

THE DAILY NEWS

PRINCE RUPERT - BRITISH COLUMBIA

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H. F. PULLEN, MANAGING EDITOR.

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DAILY EDITION.

Wednesday, March 31, 1920

Judge Metcalf on
Right to Strike.

In the trial of the strikers convicted of sedition at Winnipeg in which case sentence is to be delivered next week Judge Metcalf made some interesting statements when charging the jury. We quote:

In the matter of strikes, and the contention that there was a time when the workers could persist in claiming that they had the right to carry on a Dominion-wide strike, his lordship said that any man who claimed that the strike of last summer was a lawful strike assumed great responsibility. Counsel in question had admitted the distribution of a class of literature, a sample of which was now in the court as exhibits, and counsel stood in this case to justify Ivens' action in defying the law of censorship. The jury knew what had taken place. As a King's counsel, he thought Mr. Trueman had taken upon himself a grievous responsibility. "I am here for the purpose of instructing you on the law. We all have our functions. You as the jury have to consider the facts. But you have to apply the law to the facts, and I have already told you that my function is to keep order in this court and to tell you what the law is. You should take my statement of the law as correct. If wrong, and the accused are thereby injured, justice could be done, but the action of counsel has been such that I feel that I must instruct you fully upon the law. My charge, therefore, will be of great length.

Question of Law,
Not of Justice.

His lordship said the question was not whether labor was entitled to try to better its position, or what was to become of capitalism, or the present social system? "The question is: Are some men guilty, under our law, of doing or going among others to do, or cause others to do, the unlawful acts charged? That is our question. It is very simple. This is a court of justice which is bound by the law as it stands, and not by the law as the accused say it ought to be. Therefore, we have nothing to do with the supposed law of natural justice unless it be a part of the law of the land. It is the function of parliament to make the law. This parliament has done. It is the function of parliament to amend the law so as to do justice and satisfy the popular desire. Until parliament has changed its laws, we must in the performance of our duty follow the laws, otherwise we would have mob rule and chaos. We have, therefore, to administer justice according to the law of the land and not otherwise.

"If you were to pay attention to the law as laid down by counsel for the crown and counsel for the defence and also pay attention to the law as laid down by the presiding judge, then the devil knows not what the law would be that you have in your minds. I again say that I must instruct you in law, and that you must pay attention to that instruction only."

Calgary Convention
Condemned by Judge.

After having called attention to the reports that had been printed of the Calgary convention, and revised by some of the accused, his lordship said that the jury if they read the resolutions would be justified in coming to the conclusion that the convention was endeavoring to bring about a drastic change in the form of the government of Canada. "There is," said he, "an indicated preference for the soviet form of government; also for a proletarian dictatorship; also for strikes; also for the organization of the workers for the purpose of such demands as they thought necessary; also, it was stated the general organization should be proceeded with great vigor; also that there should be a general strike somewhere about the first of June." The evidence of intention could be gathered, he said, from the resolutions passed calling for the repeal of orders-in-council; enforcing the release of certain prisoners in jail; for the withdrawal of the troops from Russia. "A strike for any such purpose as this," commented his lordship, "is wholly illegal and is not covered by the privilege granted by the law to labor strikes." "It is hard to understand," he continued, "any one with the intelligence of the accused would not know a general strike for such a purpose was not lawful. As a matter of fact the convention was warned by two of its members that they were likely to get into jail, and the remarks of Kavanagh may justify you (the jury) in coming to the conclusion that they all considered that the workers themselves would be sufficient protection to keep the workers out of jail whether they were law breakers or not."

Protection of Courts
Against Attacks.

Speaking of attacks made on the courts in public speeches and writings of some of the accused, the judge said:

"Perhaps the courts of this province are sunk so low as to deserve the hatred and contempt of the people or anybody else. That is a matter for you. It means I am here to do the bidding of the monster capital and that the judges and the courts are here to do that. Gentlemen, that is for you. In one way it is for you and in one way only. You may think these courts have reached such a stage as to be beneath the contempt of the public; that you desire these courts no longer to exist; but the question you have to consider is was there a seditious conspiracy to do away with the courts, not only here but throughout the Dominion of Canada.

"You may think I am taking this matter with a personal bias and prejudice. I want to tell you that personally I do not care. If the public of this country want these statements concerning their judiciary to be sent broadcast over the country for the purpose of educating the thugs, if the people who should take care do not take care about the attacks in literature and newspapers on the judiciary; if they do not take care what is said in parliament under the cowardly privilege that exists, the sooner the courts are swept away the better. That is all I have to say."

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Notice to Advertisers

Casual advertisements for insertion same day should be in the Daily News office before 10 a.m. Changes in advertisements should be on hand before 5 p.m. on previous day.

Prince Rupert Board of School Trustees.

NOTICE TO CONTRACTORS.

SEALED TENDERS addressed to the Secretary of the Prince Rupert Board of School Trustees, Prince Rupert, B. C., will be received up to and including April 14th, 1920, for the erection of a twelve room Public School Building in the City of Prince Rupert, B. C. Tenders may be bulk or separate for the following trades: Masonry, hollow tile and brick; Concrete, plain and reinforced; Plastering, Art stone work, Carpentry and joinery, Roofing and galvanized iron work; Steel sash, Fire escapes and steel work, Painting and glazing, Terrazzo floors, Electric wiring, Plumbing, Heating and ventilation.

Each tender shall be accompanied by a certified cheque on a chartered bank of Canada, for the sum of five (5) per cent. of the amount of the tender, the cheque of unsuccessful tenderers to be returned immediately the tenders are opened. The lowest or any tender not necessarily accepted. Plans and specifications and all information may be obtained from the office of the Architect, J. W. POTTER, W. D. VANCE, J. W. POTTER, Secretary, Architect.

LAND REGISTRY ACT
(Sections 36 and 134.)

Re Application No. 11035-I. File 6907. TAKE NOTICE that application has been made to register Edward H. Mortimer, of Prince Rupert, B. C., as owner in fee under a Tax Sale Deed from the Collector of the City of Prince Rupert, bearing date the 19th day of July, 1918, of ALL AND SINGULAR that certain parcel and being in the City of Prince Rupert, more particularly known and described as Lot Seven (7), Block forty-one (41), Section Eight (8), (Map 923). You are required to contest the claim of the tax purchaser within 35 days from the date of the service of this notice (which may be effected by publication in the Daily News), and your attention is called to section 36 of the "Land Registry Act" with amendments, and to the following extract therefrom:

"and in default of a caveat or certificate of his pendens being filed before the registration as owner of the person entitled under such tax sale, all persons so served with notice, and those claiming through or under them, and all persons claiming any interest in the land by virtue of any registered instrument, and of all persons claiming any interest in the land by descent whose title is not registered under the provisions of the Act, shall be forever estopped of and barred from setting up any claim to or in respect of the land so sold for taxes, and the Registrar under such tax sale as owner of the land so sold for taxes."

AND WHEREAS application has been made for Certificate of Indefeasible Title to the above-mentioned lands, in the name of Edward H. Mortimer.

AND WHEREAS on investigating the title it appears that prior to the 14th day of September, 1918 (the date on which the said lands were sold for overdue taxes), you were the registered and assessed owner thereof.

FURTHER TAKE NOTICE that at the same time I shall effect registration in pursuance of such application and issue a Certificate of Indefeasible Title to the said lands in the name of Edward H. Mortimer, unless you take and prosecute the proper proceedings to establish your claim, if any, to the said lands, or to prevent such proposed action on my part.

DATED at the Land Registry Office, Prince Rupert, B. C., this 20th day of August, A. D. 1919.

H. F. MACLEOD,
District Registrar of Titles
To Paul Hartman, Esq.,
Care Royal Bank of Canada,
Prince Rupert, B. C.

LAND ACT

Notice of Intention to Apply to Purchase Land.

VANCOUVER LAND DISTRICT—DISTRICT OF COAST, RANGE III.

And situate on the west coast of Calvert Island.

TAKE NOTICE that Helge Smey, of Prince Rupert, B. C., occupation foreman of fish station, intends to apply for permission to purchase the following described lands:

Commencing at a post planted 1 1/2 miles north of the N.W. corner of Lot 897; thence east 40 chains; thence north 40 chains; thence west 40 chains; thence south 40 chains, and containing 160 acres more or less.

HELGESMEY,
By Mark Smaby, Agent.
Dated January 21st, 1920.

LAND ACT

IN THE SKEENA LAND DISTRICT—DISTRICT OF QUEEN CHARLOTTE ISLANDS.

TAKE NOTICE that Thomas B. Strain, of Vancouver, B. C., occupation returned soldier, intends to apply for permission to lease the following described lands:

Commencing at a post planted on the shore on Sewell Inlet about 3 miles distant, and in a westerly direction from the entrance of Sewell Inlet; thence 1 chain south; thence 40 chains east; thence to point of commencement the shore line to point of commencement and containing 20 acres, more or less.

THOMAS B. STRAIN,
By W. E. Green, agent.
Dated 26th October, 1919.

MAIL SCHEDULE

For the East.

Mondays, Wednesdays and Saturdays at 10:30 a.m.

From the East.

Sundays, Tuesdays and Thursdays at 7 p.m.

For Vancouver and South.

Tuesdays 7 p.m.
Thursdays 11 p.m.
Saturdays 10:30 a.m.
March 24; April 3, 14, and 23.

From Vancouver and South.

Sundays 10 p.m.
Wednesdays 10:30 a.m.
March 29; April 9, 19, and 30.

For Anyox and Alice Arm.

Sundays 11 p.m.
Wednesdays 11 p.m.

From Anyox and Alice Arm.

Tuesdays p.m.
Thursdays p.m.

For Port Simpson, Arrandale, Mill Bay, Wales Island and Naas River.
Sundays 11 p.m.

From Pt. Simpson, Arrandale, Mill Bay, Wales Island and Naas River.
Tuesdays p.m.

Queen Charlotte Islands:

For Massett, Port Clements and Upper Island points:

March 24; April 2, 7, 16, and 21.

For Massett, Port Clements and Upper Island points:

March 25; April 3, 8, 17, and 22.

For Skidegate, Queen Charlotte City and Lower Island points:

April 3, and 17.

From Skidegate, Queen Charlotte City and Lower Island points:

March 30; April 16 and 30.

For Skagway and the Yukon.
March 29; April 9, 19, and 30.

From Skagway and Yukon.
March 24; April 3, 14, and 23.

Stewart, Maple Bay and Swamp Point.

For—March 25, 31; April 8, 14, 22, and 28.

From—March 26; April 1, 9, 15, 23 and 29.

1920.
CITY OF PRINCE RUPERT

NOTICE TO CONTRACTORS.

MORSE CREEK BRIDGE CONSTRUCTION.

Tenders 19th April, 1920.

Sealed Tenders for the construction of a Timber Bridge across Morse Creek, Second Avenue, City of Prince Rupert, will be received at the office of the City Clerk, Prince Rupert, B. C., until 5 o'clock p.m. Monday, the 19th day of April, 1920.

The Contractor to supply all labour, material and equipment.

The work includes, Three Howe Truss Spans, each Seventy-Seven (77) Feet in length, together with the necessary approaches, connections, substructure, concrete footings and excavation. Total length of structure being Six Hundred Feet (600) more or less, and as shown by the plans and specifications on file in the office of the City Engineer, Prince Rupert, B. C.

Each Tender is to be accompanied by a certified cheque for One Thousand Dollars (\$1,000), payable to the City of Prince Rupert, said cheque to be returned to the Tenderer unless he fails to execute the contract, should it be awarded to him.

A Bond for One Third (1-3) of the Tender, satisfactory to the City Council of Prince Rupert, will be required for the faithful performance of the contract.

Plans and Specifications may be obtained from City Engineer on payment of Five Dollars (\$5.00) to City of Prince Rupert, or they may be examined at office of City Engineer.

All Tenders must be made upon blank forms, obtainable from City Engineer.

The City Council reserves the right to reject any or all Tenders.

F. S. CLEMENTS,
City Engineer.

Tenders for Freightage of Supplies for the Yukon Telegraph Line.

SEALED TENDERS addressed to the undersigned, and endorsed "Tender for Packing Supplies," will be received until 2 o'clock noon, Thursday, April 15, 1920, for the packing of material and supplies for points along the Yukon telegraph line between Hazelton and Atlin, in the course of the seasons 1920, 1921 and 1922.

Forms of tender and specification may be obtained from the Superintendent of Government Telegraphs, Vancouver, B. C., District Superintendent Government Telegraphs, Victoria, B. C., and from the Government Telegraph Agents at Ashcroft, B. C., Quesnel, B. C., Hazelton, B. C., and Telegraph Creek, B. C.

Persons tendering are notified that tenders will not be considered unless made on the printed forms supplied and signed with their actual signatures stating their occupations and places of residence.

Each tender must be accompanied by an accepted cheque on a chartered bank, payable to the order of the Honourable the Minister of Public Works, equal to ten per cent (10 p.c.) of the amount of the tender, which will be forfeited if the person tendering declines to enter into a contract when called upon to do so, or fails to complete the work contracted for.

If the tender is not accepted the cheque will be returned. War Loan Bonds of the Dominion will also be accepted as security, or War Bonds and cheques if required it make up an odd amount.

The Department does not bind itself to accept the lowest or any tender.

By order,
R. C. DESROCHERS,
Secretary.

Department of Public Works,
Ottawa, February 14, 1920.

Newspapers will not be held responsible for this advertisement if they insert it without authority from the Department.—80807.

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.. of ..

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For Stewart March 31; April 8, 14, 22 and 28.
Masset, Port Clements, Buckley Bay, April 2, 7, 16, 21 & 30
Southern Queen Charlotte Islands April 4th and 18th.

TRAIN SERVICE

Passenger Monday, Wednesday and Saturday at 11.30 a.m. for Smithers, Prince George, Edmonton and Winnipeg, making direct connections for all points east and south.

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For Vancouver, Victoria and Seattle from Prince Rupert
February 14, 28; March 13, 24

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