

The Daily News

PRINCE RUPERT
Northern and Central British Columbia's Newspaper

PRINCE RUPERT, B. C., TUESDAY, FEBRUARY 17, 1920.

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XL NO. 40.

Duff Nine Months In Okalla Prison

Police Constable is Sent Down by Magistrate McMordie This Morning; Difficult and Disagreeable Task.

Simon V. Duff was convicted this morning for offering to sell exposing for sale \$5,000 worth of liquor and sentenced by Magistrate McMordie to nine months' imprisonment with hard labor at Okalla Prison Farm.

Magistrate McMordie showed considerable emotion in delivering his decision, stating that sometimes in his duties as a magistrate he found the cases both difficult and disagreeable and this was most decidedly so. His duty, however, was to do his duty and he was compelled to find Duff guilty. He had betrayed the trust as a police constable and had broken the law. The case would bring the blush of shame to all returned soldiers. The cases against Bessie Riley, the Leachys and Hoskins were proceeded with.

EVIDENCE IN LEACHY CASE

Prisoner Takes High Moral Ground in Defending Himself in Court.

The case of Dan Leachy was heard this afternoon and the evidence is now all in. Charles Miller testified as to seeing Leachy at the bath house. He referred to the son, Richard, and told to go out with him and would let him know later; as to this was on the first night when he did not have the liquor so the deal was declared off. On the second night he had the liquor again and had been sent out. Richard. Later they came and Richard said that they would go through. When he left Dan Leachy on Thursday night the deal had been all right. Duff was in the bath house that night and was talking to Dan Leachy.

Dan Leachy, the accused, was heard in his own defence. He told of Miller coming to the bath house and asking about liquor. He told him that he couldn't sell liquor; as he knew nothing about it himself. He told him that his son, Richard, might be able to supply him. He had told of an Italian and his neighbor who had some. He had heard from his son. He was not interested in it himself, and was about the bath house.

Miller went out with Dick on the second night and came back. Then told me that he had the liquor and was prepared for the deal. All this, however, was his business and I was not interested," said Dan Leachy. "I warned Dick what might happen if he got mixed up with liquor deals and I did not allow liquor in the bath house. If I did not send Miller and Dick out, I did not send Dick for liquor nor did I have anything to do with setting the price. I set all my life set my son as an example and warned the boy. I thought he had been breaking the law I would have reported to the police." Dan Leachy denied his evidence in an effusive manner and set himself up as a model citizen for 26 years, during which time he had never faced a magistrate. Matt Videck testified as to seeing the liquor at Lipsett's and under the instructions of Dick Leachy under whose orders he worked all the time. Dick Leachy then gave evidence

and said that his father had nothing to do with the case and knew nothing about it. Duff and himself were the only parties taking part in it and the affair had been arranged by Duff and himself from start to finish, Duff handling the fine points. Any arrangements with other parties had been made by Duff and he knew nothing of the matter. An agreement between Duff and himself for the sharing of the \$5,000 had not been arranged.

The liquor had been moved from Lipsett's house over a week ago and taken to Jack Hoskins' cabin at Seal Cove. On the last trip with the liquor Duff had been picked up at the corner of Sixth Avenue and Tatlow and proceeded to the Cold Storage. Duff told me about Lipsett's liquor and I told him of the offer by Miller. Matt Videck was not told of the particulars of the case.

Dan Leachy is remanded until Thursday morning also. The hearing of the fifth party implicated in the Duff case, Jack Hoskins, will come up tomorrow morning when he will face the same charge.

BIG FIGHT OVER OPEN FISHERIES

Strong Influences Being Brought To Bear to Defeat the Project.

There is likely to be a big fight over the matter of open fisheries. Some Vancouver business men held a meeting recently and petitioned the Dominion Government to hold over the open fishing regulation and up to the present no instructions have been sent out in regard to the matter. It will be done by order-in-council, which has not yet been passed.

It is understood that every effort is being made by the canners to prevent the opening of the fisheries. The argument used is not that the packers will advantage but that the fish will be better conserved under present conditions.

Colonel Peck is on his way to Ottawa by way of Vancouver and he will have all he can do to hold his own against the strong influences which will be brought to bear, especially in view of the illness of the Minister of Fisheries and the absence and illness of the Premier.

In view of the fact that no regulations have yet been officially promulgated it has been suggested that local public bodies might well take some steps to counteract the strong Vancouver influence.

TENDERS WANTED

Tenders wanted for moving building now occupied by Prince Rupert Feed Co. For full particulars apply to T. Trotter. 39

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WINTER SPORTS.



A merry party waiting the word "go" for the start of a toboggan run at Murren, Switzerland.

Sultan to Remain Head of Turkish Empire But the Dardanelles Open to All

(Special to The News via G. T. P. Telegraphs.)

LONDON, February 17.—In connection with another meeting held by the Supreme Council of the Allies to take up the Turkish question it was reiterated in conference circles that it had been decided to permit the Sultan to remain in Constantinople as the Turkish sovereign, but that the Dardanelles would be placed under international control.

Liquor Cases Continued In Police Court Today Before Police Magistrate

Bessie Riley and Richard and Daniel Leachy appeared before Magistrate McMordie in the police court this morning charged with exposing for sale and offering to sell liquor for the consideration of \$5,000. The case continued well into the afternoon and at the time of going to press was still being proceeded with. All the evidence has been taken in the Riley case and Mrs. Riley was remanded till 10 o'clock Thursday morning. Richard Leachy pleaded guilty and will be sentenced later. His father, Daniel Leachy, pleaded not guilty.

The first witness in the case, Charles Miller, told of meeting Bessie Riley at her cigar store on Fulton Street for the first time on Wednesday night last. He told her he had come from Ketchikan to buy liquor and she said that she might be able to fix him up. She told him to come with her and he took her to the bath house where he introduced her to the Leachys. In the meantime before going to the bath house Duff came in but did not pay much attention to him.

\$100 a Case. She talked to the Leachys in confidence for a few minutes and then the subject of liquor was spoken of in her presence. He was told that it could be bought but not for less than \$100 a case. Miller was then told to go back to Bessie Riley's and wait. He waited for about an hour and then they called up for him to go back. "I went back and arranged for the liquor and they asked for money but I did not have it," he said. "They then said the deal was off but I said that I would be back."

Cross-Examined. Examined by Mr. Patmore, defending Bessie Riley, Miller said that the only connection Bessie Riley had with the case was when he showed her the \$5,000 and when she had been present at the bath house when the deal was going through.

Bessie Riley was then called in her own defence. He had come to her store on the night in question and told of wishing to buy liquor. She told him that he ought to be able to get lots

around town. At that time she was entertaining a friend in her dining room and left to go out and get some records for her gramophone from the bath house. Miller expressed the desire to go along with her and went along where she introduced him to the Leachys. He appeared to be known around there before. He started to talk to the Leachys and Bessie Riley excused herself and went home.

Friend of Hers.

"I told the Leachys that Miller was a friend of mine and that he was looking for liquor. Before going home I played three records on their machine," said Mrs. Riley.

"The next day the Leachys called on me inquiring for Miller. I called him up and told him to come up. Then, when he arrived, I sent him over to the bath house. I knew nothing about the liquor sale but had merely been told by the Leachys once that if anybody wanted to get liquor to send them to the bath house. I told him about others where I thought he could get liquor before I mentioned the Leachys." Here Mr. Patmore's examination ended.

W. E. Williams, city solicitor, inquired from Mrs. Riley who the parties were she had told him about before the Leachys and she mentioned four local residents, one of whom, however, had his on an island and was afraid to touch it. Before Mr. Williams' examination Mrs. Riley stated that she had gone through so much in the last few days that she could not remember everything.

No Real Information.

Mr. Patmore examining her again found that she had no reliable information as to where liquor could be got. She denied seeing any money and Miller was no special friend of hers. The first suspicion she had had of trouble was when Leachy told her the next day about Duff and Richard Leachy being at the police station.

Mr. Patmore in summing up the case said that as there was no rebuttal by Charles Miller of Mrs. Riley's contradictory evidence it must be accepted as the truth. The important point in her favor was that she had told Miller of other places where he could get liquor before the Leachys. There was nothing in the case to do but conjecture. Mr. Williams had to go far afield to associate her with the case as an accomplice. He criticised the B. C. prohibition act as being against all law and justice. It would be an outrage to convict the woman on such evidence. She had known nothing about a theft or sale and Duff had not taken her into his confidence. She had no direct connection with the matter and no indirect, either, other than any ordinary citizen might have.

Allegedly an Agent.

Mr. Williams stated that Bessie Riley had been the first party to whom Miller had gone on his quest for liquor. She introduced Miller to the Leachys and had been practically an agent. The

WILL ATTEMPT RESTRAINT OF SCHOOL BOARD

City Council Consider that Trustees are Handling New School in Arbitrary Manner.

The presenting of the extraordinary estimates for school purposes for the present year was the cause of a general discussion of school matters at the city council meeting last night. They have been referred to the Finance Committee for report. The City Council will also endeavor to obtain a restraining order on the placing of the new Hays Cove School directly facing Sixth Ave., as has been decided by the School Board. To this end the city solicitor is being consulted.

Alderman Perry urged the Finance Committee to consider carefully the classification of the estimates. He also referred to the joint conference that the city council had been invited to attend with the School Board and to which only two members of the School Board came. The mayor did not favor the putting of the school directly facing Sixth Ave. He considered that it would be better to place it on either side of the circle so as to add to the appearance of the longest avenue in the city which was Sixth Ave. **Was Overruled.**

Alderman McLennan stated that he had been the only member of the School Board who had opposed the putting of the school directly facing Sixth Ave., but he had been overruled. He felt that by placing the school to one side a more suitable sports ground could be allowed for. Alderman Dybbavn also opposed the placing of the school facing Sixth Ave. He favored another conference of the city council and the school board at an early date.

Alderman Rochester could not see why two or three members of the school board should handle the matter of a \$150,000 school in an arbitrary manner. The placing of the school facing Sixth Avenue would be making a monument. He objected to the city council being made a goat of at a conference and being ditched the way they were. He felt that 7 per cent of the people would favor placing the school to one side of the circle.

DRURY ELECTED IN BY-ELECTION

Had Majority of 2,590 Over Toronto Man.

(Special by G. T. P. Telegraphs.)

TORONTO, Feb. 17.—Premier E. C. Drury of Ontario was elected in the Halton by-election yesterday by a majority of 2,590 majority over Edward J. Stephenson of Toronto, the returned soldier candidate. The general feeling here is that the new premier should be given a chance to show what he can do.

JUDGE WALKER DIED, MRS. WALKER IS ILL

WINNIPEG, Feb. 17.—Judge D. M. Walker of Winnipeg died yesterday at Venice, California. Mrs. Walker is very ill.

97 and 50-piece Dinner Sets at Tite's February Bargain prices.

deal had been discussed in her presence. She had acted in furthering the sale and there was no question that she had aided, abetted and connived at the sale and had helped to put it through.

Mr. Patmore argued that if she was convicted that it would be against all British justice and Mr. Williams replied that he was not responsible for the reading of the law. The bench ruled that Mr. Williams was not responsible for the law.

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