

SWEDE GETS TWO YEARS FOR TALKING SEDITION

First Sentence Was a Year on the Farm, Then Magistrate Changed His Mind.

POLICE COURT CASES

Crown Refuses Wife's Bail in Charge Laid by Brother-in-law of Jas. L. McArthur.

As suddenly as a weather-cock turns in the wind, Magistrate Denison switched a verdict to-day, at a word from the Crown Attorney, and sentenced Alex Auer, a naturalized Swede, to two years in Kingston penitentiary, instead of one year on the jail farm, for alleged **sedition** utterances in violation of Section 15 of the Defence of the Realm Act.

According to the evidence on which he was committed—two witnesses in his favor and two against him—Auer, on the evening of September 9th, was at the home of some American acquaintances, Mr. and Mrs. Bruce Conklin, on George street. In an evening paper which he was reading, appeared certain particulars about the conscription measure. Something angered him. He stated to-day that the Conklins called him a German—which he said was a maddening insult, because he had relatives serving in the allied armies. But the Conklins, husband and wife, jointly declared that nothing of the kind had been said or insinuated; Auer, said they, was angry at the very mention of conscription; suggested that it would be a good idea to put a bomb under any newspaper which published such stuff, and vented himself in these further words: "If I am conscripted I will consider myself a conquered enemy and will shoot the first and highest English officer at sight."

"That would be His Majesty the King," commented Crown Attorney Corley.

"They were only casual remarks in a room," pleaded Henri G. Smith, French-Canadian counsel for the accused, striving to show that the Conklins, who are from the United States, had actually fled from the conscription law themselves, and had deliberately tried to rouse the Swede's bitter feelings.

"He can't make any such casual remarks as that here," remarked Col. Denison, meaningly.

A lady who was present at the interview, and was called as a witness for the defence, swore that Auer had never mentioned bombs or a desire to shoot anyone. As to his alleged statements that if Sweden were brought into the war against the United States through the Argentine revelation, he would go and fight with his countrymen, that, she believed, was only a natural expression of feeling for the country of his birth.

"It is her word and Auer's against the other two witnesses," added Auer's counsel, adding that he knew the accused quite well, and could

testify that he was a quiet, inoffensive, hard-working man.

"Is that all?" asked Toronto's soldier magistrate, adjusting his spectacles in that ominous manner so familiar to frequenters of the courtroom. "He will go to the Jail Farm for one year."

"Your Worship," remarked Mr. Corley, "I would just remind you that there are no guards at the Jail Farm, and a prisoner is at liberty to walk away at any time."

"That's so," said his Worship, suddenly seized of the point. "It will be two years in Kingston Penitentiary."

Auer was arrested about a week ago by Detective Maurer, on information given by the two Americans. The latter were congratulated by the Crown on the patriotic spirit they had shown.

A Human Torment.

John Mannick was not only a dealer in whiskey, but a pest and a torment to an inoffensive woman whose husband is away from home. On her return one night she found him in the house, seeking to secure a night's sleeta at the cost of a bottle of fire-water. At her request Constable Hadden expelled and imprisoned the intruder. On their combined testimony, Mannick was to-day penalized \$500 and costs or three months on the formal charge of B. O. T. A.

Counsel Changed Plea.

James L. McArthur faced the accusation of forging the endorsement of his brother-in-law, W. L. Starr, to a Canadian Express money order for \$12.38.

"We plead not guilty, and elect to be tried by jury," said his counsel, R. H. Holmes.

"Ready to go on with the investigation?" asked Mr. Corley, intimating