

RUBY DOLAN CONFESSES TO SHOOTING OF DONALD BUT DID NOT INTEND TO

Continued from Page 1.

he taken into consideration in dealing with the offence. Neither should the fact that the dead man or any of the witnesses were frequenters of a house of prostitution be taken notice of in regard to their credibility.

The women and their friends had been celebrating and, having had considerable liquor, went from house to house, finally at about 2:30 in the morning landing at the Gale house. The crown would attempt to fix the time of the crime at between 3 o'clock and 3:10. Shortly before that, witnesses Ross, Bertha Love and Biheu, had left the Gale house and gone to Bertha Love's. Not many minutes after Biheu left the Love house and, at the door of the Gale house, Gladys Gale was standing. She called out: "Donald is shot. Fetch the bull." Biheu followed Gladys Gale into the house and, at the kitchen door, saw Ruby Dolan standing with a revolver in her hand. Deceased, he saw, lying on his back in the kitchen. Then Biheu proceeded to get the constable and a doctor.

Doctor's Evidence

The first witness was Dr. R. H. Carson of Premier Mine. He did not know deceased but testified to having performed a post-mortem on the body in the Gale house at Stewart. Having been called for the purpose, it was about 11 o'clock in the evening when he reached the house. He found on the kitchen floor the body of a man about 42 or 45 years of age, 5 foot ten or eleven inches in height and about 160 pounds weight. The body being dressed, witness turned back his undershirt which was already unbuttoned at the top and took off the clothes. He made an incision in the abdomen where there was a wound about one inch to the right of the navel. It was a penetrating wound with a coating of soot, presumably caused by a powder-burn and red underneath. As a result of the incision, it was found that the intestines and an abdominal artery had been pierced. A bullet was found under the skin in the hip at the left side. There was a hole in the underwear corresponding in position with that in the body. The cause of the death, the doctor stated, was from loss of blood from the punctured artery. Deceased had been dead, he believed, more than six hours when he arrived on the scene.

Cross-Examination

Cross examined by Mr. Farris, Dr. Carson said the powder mark made by the bullet was about a quarter of an inch around the wound and so thick that it had to be scraped off with a knife. Asked if he did not think the gun must have been fired from a point close to the body, witness said he did not know. The victim of the shooting was a well developed man, apparently in good physical condition.

Asked if a shock such as the shooting of a man would have any effect on drunkenness, the doctor said it would have a sobering effect.

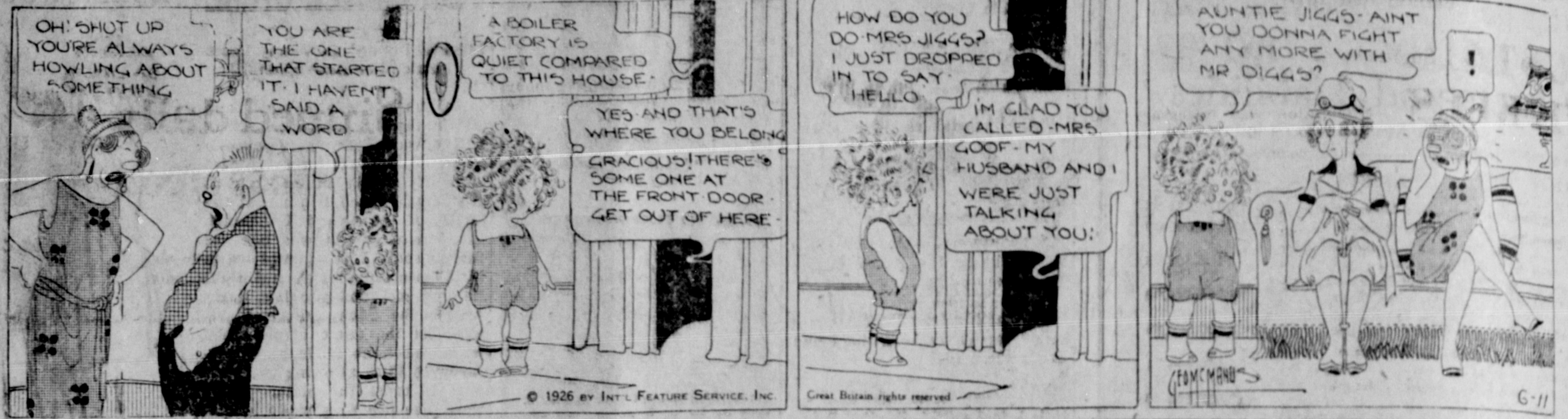
Gerald Davies of Stewart, a surveyor, showed a plan of the house which he had prepared.

Constable's Evidence

Frank Islip, provincial constable at Stewart at the time of the affair but since resigned, said he had seen the man Donald before and knew the accused, although under a different name. She lived in a house kept by Gladys Gale. Bertha Love lived in the next house. There were five other houses of prostitution on that street occupied by seven women. On the day in question he got a call to the house and found the body of James Neil Donald lying on the kitchen floor on its back. He was admitted to the house by Ruby Dolan. On entering he said "What's the trouble?" The reply was "No trouble." He passed to the kitchen saw Gladys Gale and asked what was the matter. Glancing in he saw the body lying on the floor. He then asked where was the gun. Dolan said "We have no gun." He knelt at the side of the body which was warm, although apparently the man was dead. He looked around and saw an empty cartridge case near the body. Later he received a bullet taken from the body, both of which were put in as evidence.

After taking the two women to

BRINGING UP FATHER



© 1926 by INTL. FEATURE SERVICE, INC.

Great Britain rights reserved

G-11

the lockup, Inslip returned and searched the house and found an automatic revolver. A trunk and drawer were locked so he obtained a search warrant and then found a quantity of ammunition well concealed among clothing. There were 33 rounds and a clip containing eight rounds.

When they arrived the kitchen was dirty with cigarette ends lying around.

Questions elicited the fact that the Dolan woman, while the constable was there, stepped over the body of the dead man in order to get herself a cigarette. Mrs. Inslip, wife of the constable, came to his aid and the women were taken to the lockup and charged with vagrancy. Later, after the inquest, they were charged with murder. On going from the house to the lockup Dolan fell several times in the snow and had to be assisted. He thought both women were sober and that Dolan's falling was due to the bad condition of the trail.

Cross-Examined

Cross-examined by Mr. Farris, witness said he did not think the shells were in their regular storing place. He had never seen any stored in that way before. He had no information that the gun belonged to Gladys Gale. It was part of his duty to visit the houses regularly and to check up the names of the inmates. He did this periodically. A bullet which had been found came apparently from the dress of Gladys Gale. The women were charged with murder later. Both were charged with the murder of the same man.

Sergeant McNeill was put in the box to demonstrate the manner in which the automatic gun worked.

Constable's Wife

Janet Inslip, wife of the constable, told in being called to the Gale house in order to help her husband. She saw accused and Gladys Gale and the body and Dr. Whillans also was there. The doctor picked up a button which had apparently come off Gladys' dress.

The question of admitting a conversation between Mrs. Inslip and accused as evidence was discussed and the jury retired meanwhile, returning when it was decided to admit the evidence.

Mrs. Inslip testified that she had asked accused where was the gun and had been told that they had no gun.

Before taking the women to the police station they changed their clothes and she was in charge of them while this was going on. Dolan took off everything and she did not notice anything unusual about her. A few days later she found a bruise like finger marks on Dolan's arm. It was not a deep bruise. Dolan's glasses were found afterwards in the Gale house in the bedroom.

Adjournment then took place until this morning.

Pistol in Hand

Constable Islip was recalled this morning to describe the lighting of the house which he

said was well illuminated with electricity.

Charles Biheu told of the movements of deceased, accused, himself and others on the night in question. They had visited various "disorderly houses" and finally witness said he "lost his head when he got full." He remembered leaving the Gale house about 3 o'clock in the morning and returning past it again soon after from Bertha Love's. Gladys Gale called to him from her porch: "Charlie, go and get the bull." He went inside the house and followed Gladys down the hall. He met Ruby Dolan coming out the kitchen with a pistol in her hand. Donald was lying on his back in the kitchen and looked as if he was dead. The pistol produced in the court looked like the one he had seen.

Trouble with Girls

Under cross-examination by Mr. Farris, Biheu testified that deceased whom he had known for some 17 or 18 years, was inclined to be wild, ugly and sometimes rough when drunk and was apt to make trouble with women. There had been previous trouble between Donald and the two women and Ruby Dolan had come to him and said that Donald had another raving spell. He went to the house and found Donald raising trouble with the girls. Witness admitted that he had said "I would not like to be in Gale's place" when asked if he thought she was in danger with Donald.

Felix Ross told of going about on the night in question with the accused, deceased and others. In Bertha Love's house there was a lot of talk between Ruby Dolan and Donald and he was "talking bad about her." Later, in Gale's house, things seemed to have quietened down. He saw Donald in Gale's house at 3 o'clock. Donald, he judged, was in a drunken condition from the way he was talking. He heard some one call "Charlie, get the policeman, Jimmie got shot."

Called Them Names

Under cross examination witness testified that he had heard deceased swear at Dolan and Gale and call them obscene names.

This completed the case for the crown.

In outlining the case for the defence, Mr. Farris said that the jury would be informed definitely for the first time who had done the shooting. It was Ruby Dolan but only after Donald had acted in an ugly manner, had struck accused. She had stood a lot from him and finally, after having been knocked down head over heels into the hall, she picked up the gun and, returning to the kitchen, said: "You, keep away or I will shoot you." He made another jump at her, and grabbed her by the arm, he gun then went off. You can call it self defence or by accident, whatever you like," concluded Mr. Farris.

Told Her Story

Ruby Dolan then took the stand and in a quiet and clear manner told her story of the tragedy. Deceased came to the house about 6 or 7 o'clock on

the night in question and, saying that he was going to cash some checks in town, went out and came back about 10 or 11. He had been drinking and more drinking followed, accused herself and Gladys Gale also drinking. They had trouble with Donald. He was mad because he had been denied entrance to the house some four weeks before. "Before the shooting he cursed and struck me," accused continued. "I fell from the kitchen door across the hall, my glasses falling off as I went. I got Gladys' gun from the closet. Because Donald had been so mean I thought I would scare him. I came back into the kitchen and he made a hit at me. I said 'If you hit me again I will shoot.' He grabbed hold of my arm and the gun went off. I did not intend to shoot him."

Called for Police

After the shooting, accused stated that it was she and not Gladys Gale who had gone to the door and called upon Charlie Biheu to get the police. Gladys put the gun away and it was not long after that Constable Islip arrived.

Accused was subjected to a lengthy and detailed cross-examination by Mr. Johnson but the evidence of her examination, in chief was unshaken although a few further points were brought out. She did not know much about the operation of the gun and denied having had it out of the cupboard before.

Donald had been on the offensive in the altercation earlier in the evening. He had cursed her but she had not cursed him back, instead trying to quieten him and get him out as soon as possible.

Spent Money on Gladys

Donald on the night in question, said witness, had repaid Gladys Gale some money he owed her. It had been the first time for a month that he had been in the house. He had been kept out before by herself at the request of Gladys Gale. It was true that Donald had been "struck" on Gladys Gale and had spent a good deal of money on her. She had been afraid to leave the house on the night in question to get assistance to remove him for fear of what he might do to Gladys Gale. There was a demonstration in court of how the shooting had taken place, accused holding the gun and Mr. Johnson taking the position that Donald was said to have been in. Her intention had been only to frighten Donald and not to kill him, this in spite of her threat that she would shoot him.

Accused's evidence, concluded the case and court adjourned until 1:45 when the addresses of counsel started preparatory to the judge delivering his charge before the jury retired to consider its verdict.

LOCAL STUDENTS IN SOUTH SUCCESSFUL

Misses Leona Parker and Marjorie Lancaster Win Prizes at Columbian College

Newspapers from the south tell of the success of two local girls, Misses Leona Parker and Miss Marjorie Lancaster at Columbian College, New Westminster, of which Dr. A. M. Sandford is principal with Rev. T. H. Nuttall formerly of Prince Rupert in charge of the boys and

Wanted For Sale For Rent

DAILY NEWS CLASSIFIED ADS.

Articles Lost and Found, &c

2c per word in advance. No Advertisement taken for less than 50c

WANTED

WANTED.—Girl or woman to do light housework in family of three. Write stating wages expected to Mrs. (Dr.) H. S. Trefry, Anyox, B.C.

WOMAN Wants Work of any kind; cooking preferred. Phone Black 271. 138

YOUNG Man wants work, any kind; 35c an hour. Phone Black 269. 142

SMART SALESLADY WANTED.—Must be tall. Apply B.C. Fur Co.

FOR SALE

FOR QUICK SALE.—28 1/2 foot speed boat, Winton six engine; in No. 1 order. Chas. Svedmark, agent, Cow Bay.

FOR SALE.—Five roomed modern bungalow and two lots; close in. \$2600.00 on terms. Apply T. McClymont.

FOR SALE.—Carpets, chest of drawers; Edison phonograph with 76 double records. Phone Blue 335. 136

FOR SALE.—Motor boat close; also jump spark Wizard magneto. Phone 572.

FOR SALE.—Wicker baby carriage. Phone Red 217. 137

TO RENT

FOR RENT.—Larsen building at 171 Third Avenue East; six room modern flat with bathroom and workshop premises on street floor. Apply Hyde Transfer, 139 Second Avenue.

FOR RENT.—Two first class modern flats; Monarch ranges, water paid; one furnished. Westenhaver Bros.

FOR RENT.—Two modern houses, one furnished; Apply 215 Fourth Avenue East. 14

FURNISHED Housekeeping Rooms to rent by the day, week or month. Phone Red 607. 14

FOR RENT.—Furnished housekeeping suite, Mussallen Apartments. Phone 18. 14

FLAT for Rent.—Five rooms with bath; Sixth Avenue West; Phone 543 or Black 325. 14

FOR RENT.—Four room suite, hot water heated. Apply Smith & Mallet.

PIANOS for Rent at \$6.00 per month and up. Walker's Music Store.

MODERN FLAT for Rent.—Apply Max Heilbronner. 14

MISCELLANEOUS

SUMMER Camp at Lake Kathryn opens June 29. For particulars apply Mrs. K. E. Birnie, Smithers, B.C.

BOARD AND ROOM.

BOARD.—The Inlander, 833 Second Avenue. Phone 137.

BOARD, Rooms and Furnished Suites. Palmer House. 14

Mrs. Nuttall, formerly Miss Easton and her brother on the teaching staff.

Miss Parker won three prizes, one for best attendance, another for stenography and a third for the best kept room.

Miss Lancaster won one of the book prizes for piano.

The graduation exercises took place Thursday night and both Mrs. Lancaster and H. S. Parker, parents respectively of the Prince Rupert students, were present. They all return here on Wednesday next.

PATENT ATTORNEYS

FETHERSTONBAUGH & CO., the old established firm. Patents and trademarks in all countries. Free booklet. Vancouver office 1018 Rogers Building. Phone Seymour 3796. Manager, Ernest E. Carver, registered attorney. Other offices, Ottawa, Washington and principal cities.

LOST.

LOST.—Sterling silver engine-turned Eversharp pencil. Finder will be rewarded on returning to Daily News office or telephoning Green 623.

AUTOMOBILES

Now, You Can Buy a CHEVROLET at a Lower Price than ever before.

Almost simultaneous with the announcement by Chevrolet Motor Company of Canada Limited of an Improved Chevrolet—a GREATER CHEVROLET than ever before—we are able to announce THE LOWEST PRICES in Chevrolet history.

These new prices, combined with the many new improvements, establish more firmly than ever before Chevrolet's leadership in value among low priced cars.

The Improved Chevrolet offers everything you could desire, smart appearance, comfort, smoothness, power and the utmost dependability. The present prices and low time payments bring one of the six Chevrolet models within easy reach of your pocketbook.

KAIEN GARAGE

Phone 52. Wrecking Service Day and Night.



Prices of both New and Guaranteed Used FORD CARS are now at a new low level.

The National Time Payment Plan enables anyone with a reasonable income to afford the comfort and convenience a car affords.

Ask S. E. PARKER, LTD. Dealers 219 Second Avenue.

TAXI

Phone 67 Taxi (Call George, Paul or Gust) Six and Seven Passenger Studebakers at your disposal any time.

ROSS BROS. POOL ROOM Meeker Block. Across from Empress Hotel.

FURNITURE.

New and Secondhand Furniture Store. We Buy, Sell and Exchange New and Secondhand Goods.

GEO. PAPADOPULOS 839 Third Ave Phone 654

GOOD EATS CAFE.

Third Avenue Opposite Benson's Studio. GOOD MEALS. GOOD CAKES. Coffee or Tea Served. REAL HOME COOKED MEALS. Mrs. Unger, Proprietress. Phone 653.

WOOD.

Dry Mixed Wood \$6.00 a load. Dry Fir Wood \$6.50 a load. Cut to any length. Kindling, \$7.00 a load. Fir Furnace Wood \$7.00 a load. A. ISAACSON Phone Black 461, Seal Cove.

NAVIGABLE WATERS PROTECTION ACT R.S.C. CHAPTER 115

Union Oil Company of Canada Limited of the said Province of Alberta, Minister of Public Works and Highways in the office of the District Engineer in charge of the Province of Alberta, a description of the proposed works of a pier and wharf what is known as the "Pier and Wharf" in the said Province of Alberta, Block "C", the said works are described in the said works as follows: The proposed pier and wharf is to be situated on the highwater mark of the said river, and is to be of the length of 12' to 20' and extending from the shore line to the shore line. The proposed pier and wharf is to be situated on the highwater mark of the said river, and is to be of the length of 12' to 20' and extending from the shore line to the shore line. The proposed pier and wharf is to be situated on the highwater mark of the said river, and is to be of the length of 12' to 20' and extending from the shore line to the shore line.

WATER NOTICE

Diversion and Use. TAKE NOTICE that the undersigned, being the holder of a license to take water out of the stream of the said river, and is to be of the length of 12' to 20' and extending from the shore line to the shore line.

Diversion and Use. TAKE NOTICE that the undersigned, being the holder of a license to take water out of the stream of the said river, and is to be of the length of 12' to 20' and extending from the shore line to the shore line.

WATER NOTICE

Diversion and Use. TAKE NOTICE that the undersigned, being the holder of a license to take water out of the stream of the said river, and is to be of the length of 12' to 20' and extending from the shore line to the shore line.

LAND ACT.

Notice of Intention to Apply for Foreclosure. In Queen Charlotte Island the undersigned, being the holder of a mortgage in respect of the said land, and is to be of the length of 12' to 20' and extending from the shore line to the shore line.

NOTICE TO CREDITORS

In the Matter of the "Administration" of the Estate of the late John Doe, deceased. Notice is hereby given that the undersigned, being the executor of the will of the said deceased, and is to be of the length of 12' to 20' and extending from the shore line to the shore line.

GOVERNMENT LIQUOR ACT

Notice of Application for Beer License. NOTICE IS HEREBY GIVEN that the undersigned, being the holder of a license to sell beer, and is to be of the length of 12' to 20' and extending from the shore line to the shore line.