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EVIDENCE IN BEALE CASE

MUCH BICKERING BETWEEN COUNSEL—COURT IS ADJOURNED UNTIL 2.30

Continual bickering between counsel featured the progress of the case in the police court this morning of Arthur Beale who is charged with selling beer. So strenuous did the debate between E. F. Jones, prosecutor, and S. W. Taylor, defence counsel, become that Magistrate McClymont on several occasions ordered them to desist and at one stage of the proceedings, threatened to adjourn the court. It took the minds of some of the spectators back to the troublous Manson-Patmore-Hooper days when the Government Liquor Act was young and when lawyers were bolder than they usually are today. Taking of evidence was completed during the noon hour when court was adjourned until 2.30 o'clock this afternoon for argument of counsel and the magistrate's decision.

The first witness for the crown was Constable George Sheeves. He declared that he and Constable William Gibson and another man went to the G.W.V.A. premises about 9.45 on the night of September 18. They spent about an hour there during which time three rounds of beer and stout were purchased, payment for same being made to accused. On entering the place witness signed the register as "J. Robinson," while Gibson put down his own name.

CROSS-EGAMINATION

In the course of Mr. Taylor's cross-examination it came out that the information in the case had read "September 18" while "September 17" was in the summons. Bottles entered as exhibits also bore writing other than that of the witness who said that he had given them to Gibson to take up to the police station.

About this time Corp. Markland left the courtroom and Mr. Taylor suggested that he was being sent out by Mr. Jones to prompt other crown witnesses who had been excluded from the court.

Mr. Jones took strenuous objection to the suggestion. "I don't have to be informed regarding legal tactics by you," he said, addressing Mr. Taylor. "It is an obvious suggestion and one which, if you had more experience, you would not make."

Mr. Taylor replied to Mr. Jones that he had as much legal experience as he and he did not intend to be insulted. Mr. Jones held that it was he who had been insulted.

"I have no trouble with Mr. Gonzales but when this man comes here I am insulted," Mr. Jones declared.

MAGISTRATE INTERVENES

The magistrate informed the counsel that he had heard quite enough from them and, if they did not desist, he would adjourn the court.

Mr. Taylor's cross-examination then continued. It came out that, after visiting the G.W.V.A., Sheeves and the other witness together with the man referred to had gone to the O.K. barber shop to see a barber. It was denied that any damage had been done there by them or that they were intoxicated.

Evidence of Constable Gibson was corroborative of Constable Sheeves. Other witnesses for the crown were Corp. Markland and Constable Kench, the last mentioned testifying that it was he who had marked the bottles entered as exhibits when they had been brought to the police station by Constable Gibson.

FOR THE DEFENCE

First defence witness was Albert Edward Hoskins, barber. He told of Sheeves and Gibson coming to the barber shop and asking him to go out and have a drink with them. They, he said, had apparently been drinking and the old man, Graham, who was with them, had used bad language.

Under cross examination witness said he had seen Sheeves and Gibson drinking apparently when they were getting evidence in another case. He admitted that he disliked them and had no sympathy for "stool-pigeons."

Jack Flint testified that he was in the G.W.V.A. premises on the night of September 18 from 7 to about 8.30. He saw Sheeves, Gibson and an oldish man who was poorly dressed come in. Witness said that he played the piano for Gibson when he sang "Mother Machree." Afterwards the old man, who seemed to be drunk, started to use bad language and Sheeves and Gibson appeared to be "fresh" although he would not say they were drunk. Finally, after being there only fifteen or twenty minutes, the three were ordered out by the steward and left. Witness declared that he had seen no sale of stout or beer nor had he seen the three men served it.

Just after Flint left the courtroom, Mr. Jones took objection to the defence witnesses leaving the room and instructing those who were yet to come in. Mr. Taylor referred to Mr. Jones "innuendos and suggestions" but was told by the magistrate that he (the magistrate) was sick of arguments between counsel and they would have to be stopped.

Final witnesses for the defence were Robert P. Anderson and A. Levecque, when their evidence had been heard, court adjourned until 2.30.

TIMBER SALE X8263

Sealed tenders will be received by the Minister of Lands not later than noon on the 30th day of September, 1926, for the purchase of License X8263, to cut 122,800 lineal feet of Cedar Poles and Piling on an area adjoining Lots 1442 and 1443, Ferguson Bay, 3 miles West of Port Clements, Queen Charlotte Islands Land District.

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Further particulars of the Chief Forester, Victoria B. C., or District Forester Prince Rupert, B. C.

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WATER NOTICE.

Diversion and Use.

TAKE NOTICE that Robert George Johnston, whose address is Inverness Cannery, will apply for a licence to take and use 10,000 gallons per day of water out of creek west of wharf at China Hat, also known as (no name), which flows southeast and drains into Trout Bay about 400 feet south along the beach from the southeast corner Lot "A," Kitasoo I.R. The water will be diverted from the stream at a point about 500 feet from its mouth and will be used for domestic and canning purposes upon the land described as Lot "A", Kitasoo I.R. This notice was posted on the ground on the 15th day of September, 1926. A copy of this notice and an application pursuant thereto and to the "Water Act" will be filed in the office of the Water Recorder at Prince Rupert. Objections to the application may be filed with the said Water Recorder or with the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C., within thirty days after the first appearance of this notice in a local newspaper. The date of the first publication of this notice is September 30, 1926.

ROBERT GEORGE JOHNSTON, Applicant.

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Waterfront Whiffs

(continued from page five)

Prince Rupert Pathetic Players Club. Bill on Thursday moved bag and baggage from the F. E. Hunt store and is now to be found as office manager of Frizzell's butcher shop. So, if P. Burns goes broke thin winter it will be an account of Bill's winning ways.

"Doc" Clapperton has gone to the country. Yesterday morning he left for Cedarvale where for the next two weeks he will be the guest of his old friend Bob Wiggins. With such a formidable huntsman as "Doc" around, the salmon will not doubt be leaving the river and the deer and mountain goat will be migrating to regions more inaccessible.

After having put up a small pack on account of having started operations so late in the season, the Captain's Cove cannery has closed for the winter and Jimmy Brown, who was engaged in patrol work during the summer, has been appointed watchman.

During the week a dolphin was put in at the Salt Lake landing in order to keep the wharf from blowing away again during winter storms. The driving was done by John Currie & Son's outfit.

A bandsaw and other woodworking equipment is being put in at the Suga shipbuilding plant in Cow Bay and a blower and motor is being installed in Charlie Nelson's foundry.

"Bob" Hanna, famous political orator and candidate for the position of admiral of the mosquito fleet, returned to port this week after having been engaged in trolling at Warke Channel during the summer.

The movement of seiners toward the south and native boats returning to their various villages continues through the port now that the salmon fishing season is practically over in this district.

Dr. W. T. Kergin's gasoline yacht "Full Moon" is undergoing a rather extensive overhauling at the McLean Ways this week. The halibut schooner "White Lily" was also up during the week.

Alex McDonald of the Fire Hall staff is the latest member of the Yacht Club at which floats his sturdy power boat, Hector, 20 feet long and 8 feet beam, is now moored. The Hector is a brand new boat having been built only this year in Cow Bay.

FIRST GAME IN WORLD SERIES PLAYED TODAY ON NEW YORK GROUNDS.

(continued from page one)

tomley. Hornsby made nice play on Combs' roller and tossed him out. Koenig flied out to Hafey.

EIGHTH INNING

St. Louis: Runs 0, hits 0, errors 0.—O'Farrell walked on five pitched balls. Thevenow sacrificed, Dugan to Gehrig. Flowers batted for Sherdel. Pennock took Flowers a grounder and O'Farrell was run down. Flowers went to second. Douthit walked. Holm batted for Southworth and Combs took his high fly.

New York: Runs 0, hits 0, errors 0.—Haines is now pitching. Ruth up and limped slightly towards the plate as Haines warmed up, the latter using a slow ball. Bell threw out Ruth at first. Meusel walked. Gehrig flied out to Hafey. Lazzeri grounded out to Bottomley.

NINTH INNING

St. Louis: Runs 0, hits 1, errors 0.—Hornsby flied out to Combs. Bottomley singled into right for his second hit. Bell fanned, swinging for third strike. Lazzeri took Hafey's weak roller and threw him out.

The next game is scheduled for tomorrow.

A MISTAKE

Old Lady (who believes she is growing deaf)—There you have bin talking for ten minutes and I haven't heard a word you've said."

Old Man—Haven't bin talkin'; bin chewin' baccy.—Omaha Bee.

Next week from October 3 to 9 will be nationally observed as Fire Prevention Week. Literature is being distributed by the Department of Insurance, Ottawa, and plans are being made to observe the occasion in the public schools of the city. Fire Chief McDonald and his staff are assisting in putting the propaganda over.

Rev. P. E. Baisler arrived on the Princess Louise yesterday afternoon from Juneau and will spend a few days here before proceeding to Seattle where he will take over his new duties as Lutheran Church field missionary for the state of Washington.

Advertise in the Daily News

SYNOPSIS OF LAND ACT AMENDMENTS

PRE-EMPTIONS

Vacant, unreserved, surveyed Crown lands may be pre-empted by British subjects over 18 years of age, and by aliens on declaring intention to become British subjects, conditional upon residence, occupation, and improvement for agricultural purposes.

Full information concerning regulations regarding pre-emptions is given in Bulletin No. 1, Land Series, "How to Pre-empt Land," copies of which can be obtained free of charge by addressing the Department of Lands, Victoria, B.C., or to any Government Agent.

Records will be granted covering only land suitable for agricultural purposes, and which is not timberland, i.e., carrying over 8,000 board feet per acre west of the Coast Range and 5,000 feet per acre east of that Range.

Applications for pre-emptions are to be addressed to the Land Commissioner of the Land Recording Division, in which the land applied for is situated, and are made on printed forms, copies of which can be obtained from the Land Commissioner.

Pre-emptions must be occupied for five years and improvements made to value of $10 per acre, including clearing and cultivating at least five acres, before a Crown Grant can be received.

For more detailed information see the Bulletin "How to Pre-empt Land."

PURCHASE

Applications are received for purchase of vacant and unreserved Crown lands, not being timberland, for agricultural purposes; minimum price for first-class (arable) land is $5 per acre, and second-class (grazing) land $2.50 per acre. Further information regarding purchase or lease of Crown lands is given in Bulletin No. 10, Land Series, "Purchase and Lease of Crown Lands."

Mill, factory, or industrial sites on timber land, not exceeding 40 acres, may be purchased or leased, the conditions including payment of stumpage.

HOMESITE LEASES

Unsurveyed areas, not exceeding 20 acres, may be leased as homesites, conditional upon a dwelling being erected in the first year, title being obtainable after residence and improvement conditions are fulfilled and land has been surveyed.

LEASES

For grazing and industrial purposes areas not exceeding 640 acres may be leased by one person or a company.

GRAZING

Under the Grazing Act the Province is divided into grazing districts and the range administered under a Grazing Commissioner. Annual grazing permits are issued based on numbers ranged, priority being given to established owners. Stock-owners may form associations for range management. Free, or partly free, permits are available for settlers, campers and travellers, up to ten head.

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