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The Daily Journal.

SUCCESSOR TO THE ST. JOHN STANDARD.

WEATHER TODAY: WESTERLY WINDS, FAIR AND WARM.

VOL. XIV., NO. 106. TWELVE PAGES ST. JOHN, N. B., MONDAY, JULY 31, 1922 TWO CENTS.

DISAGREEMENT IN THE PARIS TRIAL IS EXPECTED

Jury Took the Case Under Consideration at 11.45 a. m. Saturday and, Up to Midnight, Sunday, Had Failed to Reach a Verdict.

Reported to Court at 6 o'clock Saturday Evening That They Stood 10 to 2 for Conviction, With Slight Hope of Agreeing — Ordered to the Jury Room There to Stay Until 10 o'clock Today Unless Verdict Had Been Previously Reached.

John Paris is destined to stand forth an unique figure in the annals of criminal history. He has established one record in having been tried four times on the charge of murder. To him, or the case in which he is defendant, will go the record of having held up a jury in its deliberations, the longest time known. The jury, shut up in their room all day yesterday, and from Saturday at noon, had failed to reach a verdict up to midnight, and will not be heard from again until this morning. This will assure 46 hours of continuous deliberation on the now famous murder trial wherin John Paris is accused of the brutal killing of Sadie McAuley, in this city, on August 2, 1921.



ATTORNEY GENERAL BYRNE
Crown Prosecutor Who Conducted the Case in Behalf of the People and With Fairness to the Accused.

Germain Street Blocked

From the time the jury took the case, at 11.45 Saturday, forenoon, crowds of men, women and children camped on Germain street, in the vicinity of the court room, waiting some news of the verdict. They remained there until 10 o'clock in the evening before there was any thinning of the ranks. Some remained until midnight, hoping a verdict would be arrived at. Sunday found another crowd hanging around, thinking the jury might come to an agreement and send for the Court.

Since six o'clock Saturday night there has been no official intimation of how the jury stood. It was then 10 to 2 for conviction. There was a rumor at midnight Sunday, a report had leaked from the jury room that the vote stood 11 to 1 for conviction. The jury having been out so long a time without arriving at a verdict, legal men express the opinion that a disagreement will be the result of the fourth trial of Paris.

While the jury was out Saturday morning, Mr. Justice Chandler dealt with those jurymen who failed to answer the summons to attend court. He fined fifteen who had never attended at all $30 each, other jurors who had put in an appearance sometime, but who did not remain were passed up for this time. In future, if jury summonses are not obeyed some more stringent methods will be employed to deal with the absentees.

His Honor commenced his charge to the jury immediately upon the opening of the court, and occupied an hour and forty-five minutes in doing so. In the course of the charge he presented a careful summary of the evidence given, pointing out its bearing upon the question at issue. He warned them that they must dismiss from their minds anything they may have heard or read about the former trials, and confine themselves solely to a consideration of the evidence they had heard, and base their verdict upon that alone.

The charge was quite impartial and free from bias one way or the other. His Honor laying particular emphasis on the fact that the evidence presented by the Crown must be such as to satisfy any reasonable man that it was worthy of belief; otherwise the prisoner must be acquitted.

Paris had a fair trial, the weakest part of his case being his own evidence. At times he gave the impression that his story was a manufactured one, made to fit the particular circumstances of the case. The various incidents did not always fit where they were obviously intended to, and there seemed to be no reason for his making strenuous denials regarding certain incidents when an admission of their truth would have done him more good. In Shakesperian phraseology he did protest too much.

In his charge to the jury His Honor briefly referred to the character of the charge upon which prisoner was on trial, and said that law placed no obligation or duty on the Crown to provide money for payment for witnesses for the defence and the presiding judge had no power nor authority to make an order for payment of any such expense. Proceeding His Honor read extracts from the criminal code defining the crime of murder, distinguishing it from manslaughter, and pointed out that it was possible in a murder case to bring in a verdict of manslaughter. But if an offender inflicts injury on another which he ought to know would ordinarily cause death, that would be murder.

It was the duty of the Crown to make out such a case as admitted of no reasonable doubt. There was no direct testimony of any witness in the present case which would directly connect the prisoner with the crime, but there was evidence called which showed him to be in the locality about the time named, and there was the evidence of Walter Humphrey as to the conversation which Paris was alleged to have had with him, which, while it did not amount to a confession, was indicative of some connection with the crime.

His Honor then detailed the various incidents in connection with the crime as brought out by the evidence, pointing out their bearing on the guilt or innocence of the accused. There were, he said, matters of fact, as to the truth or otherwise of which the jury were the sole judges, and according as they believed them or not, would their verdict be. His Honor dealt with the evidence of each witness in infinite detail recalling testimony of each and commenting upon it. If these witnesses were believed by the jury, the latter could have no doubt as to the whereabouts of prisoner about the time of the commission of the crime. There was no direct evidence to fix the crime on Paris, but there was evidence to show that he was in the locality about the time.



G. H. VERNON, K. C.
Counsel for Defendant, Who Made Game Fight For His Client Against Heavy Odds.

It was seldom that murders were actually seen committed, but evidence was readily enough procurable as to incidents leading up to the commission which would lead to a reasonable conclusion as to the person responsible for it. The incidents that had been sworn to by the various witnesses were amply sufficient to connect Paris with the crime, if the jury believed the witnesses' testimony.

Paris himself denied that he was in the city at all on the date when the crime was committed. He says he went to Truro on the 23rd July and did not return till the night of the 3rd August. If the jury believed Paris rather than the other witnesses, then there could be no doubt that he was not the guilty man; for if he was in Truro, he could not be in St. John. His Honor went carefully through Paris' testimony as to his movements in Truro in the days when the crime was committed, until he returned, as he said, to St. John on the evening of August 3rd by the harvest train. He said he would not offer any remarks as to Paris' replies on his cross-examination, the jury had heard him give them, and they must judge for themselves as to how much credence or weight they would attach to what he had said.

Paris' counsel had argued that the person who committed the crime must be a degenerate and mentally deficient. It would be for the jury to say whether, from his appearance and demeanor, Paris was a man who could answer that description.

(Continued on page 5)

Jury Forced To Spend Two Nights In Jury Room

Judge and Lawyers in Paris Case Remained Within Call of Sheriff Throughout Day.

The twelve men comprising the jury in the case of the King vs. John Paris, charged with murder, have been locked in the jury room of the court house on Germain street, since noon on Saturday, weighing the evidence carefully, but have been unable to arrive at an unanimous verdict, ten standing for conviction and two for acquittal. They will likely return to the court room again, when sessions resume at ten o'clock this morning.

As the deadlock occurring in the jury's deliberations necessitated their remaining locked up over the week-end, bedding was supplied and makeshift sleeping arrangements provided in the jury room, where the men spent two comfortable nights. Their meals were brought from the Edward Hotel and Deputy Sheriff Clifford and Constables McBriarty, Gibbons and Carr were constantly in attendance to look after their wants. These officers spent both nights in the court house. Yesterday passed very quietly, the jury deliberations continuing with lulls at intervals.

His Honor Mr. Justice Chandler, Attorney-General Byrne and G. H. Vernon, K. C., Paris' counsel, spent both days in the city, in the possibility of the jury's reaching a verdict at any time. They made several visits to the court house, and spent the remaining time at their hotels, where they could be reached by telephone in the event of developments occurring.

INCREASED TAXES COME INTO EFFECT TOMORROW, AUG. 1

Minister of Customs and Excise, Bureau, Makes Explanatory Statement.

Ottawa, July 30—(Canadian Press)—An official statement has been made by the Minister of Customs and Excise. Hon. Jacques Bureau, explaining the increased taxes which come into effect on August 1. The statement of the minister is as follows:

"The increased stamp tax on bills of exchange, bank advances, overdrafts, cheques, sales and transfers of stocks and bonds, express money orders, travellers' cheques and post office money orders, becomes effective on August 1 next.

"The tax on bills of exchange, promissory notes and advices or overdrafts is payable at the rate of 2 cents for every fifty dollars or fraction thereof.

"Cheques, money orders and travellers' cheques for amounts of fifty dollars, or under, require a two cents stamp. If the amount for which they are issued exceeds fifty dollars, but does not exceed five thousand dollars, a two cents stamp for every fifty dollars, or fraction thereof, is required to be fixed thereto. Cheques, money orders and travellers' cheques, which exceed five thousand dollars in amount require a two dollar stamp.

"The tax is to be paid by means of excise stamps in preference to postage stamps, affixed to the face of the cheque or money order. Regulations have, however, been issued whereby the tax on checks may be paid monthly in place of affixing such stamps to the individual checks. Under these regulations, the cheques are embossed with a stamp stating that the excise tax has been paid. Special licenses are issued by the department of customs and excise to firms who desire to pay the tax monthly."

MAY BE ABLE TO AVOID STRIKE OF SHOPMEN

Canadian Railway Shop Workers Will Be Guided Largely by Results in U. S.

CONCILIATION BOARD TO HEAR DISPUTES

Only Await Appointment of Chairman to Begin Taking Evidence of Parties Concerned.

Ottawa, July 30—(Canadian Press)—No appointment has yet been made by the Minister of Labor to the chairmanship of the Board of Conciliation between the Canadian railways and their shop employees. A report has been received here, unofficially, from Winnipeg, that Rev. C. W. Gordon, of that city, had been agreed upon as chairman by the representatives of the companies and of the men, but there was no confirmation of this at the department of labor.

The selection of Isaac Pitblado of Winnipeg as company representative, and of James Simpson, Toronto, as nominee of the employees, was formally given to the parties on Friday by the Department of Labor, and these two representatives have been in consultation as to the choice of chairman since that time. The Lemieux Act allows five days to the representatives for the choice of a chairman, and at the expiration of that time, if no agreement has been reached, a chairman is appointed by the Minister of Labor. In the meantime, advices here are hopeful that there will be no strike of the shopmen.

Causes of Uneasiness

Two causes of uneasiness have come to the surface in the recent negotiations, one being the question whether the companies would consent to suspend the cut in wages, pending the report of the Board now being formed, the other, a complaint that the Grand Trunk was repairing unestimated lots of rolling stock in Canadian shops. The Minister of Labor has been in communication with the railways in regard to both these points, and an announcement is expected shortly on the attitude of the railways towards the suspension of the reduction in rates. On the other point the department received a denial of the charge from the Grand Trunk and notified Charles Dickie, secretary of Division No. 4, Railway Employees Department of the American Federation of Labor, to that effect.

It is understood, too, that conditions in the United States are making for a peaceful settlement of the dispute in Canada. Arrangements on both sides of the line are so inter-related that a settlement, which is expected in the United States, regarded as likely to influence affairs powerfully in the same direction.

NO CHANGE IN THE CANADIAN R'Y STRIKE OUTLOOK

There Are No Prospects of An Immediate Strike, Say Labor Leaders.

Toronto, July 30—There was no change in the Canadian railway situation over the week-end and there are still no prospects for an immediate strike, labor officials stated today. Pending the appointment of a chairman of the Board of Conciliation, constituted by the Department of Labor, things are at a standstill. The two members of the board, Isaac Pitblado, K.C., of Winnipeg, representing the railways, and James Simpson of Toronto, representing the shopmen; have not yet agreed as to the choice of a chairman.

In Car Strike



Street car crews frequently have to clear the track of old beds, dirt and miscellaneous junk in the street railway strike at Buffalo N. Y.

HALIFAX LAD LOST HIS LIFE BATHING IN BLAIR'S LAKE

Was Unable to Swim and is Supposed to Have Waded Beyond His Depth.

(Special to The Journal.)

Amherst, N. S., July 30—Bruce Sanger, age 16, of Halifax, was drowned about 12.30 this afternoon, while bathing at Blair's Lake, two miles from Amherst.

Young Sanger, who has been living in Amherst since April with his sister, Mrs. Robert Fillmore, at Blair's Lake, went to the lake at noon to have a bath. He was unable to swim and it is presumed took a cramp or got beyond his depth. Two small children standing on the shore saw the lad disappear and at once notified Mr. Fillmore who hastened to the scene of the accident. When about fifty feet from the shore, Mr. Fillmore saw the lad's hand disappear beneath the surface. He waded out but, being unable to swim, could not reach young Sanger. A body of searchers was soon on the scene and, after several hours grappling, secured the body about half past four.

MANIAC CAUSED COMMOTION IN NEW YORK CHURCH

Slashed the Cross Upon His Breast; Making Towards Priest When Overpowered.

New York, July 30—Hundreds looked up from prayer during low Mass at St. Patrick's Cathedral today to see standing at the foot of the altar a man, his clothing open over his chest and a knife held as a swordsman salutes. They saw his lips move as the hand with the knife went downward. Two slashes, formed like a cross, appeared on his chest.

He turned and moved toward Father Patrick Daly, who only glanced aside as the congregation gasped. Sailors, who had been kneeling near the altar, vaulted the rail and caught the fanatic, still mumbling unintelligibly. The chant of the priest went on as police removed the wounded man to an ambulance.

Brought to the Bellevue Hospital for observation for religious mania, he gave his name as Frank Johanes Gabrielle, and said that he had attended the cathedral regularly for a year.

Middletown, N. Y., July 30—Lieutenant Tracey Lyons aviation section, U.S.A., and Augustus Altemeyer, Jr., of Port Jervis, were burned to death at Port Jervis this afternoon when an airplane, in which they were riding, crashed to earth. Breaking off a propellor caused the plan to take a fatal nose-dive.

CANADA MUST FIND SOME WAY OF SOLVING ITS OWN FUEL SUPPLY SAYS HARRINGTON

No Reason, Says Former Fuel Controller, Why We Should Depend on U. S.

U. S. GOV'T TO DISTRIBUTE COAL

Making Plans to Act As Middleman Between Producer and Those Needing Fuel.

Toronto, July 30—Discussing, yesterday, the announcement from Washington that Canada will have to look out for herself in the matter of a supply of coal, H. A. Harrington, manager of the Coal Exchange of Canada, and former fuel controller for the province of Ontario, said:

"This province must turn its attention to securing a real solution and one that would give permanent relief. One or two lessons like this," he observed, "and the people of Ontario will begin to realize the necessity for such action.

"We must learn to use our own fuel and also substitutes. There is no more reason for going over to the United States for coal than for bread. Our Nova Scotia coal resources are not half developed. Why? Because there has been no real demand.

"Coal from Nova Scotia could be transported here sufficiently in 800 ton barges during the water transportation season and by rail in winter. Then, when the St. Lawrence deepening is carried out, the ocean vessels could come right up.

"If we adopt this method of getting our fuel supplies, we could be independent of the United States. We have got to do it. We must look out for ourselves."

Strike Likely to Continue

Harrington could see no immediate prospect of a settlement of the present coal strike in the United States, feeling that the miners and the operators were so far apart on the fundamental principles involved that an adjustment of their differences was not a matter of a few hours' deliberaions.

The Dominion Government did not wait for the United States administration to impose an embargo on coal for Canada before taking action on the fuel situation.

It was learned yesterday that the Federal authorities at Ottawa had already asked the Canadian Government Merchant Marine to report on the importation of coal, more particularly from Wales and Scotland and a report is being prepared.

"All the information at our command is being sent out in form for Ottawa," a reporter was told.

"Not only that, but one of our representatives will attend Monday's coal conference in Toronto. There he will do what he can to advise and help." A purely Canadian phase is the suggestion that Nova Scotia be used to the full extent as a fuel source of supply. One thing that makes this doubly important is the availability of twenty or so Canadian vessels. These could be used to transport coal by water from Nova Scotia to Toronto if necessary.

U. S. Situation

Washington, July 30—The government, with the co-operation of the states, will assume tomorrow, the duties of a middleman passing on the coal from the producing mines to the industries and localities, which, in the eyes of the government, need it most. Just how much coal the government can count on remains a matter of speculation.

The total production for the past week of 3,900,000 tons of bituminous and 27,000 tons of anthracite, is compared in the weekly report of the United States geological survey with a normal production at this season, including anthracite of from 9,500,000 to 12,000,000 tons. Normal consumption at this time of year would be 8,000,000 tons of coal a week.

Covered by priority orders from the Inter-State Commerce Commission, all coal now being produced is to be bought under the fair price levels to be maintained by the federal fuel distributor, freight cars being withheld from dealers who sell at advanced prices.

Railroads and Inter-State Public Utilities are to be the concern of the Federal Government. Bunker coal is to be kept to a minimum and foreign ships required to fill their bunkers abroad for the round trip while exports will only be permitted in cases of shipments destined for consumers who cannot otherwise supply themselves.

PEACE TERMS ARE AGREED TO IN U. S. RAILWAY STRIKE

Dept of Public Works 30Nov22

Formal Ratification of Agreement Has Been Assured Through Harding's Efforts.

Chicago, July 30—Peace terms already have been agreed to in the country-wide railway strike and formal ratification has been assured, through President Harding's efforts, it was asserted tonight by a man in close official touch with the situation.

All that now remains before the strike, which has cost the workers upward of $40,000,000 in wages, passes into history, it was asserted, was the formal endorsement of the terms of settlement by the railway executives meeting in New York and the strike leaders who will convene in Chicago at the same hour on Tuesday.

GREEK GOV'T SENDS NOTE TO ALLIES RE THEIR INTENTIONS

Claim Greek Occupation of Constantinople is Only Means of Bringing About Peace.

Athens, July 30—A note sent by the Greek government to the Allies, respecting the intentions of Greece in Asia-Minor, emphasizes the view that the occupation of Constantinople is the only means of bringing about peace, and, says Greece has made arrangements with that purpose in view.

The note begs the Allies to issue the necessary orders to the army of Brigadier-General Sir Charles Harington, commander of the Allied forces in Constantinople, and says it is confident difficulties will not be imposed in the way of Greece. The note adds that by the neutralization of Constantinople the Allies are protecting, instead of coercing Turkey and thus depriving Greece of means for imposing peace.

The Turkish atrocities, the note continues, make it vital for Greece to adopt more energetic measures against the Turks, but that the Greek Government is willing to discuss the matter with the Allies. General Harington's declaration that he will oppose by force any move toward Constantinople has caused deep discouragement and disappointment in Greece, as the newspapers had been leading the people to believe Greek occupation of Constantinople would not be resisted by the Allies.

STEAMER "RAPIDS PRINCE" CARRIED 400 PASSENGERS

Montreal, July 30—A night on board the Canada Steamships Lines vessel Rapids Prince is the worst that will befall the four hundred excursionists that shot the Lachine Rapids here this evening on that ship prior to her grounding on a rock shortly after six o'clock. No attempt will be made tonight to take the passengers off the ship and they will be landed tomorrow morning. In the meantime the vessel is amply provisioned and the comfort of the passengers will be fully met.

HOUSE DAMAGED AT FREDERICTON

Special to The Journal.

Fredericton, N. B., July 30—The dwelling of Harry McNutt, at the corner of Northumberland and Argyle streets, was seriously damaged by fire at four o'clock this morning. The building was unoccupied at the time the owner having gone away the afternoon before and his family being away in the country. Neighbors were aroused by the noise of flames. The building, which was a frame structure, was much damaged. The furniture was insured. Some of it was removed.

RECORD SLUMP FOR GERMAN MARK

Berlin, July 29—Financial critics differ as to the immediate causes of yesterday's record slump of the market. Some of them hold it is due to what they consider the somewhat brusque French note regarding Germany's clearing house payments.

Industrialists as well as the general public are blamed for alleged wild speculation, against which stern measures are advocated.

FIVE KILLED WHEN INTER-URBAN CAR HIT AUTOMOBILE

Detroit, July 30—Five persons were killed and one injured when an automobile occupied by the five, attempted to avoid collision with another machine and was crowded in front of a speeding Detroit and Pentiac inter-urban car, just north of here today. The dead are: John W. Murphy, 45 years old, his sons, John W., Jr., 6, and James L., 4; Mrs. Josephine Gay, 50, all of Detroit, and Miss Marie Flanagan, 17, of Owesso.

Do You Use a Camera?

If you do, and take snapshots of Current Events, and Popular, Well-Known Men and Women, or Tennis or Golf Grounds, or anywhere — Send them to The Daily Journal, which will Pay Five Dollars Each Week ***for the Best Snap,*** *reserving the right to use and pay for any others sent in competition.*