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## THE DAILY NEWS

PRINCE RUPERT - BRITISH COLUMBIA

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### DAILY EDITION

Thursday, June 14, 1923.

### DEFENCE OF PORT SIMPSON BOYS IS THEY WERE NO WHERE AROUND WHEN BOYD YOUNG WAS SET UPON

(continued from page one)

money on his person but it was not in his coat pocket as usual but in his hip pocket. The money was not taken.

He had continued to make an outcry until he had utterly collapsed. He was bleeding profusely.

Mr. Craig—Had there been feeling between the Flewin family and you?

Mr. Young—Yes, there had been strained relations for years. Mr. Craig—When the men first came up to you, did they ask you who assaulted you?

Mr. Young—Yes.  
Mr. Craig—Did you tell them?  
Mr. Young—Yes.

#### Identified Clarence

In answer to Mr. Patmore, Mr. Young said that before he saw Clarence Flewin he had suspected it might be a Flewin attack. He had been warned that he might be damaged by them. He was astounded, however, to see that it was Clarence for he had never had trouble with him. He identified Flewin by his voice, his figure and his face. He did not recognize Kevis for he was concentrated on defending himself and getting away.

William Tait, native, testified to seeing Kevis and Flewin just before ten o'clock on the night in question while he was on his way home from Johnson's store. Joshua Ryan said he saw two men about 10 or 10.30 coming from the island to the mainland. One he took for Clarence Flewin but the other he did not recognize. Wilfrid Booth said he also saw the two men. One of them was Flewin and he did not recognize the other. He recognized Flewin by his voice and did not see his face.

#### Heard Cries

William Beynon, who said he was engaged in research work at Port Simpson, told of hearing the cries on the night in question shortly after 10 o'clock. Mr. Young had made a statement as to who assaulted him. It was a foggy night but bright in patches. He could see a quarter of a mile. There was no secret at Port Simpson of the relations between the Flewin and Young.

Miss Winnifred Jennings, matron of the hospital, told of hearing shouts and seeing some one come across the brook on to the path ahead of her, turning into the first walk at the right which led to the post office and Flewin's house. They were running until they crossed the brook but walked on the path ahead of her. She could not swear exactly who they were but one resembled Clarence Flewin. They were coming from the direction of the assault. She had met Dr. Friend before the

two figures appeared. The two accused were lined up in court in front of witnesses and were measured following statement of witness that one was taller than the other. Mr. Patmore showed that they were almost of the same height, Kevis if anything being a little the taller.

#### Evidence of Doctors

Dr. A. E. Friend told of hearing the shouting and seeing the two running figures. He did not recognize either of the men. He saw Boyd Young later. His head and clothing was covered with blood and he was vomiting a dark brown fluid. He had ugly wounds and many cuts about his head and face. He was bleeding from the ears and nose and his nose was fractured. The injuries could have caused death.

Dr. J. C. Spencer told of hearing the shouts and seeing Boyd Young after he was injured. Witness was checked off by his Lordship who said, as far as the crown was concerned it was all a matter of identification. If it failed in this there was nothing to the case. It was conceded that Young had been badly injured and no more evidence on that score was necessary.

#### Blood on Clothes

Constable Saint told of the two accused claiming their clothing. There were two pairs of trousers and a sweater. Blood was found on them and they were turned over to Dr. West for test.

Constable Logan corroborated Constable Saint's evidence.

Constable Watkinson testified that accused had been wearing clothes as described at Port Simpson.

Dr. West told of finding human blood on the clothes presented to him. The blood answered the same tests as Boyd Young's.

Mr. Patmore—You also took a sample of Kevis' blood?

Dr. West—Yes.  
Mr. Patmore—And it was of the same class as that on the clothes.

Dr. West—Yes.  
Mr. Patmore—And the spots you examined might have been three weeks old?

Dr. West—Yes.  
Adjournment was then taken at this point (5:40 p.m.) until 8 o'clock.

#### Evening Session

Dr. C. A. Eggert told of handing a sample of Boyd Young's blood to Dr. West and also of Boyd Young's general condition after the assault. He would say without hesitation that the wounds might have caused his (Boyd Young's) death.

Clarence Watson, native, aged 16, was brought to the stand and was asked by Mr. Craig regarding a conversation with Clarence Flewin two years ago when Boyd Young was referred to. Mr. Patmore objected to such evidence on account of its remoteness.

The objection was sustained by His Lordship and the witness was retired.

This completed the evidence for the crown at this stage. Mr. Patmore intimated that the defence witnesses would show that accused had not been near the scene of the assault during the period or for some time before or after. The accused, it would be shown, had arrived at the Flewin home shortly after 8 p.m. and had remained there until 5 the next morning. It would also be adduced that the blood stains on the clothing of accused had been the result of a boxing bout and the fact that Kevis' nose bled freely.

#### Defence Evidence

Mrs. Esther Flewin, wife of William Flewin and sister-in-law of accused, said she had been a patient in the Port Simpson hospital on September 11. Both accused had come to the Port Simpson hospital at 7 that night to say good bye to her on the eve of their departure for the south and to make some purchases for her. They stopped for a few minutes and went to do the shopping. About half an hour later Clarence Flewin had come back with an undervest, a writing tablet and a brush. He stayed about ten minutes. The next day in the hospital she had heard Boyd Young say that it was Clarence Flewin who had committed the assault. He knew that because he was so much taller than the other.

Agnes Brentzen, aged 13, told of meeting Clarence Flewin on the night in question and walking with him to the gate of his home where Kevis was also entering. Leaving them she arrived home about 8:30.

#### Had Been Boxing

Mrs. Dora Flewin, wife of C. B. Flewin and daughter of Dr. J. C. Spencer, testified that Clarence Flewin and Kevis had come home on the night in question about 8:30 and had remained there. She had heard the shouting in the village and at the same time had heard the boys talking in their room. There was no way the boys could leave the house without her knowing. A few days prior to this the boys had been boxing outside the house and Ray had come into the kitchen sink with a bleeding nose. She and her husband lived at the John Flewin home where the boys had stayed.

John Flewin, father of the accused, Clarence Flewin, said the boys had been at his house a week or more. Clarence had been in Australia and had come home to visit him and his mother, Ray coming along as his chum. About 7 in the night in question Clarence had gone to the hospital to see his sister-in-law and had returned at 8:30, not leaving the house thereafter until the next morning at 5 o'clock when they left on the Chelohsin. There were six or seven boats in Simpson that night with Naas River Indians aboard.

Mr. Patmore—What is the reputation of these Indians?

Mr. Flewin—They are considered not law abiding and refractory. I was government agent for 24 years and have had some experience with them.

In opening his cross examination, Mr. Craig enquired why witness had remained in court when he (Mr. Craig) had asked that all witnesses be excluded.

Mr. Flewin said that he owed Mr. Craig an apology for that. He had been busy with Mr. Patmore when the request had been made and did not notice.

#### Flewin's Letters

Mr. Craig showed Mr. Flewin a letter and asked if it was his handwriting. Mr. Flewin admitted that it was. Mr. Craig read from this letter, which was addressed to Mrs. Kevis, a statement that Kevis had not left the Flewin house that night. In answer to this, Mr. Flewin admitted that Kevis might have left the house but he had not known it when he wrote the letter.

Another letter Mr. Craig read and which Mr. Flewin admitted was in his handwriting was addressed to Hon. A. M. Manson. This letter said that "the boys were the victims of a miserable conspiracy of vindictive elements."

"Who do you mean?" asked Mr. Craig.

Mr. Flewin said that he meant parties in Simpson who had circulated calumnious statements about his family—Boyd Young and Watkinson not Ryan, Booth, Tait or Miss Jennings.

Another letter of Mr. Flewin's to Mrs. Kevis was alluded to. This referred to Mr. Flewin's re-

lations with Boyd Young.

Mr. Craig—What was your feeling to Mr. Boyd Young?

Mr. Flewin—I knew he was unscrupulous and untruthful and I kept away from him and didn't bother about him.

Mr. Craig—You had occasion to tell Young once what you thought about him?

Mr. Flewin—Yes, once over the telephone when I was sick.

#### Had Lost Commission

Mr. Flewin was pressed by Mr. Craig as to other difficulties he might have had with Boyd Young. Witness said there had also been trouble about a ring which had disappeared about which Young had prevaricated. Being a justice of the peace, he admitted that he had also had trouble with Boyd Young. His commission had been taken away and also the presidency of the hospital board. This he attributed to the Boyd Young influence.

Mr. Patmore examined the letter to Mr. Manson and asked Mr. Craig to complete the sentence referring to Mr. Flewin's trouble with Mr. Young as a J.P. The balance of the sentence was "He was a pro-German and has been systematically lying against us."

George Brown, fish packer and assistant to C. B. Flewin as postmaster and who resided at the Flewin home, gave corroborative evidence as to the boys being at home on the night in question. He also told of meeting that night in the village two men whom he had at first taken for Clarence Flewin and Raymond Kevis. On closer view they turned out to be two Naas River Indians.

Long Distance Phone

C. B. Flewin substantiated the

evidence as to the whereabouts of the boys and the seeing of two Naas River Indians in the village resembling them. A call had come to the Flewin house that night from Dr. Friend asking for connection to long distance for Constable Watkinson at Prince Rupert. He had been unable to raise Prince Rupert. He did not know what Dr. Friend wanted with Constable Watkinson and did not know about the trouble at that time.

Clarence Flewin, on taking the stand, said he was 20 years of age. He had arrived in Port Simpson on August 29 from Port Alberni to visit his mother and (continued on page five)

#### TIMBER SALE X 5190.

Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 29th day of June, 1923, for the purchase of Licence X 5190, to cut 1,000,000 feet of Spruce and Hemlock and 27,500 lin. ft. of Spruce and Hemlock piling on an area situated on the northeast shore of Salt Lake, Porcher Island, Range 5, Coast Land District.

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