

Q.—Were you authorized by Mr. Flemming to make this statement?

A.—I was.

Mr. Carvell—Thank you, that is all.

Mr. Clarke, to the commissioners—I desire to say that the reason why the attorney general has taken no action to secure the return of W. H. Berry is the belief by myself that I have no power to do anything that would be effective in bringing him back. Since he left he has not been considered a government servant and therefore the government has no control over him. As regards the law, I know of no legal means by which he could be forced to return.

HON. J. K. FLEMMING.

The first witness called for the defence was Hon. James Kidd Flem-

(Continued on page five.)

NOTORIOUS GUNMAN IS HELD FOR MURDER

Trial of Chippy Robinson to Begin Next Week---Shot and Killed a Policeman in a Cafe a Few Weeks Ago---A Running Fight on the Street Followed---Was Wanted for a Daylight Robbery at Grand Rapids, Mich.

Boston, Mass., July 17.—The district attorney's office has everything in readiness to begin the trial next Monday of Lawrence (Chippy) Robinson, the notorious "gunman," who less than four weeks ago shot and killed Police Inspector Thomas J. Norton, who was one of a squad of officers attempting to arrest Robinson and a companion in a well known well known cafe. The accused man, despite his immaculate dress and his outward appearances of gentility, is considered one of the most daring criminals with which the Boston police have ever had to deal and his trial is expected to attract wide attention.

Robinson hails from the State of Ohio and is understood to have made Toledo his headquarters most of the time. He was wanted in Grand Rapids, Mich., in connection with the daylight robbery of the Thompson jewelry store in that city last September, in which three men connected with the concern were shot and killed by two robbers, who escaped with more than two thousand dollars worth of diamonds.

Three months ago Walter Lawrence was arrested in Covington, Ky., on a charge of having been connected with the Grand Rapids robbery. He is alleged to have confessed and to have named Robinson as his companion in the crime. The Grand Rapids police sent circulars broadcast bearing a description of Robinson and offering a reward of two thousand dollars for his capture. Other rewards offered for the capture and conviction of the murderers totaled \$7,500. The led to great activity on the part of the police and detectives the country over.

The Pinkertons were brought into the case by the National Protective Association of Jewelers. Two of the detectives finally succeeded in locating Robinson in this city, where for several weeks he had been living at a downtown hotel and spending money lavishly at near-by summer resorts. Living with him was a young man named Joseph Daddy, whose acquaintance he had made in Toledo, but who, so far as is known, was not concerned in the Grand Rapids robbery.

On June 19 the two detectives found Robinson and Daddy dining in the cafe. The detectives belonged in Philadelphia and in consequence had

no authority to make any arrests here without a warrant. They therefore telephoned to police headquarters to send an officer to make the arrests. Police Inspector Norton was just leaving headquarters to attend the graduation of the oldest of his seven children. Without hesitation he accepted the assignment and hurried to the cafe to meet the detectives. On learning of the dangerous character of Robinson and his propensity to shoot on the slightest occasion, the inspector picked up two of his brother officers on the street, which made a party of five to accomplish the arrests.

Upon entering the cafe the party at once walked toward the table where sat Robinson and his companion. It was mid-afternoon and the cafe was filled with men and women, laughing and joking. As the police inspector approached Robinson glanced up and in an instant was on his feet. He drew his revolver quickly, saying: "You'll never take me alive."

Then there was a shot. Inspector Norton grabbed Robinson, who grappled with the inspector, managed to shake him off and broke away. Again Robinson fired his revolver. Norton fell with a bullet wound just under the heart and died before he reached the hospital.

The other policemen rushed at Robinson, but he fought them off, and, reaching one of the exits, dashed up the stairway leading to the street. The pursuing policemen were right at his heels, each with a revolver in his hand. Then followed a running pistol fight, the like of which Boston had never seen before. Bullets flew wildly, but not a pedestrian in the crowded street was hit. The crowd, frightened by the shooting, frantically tried to get out of the way. Doorways soon were filled with men and women. Bullets shattered store windows nearby and the noise of the battle could be heard for blocks. Traffic was brought to a standstill and cars were deserted as they stood in the street.

The chase soon ended, however, for the police were reinforced by mounted officers, and Robinson, cornered, was taken to headquarters. In the course of the pursuit the desperado was shot three times by the officers. None of the wounds proved serious and at the end of three or four days he was removed from the hospital and lodged in a cell.

SEATTLE MOTOR SPEEDWAY TO OPEN

Seattle, Wash., July 17.—The new Seattle Motor Speedway is to be formally opened tomorrow with a program of racing events. The speedway is one of the largest and finest in America. The track is one and one-quarter miles in length, built with a concrete base and an asphalt surface and banked seven feet on the turns. The two main grandstands will accommodate forty thousand spectators and parking space for three thousand automobiles will be reserved in the infield. The inaugural race meeting will cover two days. The first day is to be devoted to sprinting, varying in distance from five to twenty-five miles. The feature event of the second day will be a 250-mile race for twenty thousand dollars in prizes.

OUTING FOR MINNE- SOTA EDITORS

Benidji, Minn., July 17.—The members of the Northern Minnesota Editorial Association, many of them accompanied by their families, today began their annual summer outing. The trip will occupy three days and will include visits to International Falls, Lake of the Woods and other places of interest.

ACCUSED OF KILLING BROTHER OFFICER

Dallas, Texas, July 17.—S. R. Trammel, a member of the Dallas police force, was arraigned in court today to stand trial on an indictment charging him with the murder of Jesse Wright, also a member of the police force. Wright was shot and killed in a downtown pharmacy on June 17 last.

GREAT PARADE OF ELKS AT DENVER

Denver, Colo., July 17.—Festivities in connection with the annual national reunion of the Benevolent and Protective Order of Elks culminated today in a parade, which was one of the most notable affairs of its kind ever seen in Denver. Thousands of members of the order were in line, many of them garbed in rich and picturesque costumes. The line of march extended over a large part of the business section and through streets which were lavishly decorated with flags and bunting.

Mrs. Peter Duffie and son, Master H. L. R. Duffie, who have been on an extended visit to Nova Scotia, are expected home next week.