

MARTIN SENTENCED TO HANG

Death Ordered Jan. 8 In Grant Murder At Antelope Mine

Charles Martin was sentenced by Chief Justice J. C. McRuer in Assize Court here yesterday afternoon to be hanged Jan. 8 for the murder of Joseph Grant at Antelope Mine, north of Schreiber, last Dec. 10.

The jury brought in its verdict of guilty at 2.40 an hour and a half after retiring to consider the case against the 35-year-old ex-miner. Martin showed no outward signs of emotion, apart from a slight smile, but the voice of the chief justice broke once and died almost to a whisper as he pronounced sentence.

"You shall be taken to the place whence you came and there to be kept until Jan. 8, 1948," Chief Justice McRuer said to Martin. "Then you shall be taken to the place of execution and there to be hanged by the neck until you are dead. May the Lord have mercy on your soul."

COURT ROOM CROWDED

The court room was crowded as the jury filed in after considering the evidence. Martin smiling between two husky District Jail guards, walked smartly in from an ante room, and the chief justice took his place on the bench.

J. C. Collieran, court clerk, polled the jurymen and then asked, "Gentlemen of the jury have you agreed upon your verdict?" There was a chorus of "ayes," and Mr. Collieran asked for the verdict.

"We find the prisoner guilty as charged," the foreman of the jury said. Chief Justice McRuer asked Martin to stand up in the prisoner's dock to hear sentence pronounced. As His Lordship spoke, Martin continued to wear a smile and his air of imperterability never seemed to leave him as he was led from court. He smiled from side to side as he slipped through a big door to the left of the bench.

At the request of Crown Counsel C. L. Snyder, K.C., Toronto, Chief Justice McRuer traversed a second charge of murder against Martin to the Spring Assizes. This charge related to the slaying of Marcel Duchesneau, Grant's partner, also on Dec. 10.

This means that, if there is no stay of execution and no appeal against yesterday's conviction, Martin will be hanged before the second charge comes up for trial.

POLICE PRAISED

When Martin was taken from the court, Chief Justice McRuer said he could not depart the case without commending the efficient work of the police officers involved, particularly that of Provincial Police Inspector Frank Kelly.

"Sometimes the general public does not realize the amount of careful and diligent work done by our police officers," he said. "We owe some words of appreciation of the services and protection we received from them."

Sometimes a whole police force was criticized because of some small omission on the part of one police officer. "I have been particularly impressed throughout this case with the painstaking care exercised by all the police officers involved. They had a difficult task to perform."

The jury retired at 1 o'clock yesterday afternoon, but was called back five minutes later to receive further instructions from the Chief Justice at the request of both Crown and defence counsel. It retired for the second time at 1.15 and returned with its verdict at 2.40.

Both Defence Counsel H. J. Donley, K.C., Kenora, and Mr. Snyder, Crown Counsel, spoke briefly to the jury after evidence had been submitted, but Chief Justice McRuer dwelt on the case for more than an hour. He went over all evidence and instructed the jury as to the law.

Chief Justice McRuer said the jury must give their verdict in accordance with the facts.

He said the jury must also be unanimous and realize that the onus was on the Crown to prove the accused guilty beyond reasonable doubt.

NO "FANCIFUL DOUBT"

"But mark you, I said a reasonable doubt, not a fanciful doubt conjured up in the mind of a timid man." He said the law does not demand that you act in certainties alone.

"I agree with defence counsel it is either murder or not murder, there are only two verdicts—guilty or not guilty. Self defence is not some mythical doctrine. It must be self defence in law."

Mr. Justice McRuer said there were several requirements. The accused must have been "unlawfully assaulted" by Grant.

"If you are convinced that Grant was not trying to apply force directly or indirectly then you do not have to consider self defence."

Even if Grant had assaulted him, the accused was not justified in shooting unless he were reasonably apprehensive of death. The accused must also believe at the time that he could not preserve himself from death without shooting Grant.

"Was Martin under reasonable ap-"
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Matricide Trial Told of Slaying

Max Von Matt, greying, stolid-looking, went on trial before Chief Justice J. C. McRuer and a jury in Assize Court this morning on a charge of murdering his mother, Mrs. Pauline Von Matt, at their farm home in Paipouge Township last June 13. He pleaded not guilty.

The accused sat with downcast eyes in the prisoner's box, never raising his head once while his aged father Joseph Von Matt, and brother, Arthur, told of the shooting of 67-year-old woman in an upstairs bedroom of the home.

The father broke down and sobbed several times during questioning about the shooting. He said Max had been "playing" with a .32-calibre revolver shortly before breakfast time. Mrs. Von Matt went to take the weapon from him "and the thing went off."

APPEARED ILL

Evidence of Arthur Von Matt and Provincial Constable Ivar Lellewa was to the effect that Max did not appear to be in his right mind on the morning of the shooting. "The accused appeared to be mentally ill," Constable Lellewa said.

Two doctors also testified that only one bullet had been found in the woman's body, but it had passed through her breast and into the abdomen.

Selected for the jury were: Leonard Beaton, William Clime, Bert Ruggles, Allan Cameron, William H. Sim, W. Romano, Henry J. Noakes, Brooks Duffo, Bruno Erickson, Raymond Gunnison, Robert McCallum and J. MacLean.

P. V. Ibbetson, Port Arthur Crown attorney, is prosecuting the case and Hugh Cunningham, Port Arthur, defending.

At the outset of the trial, Mr. Ibbetson told the jury it was called upon to determine the guilt or innocence of the accused on a charge of murder.

He said the facts of the case were simple. The Crown would produce evidence to show that the accused was residing at the home of his parents, Joseph and Pauline Von Matt. Early on the morning of June 13, the Crown would show, Pauline Von Matt was shot by the accused and died the following day.

First witness, Dr. Robert Park, Port William, said he received a call to attend Pauline Von Matt at 6.15 in the morning of June 13. He went to a farm approximately two miles south of Stanley, arriving there at approximately 6.45.

Present were a Mr. and Mrs. Allen and Mr. and Mrs. Von Matt.

"I found Mrs. Von Matt lying on the bed upstairs, apparently critically ill and in great pain," he said. "She was complaining of abdominal pain. An examination showed a wound in the"

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Steep Rock Ore Shipments To Keep Growing - Vaughan

Ore shipments from Steep Rock are expected to reach a million and a quarter tons this year and an even greater tonnage next year, said R. C. Vaughan, C.M.G., chairman and president, Canadian National Railways, following a visit to the development yesterday with mining company officials.

With Mr. Vaughan were N. B. Walton, executive vice-president, Montreal; W. C. Owens, general manager, western region, and J. L. Charles, chief engineer, Winnipeg, and J. F. Cooper, superintendent, Port Arthur division. They were met at Atikokan by M. S. Fotheringham, vice-president and general manager, Neil Edmondstone, secretary-treasurer, and S. Hallock, superintendent, of Steep Rock Iron Mines Ltd.

Grain is moving in large quantities at the Head of the Lakes, said Mr. Vaughan "but we are being asked for more box cars and will do our best to meet the demand. We have \$50,000,000 worth of new equipment on"

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COMMUNITY CHEST CAMPAIGN OPENS HERE TODAY



MEN canvassers in Port Arthur's Community Chest campaign got down to work today after a breakfast at the Mariaggi Hotel. The men taking part in the \$35,000 campaign are shown above. At the extreme right is

A. W. S. Bennett, manager of the Chamber of Commerce, who turned up dressed in a Robin Hood costume complete with feather in the cap to symbolize the spirit of the campaign.

Montreal Union Calls Off Pickets As 135 Arrested

By The Canadian Press
MONTREAL, Oct. 14.—Twelve strikers, the full membership of a "sympathetic" picket line, were arrested today outside the gates of two local packing-houses, bringing the total of arrests in the packers' strike since yesterday to 135.

Six of the men arrested today were picked up at plant-opening time and the others were detained later when they returned to the plant after having been escorted away by police. All were charged with interfering with police and blocking sidewalks.

Union leaders had previously threatened to send 600 pickets but this was changed at the last minute after close to \$6,000 had been posted as cash bail for the 123 arrested yesterday by Provincial and city police when the strikers attempted to defy an interim injunction prohibiting picketing at Canada Packers Limited and Wills Limited.

The six taken in today probably will be charged with illegal picketing. "We can't afford to have 100 men arrested every day," one union official said.

Meanwhile, the union has arranged for a special street car to pick up the 123 arrested yesterday at the union hall this morning to take them in a body to the court house for their official arraignment.

Most of the strikers are charged with interfering with the police and blocking the sidewalks, which means they will appear in both police and recorder's courts.

In superior court, the two companies will petition for an interlocutory injunction against picketing.

The latter, was granted last Thursday to empower police to stop picketing.

Windsors Uninvited

LONDON, Oct. 14.—The Duke of Windsor called for France and a reunion with the Duchess today, but bearing no invitation to the wedding next month of his niece, Princess Elizabeth.

The London Star said the Duke "made it clear to his friends" he would not attend the wedding unless the Duchess also was invited.

300 Canvassers Out For Community Chest

With an objective of \$35,000 the Port Arthur Community Chest campaign opened here today with more than 300 men and women volunteers canvassing for funds on behalf of 11 social agencies. The drive will end Oct. 25.

The social agencies being aided this year by the Community Chest are the Canadian National Institute for the Blind, Salvation Army, Sailors Institute, St. Joseph's Manor, Victorian Order of Nurses, Thunder Bay Humane Society, Catholic Women's League (welfare division), Navy League, Children's Aid Society, Girl Guides and the Boy Scouts.

CANVASSERS MEET

More than 80 members of the five men's committees met this morning at the Mariaggi Hotel for breakfast as guests of the Oscar Styffe Co. Ltd. Those in attendance represented the men's general canvass; industrial payroll division; timber camp; civil servants, schools and civic employees and the special names committee.

T. H. Hill, general chairman of the campaign, thanked the canvasser for the splendid turnout which, he said, augured well for the success of the campaign. He called on the various team captains to give last minute instructions to members of their teams.

ROBIN HOOD ATTENDS

A little humour was interjected into the proceedings when "Robin Hood" entered the dining room resplendent in his forest green uniform, complete with feathers, and called on the canvassers to go forward like the "merry and brave men of Sherwood forest." He likened the Community Chest canvassers to the men of Robin Hood who took from those who could afford it to give to the needy and unfortunate "Robin Hood" was A. W. S. Bennett, secretary-manager of the Chamber of Commerce and manager of the Community Chest.

Some of the large donors on the first day of the campaign are: T. Eaton Company branch store \$1,000; T. Eaton Company branch store employees \$500; C. D. Howe Co. \$400; J. M. Fleming, president C. D. Howe Co. \$100; Gibson Motors, \$200; Clayton Company Ltd. \$100; P. W. Woolworth Company \$75; George P. Taylor \$100; McNulty's Ltd., \$200 and Port Arthur Beverage Co., \$150.

Mr. Peden, a graduate of Manitoba University, and now in his late 30's, has held two ministries since his ordination and the usual work in mission

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Dryden Minister Is Given Call To Trinity Church

The congregation of Trinity United Church, in general meeting Sunday, under the chairmanship of Rev. J. E. Scharf, chairman of the Presbytery of Superior, approved a call to Rev. Russell A. Peden, B.A. of Dryden, Ontario, to become minister of the church, succeeding Rev. J. F. Reycraft.

Mr. Reycraft had previously advised his congregation of intention to retire at the end of the church year in June next. Recent severe illness has made it necessary for him to relinquish his responsibilities earlier and the call to Mr. Peden may on that account also become operative earlier than had been anticipated, on a date yet to be arranged.

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66 Cents Is Loot In Two Break-Ins

Two break-ins here last night, believed by police to have been the work of the same thief or thieves, netted the nocturnal prowler the sum of 66 cents in coppers. Police Chief George Taylor reported today.

At 10.30 last night it was reported to police that a rear window in the office of the Port Arthur Boiler Works on the Port William Road had been forced and a search made of the office. Nothing was taken.

At midnight last night it was reported that a rear window in the premises of the Ideal Grocery operated by E. Kajander, 216 South Algoma Street, had been forced open. An open till had been rifled and 66 cents in coppers taken.

Florida Counting Loss In Millions After Hurricane

By Associated Press
HATTERAS, N.C., Oct. 14.—High winds and abnormal tides lashed the North Carolina banks today as the tropical hurricane which left a multi-million dollar trail of crop and property damage across Florida appeared to be blowing out to sea.

The centre of the storm, which the weather bureau said would register wind up to 80 miles an hour, was scheduled to pass Cape Hatteras early today and move out over the Atlantic.

Despite the gusty winds and high tides, little damage was expected by residents of the sparsely-settled Carolina banks.

Florida, meanwhile, continued to count its storm damage, caused principally by floods following torrential rains accompanying the storm. Thousands were reported homeless in Hialeah and Miami Springs as flood waters continued to rise.

Meanwhile, a mass of scientific data on the storm was in the hands of scientists for evaluation of the first attack on destructive winds with dry ice.

The information and numerous pictures were obtained by scientists who were carried by plane over the top of the storm off the Florida coast yesterday.

The value of the experiment will not be determined until lengthy study has been made of the data and pictures collected on the trip.

Jacob Burkhardt, 42, formerly of Rainy River and at present a resident of the Star Cafe, South Water Street, suffered undetermined chest injuries this morning about 8.30 when a pile of logs fell from a railway flat car. Employed by Northern Wood Preservers Ltd., Burkhardt is said to have been standing on top of the pile of logs when the supports gave way.

The results of X-rays taken at St. Joseph's Hospital shortly before noon were not known this afternoon. His condition was described as "good."

Man Is Injured By Falling Logs

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Booster For Northwest, Charles W. Wilson Dies

Charles W. Wilson, founder of C. W. Wilson Ltd. ladies' and men's furnishings, 510 Victoria Avenue, Port William, and resident of that city for the past 43 years, died early this morning in hospital there following a long illness. He had been in ill health for the past three years.

Saturday he was removed to hospital from his home at 1229 McGregor Avenue.

C. W. Wilson was proud of his adopted city and took an active interest in the civic and political life of the community. His faith in the Lakehead as a tourist mecca began more than 40 years ago when he became advertising manager of The Times-Journal.

As a fish and game enthusiast, Mr. Wilson pressed for another outlet into the Lakehead via the Gunflint Trail. Mr. Wilson retired as an alderman in 1941. Since then he had not made many public appearances. The last time he was in the public eye was in

62 Passengers, Believed Safe With Crew of 7

By JAMES MCCOOK
Canadian Press Staff Writer

LONDON, Oct. 14.—A veteran Trans-Canada Air Lines pilot's calm reply to an intercepted distress call from a giant Boeing flying boat, carrying 69 persons on a chartered flight from Britain to the United States, helped guide the craft to a safe landing early today near a weather ship in the choppy North Atlantic.

The pilot of the T. C. A. airliner, Capt. S. S. Albuett, told The Canadian Press in a telephone interview after his arrival in Prestwick, Scotland, that before he left the scene of the forced landing, a lifeline from the weather ship, the United States Coast Guard cutter Bibb, was attached to the flying boat.

Albuett said he anticipated that the 62 passengers and the crew of seven aboard the craft, forced down due to a gasoline shortage, would be transferred safely.

(Radio reports reaching T. C. A. at Prestwick earlier indicated that Albuett had remained in the area until the transfer was completed.)

"The flying boat made a dandy landing despite a heavy sea and though they may have a bit of trouble transferring everyone I think they will be all right," Albuett said.

The T. C. A. airliner, which left Montreal at 8 p.m. E.S.T. last night, was 24 miles from the weather ship when radio operator Taman of Montreal heard the flying boat calling Gander, Nfld. and reporting difficulty.

Reports indicated five Canadians, including Albert E. Ritchie, 30, formerly third secretary at the Canadian Embassy in Washington, were aboard the

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Assassination Threatened Bevin; "He Is Protected"

By Associated Press
LONDON, Oct. 14.—A reported threat to assassinate Foreign Secretary Bevin alarmed Britain yesterday, but Scotland Yard dismissed it with the terse comment: "He is protected."

A Foreign Office spokesman acknowledged there was some basis for the report, saying there "has been a certain recrudescence of threatening against Mr. Bevin." He offered no details.

The men from Scotland Yard said no "new plot" has been uncovered against Bevin and that no "new" instruction had been issued for guarding him. Emphasis was on the word "new" and a Yard spokesman acknowledged there had been a "very old" threat against Bevin, but refused to reveal details or the time it was made.

The reported assassination threat was carried by the Press Association, Lord Beaverbrook's Evening Standard gave the story this banner headline: "Plot To Kill Bevin—Armed Guards Warned Terrorists Have Made Plan."

Neither the Evening Standard nor the Press Association identified the "terrorists."

Here Since 1887, H. Sherlock Dies

A resident of Port Arthur since 1887, Henry M. Sherlock, 74, of 336 Conyers Street, died in hospital here this morning following an illness of three days.

Born in Prince Edward Island, he came here with his parents, the late Mr. and Mrs. Henry Sherlock, 60 years ago. For 25 years previous to his retirement last March he had been employed in the woodroom of the Provincial Paper Co. mill. A member of the Independent Order of Foresters, he was also a member of First Presbyterian Church and for some years was on the board of church management. He is survived by one son, John H. Sherlock, 336 Conyers Street, and a daughter, Pannje, Mrs. Alex McRae, Wolseley Street, and six grandchildren. There are two brothers, James, 311 Van Horne Street, and Ernest, 218 McVicar Street, and one sister, Mrs. Margaret Plumb, 25 Minot Street, Port Arthur.

The funeral will be held Thursday afternoon at 3.15 from the chapel, 299 Arthur Street. Burial will be in the family plot, Riverside Cemetery. Rev. J. A. McMahon of First Presbyterian Church will officiate.



R. C. VAUGHAN, C.M.G.



CHARLES W. WILSON