

Neglected Eyes

NEGLECT is doubtless the cause of most of the ills that afflict humanity. This is so self evident that it seems hardly necessary to tell you. If your eyes are giving trouble, have them attended to—and at once.

OF ALL absurdities in the kingdom of foolishness, surely the loss of eyesight through neglect is the most inexcusable.

DON'T lose health and efficiency through neglect. Come and see!

Fred Joudry
Registered Optometrist and Optician
Room 3 Smith Block
Phone 763



INDIAN SUMMER WILL SOON BE GONE! GET IN YOUR COAL FOR THE COLD GREY DAWN!

The Fall months are falling behind and you'll have Winter on before you know it. Join the "don't worry" club today and get your bin filled right away.

Our slate-free coal will give you a care-free Winter.

NANAIMO - WELLINGTON COAL
and
ALBERTA SMOOTLESS COAL

Albert & McCaffery
Phones 116 and 117

"EASY" WASHING MACHINE



Two sizes.
\$140 and \$180

Thompson Hardware Co. Ltd.

Dr. Alexander

Smith Block
Phone 575

DENTIST

LINDSAY'S

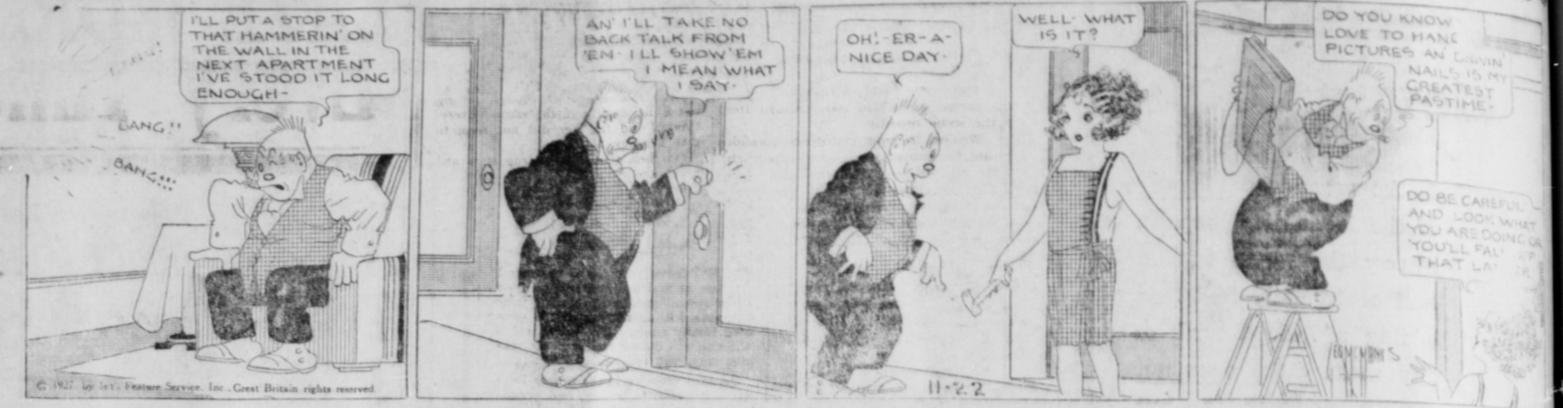
Cartage and Storage
Phone 63
Cartage, Warehousing, and Distributing. Team or Motor Service.
Coal Sand and Gravel.
We Specialize in Piano and Furniture Moving.

ANGER, the TAILOR

Fine Imported Serge and Scotch Tweed Suits made to order in our shop in Prince Rupert as low **\$55.00**

I. ANGER,
Cutter and Designer
223 Sixth Street

BRINGING UP FATHER



BELLA COOLA INDIAN SENTENCED TO 25 MONTHS IN PENITENTIARY SHOOTING CONSTABLE WILLIAMS

(continued from page one)

the gun and two in Whitewash's hand. Witness asked accused to unload the gun, which he did, giving him the three shells. Witness walked away and threw the shells in the water. He stated that he did not touch the gun. Witness went back to the cannery and told Whitewash's mother about it. Accused went further up the road and he (Moody) saw him by the side of the road again, about fifteen feet off the road. He was kneeling on the ground with his rifle in his hands, holding the weapon upright from the ground and facing toward the road. Witness did not talk with accused on this occasion but went right past. Accused came up with witness further along the road and the latter asked where he had gone. Accused replied "Up the hillside." However, accused could not have been up the hillside, witness testified. Witness said "It is no use to have trouble. You better forget trouble. Go to bed and give me the gun." Accused did not give up the gun, however, but "started to beat it away from me." He ran toward the old village and not in the direction of his (accused's) house. Witness went up towards accused's house and Whitewash came along in about ten minutes going toward his house. Witness went back to the cannery and saw accused no more that night.

"You were very courageous on that first occasion?" inquired Mr. Bird in cross-examination. "Or was it Dutch courage? You were pretty drunk at supper, weren't you?"

"No," replied the witness.

DID NOT TELL
Mr. Bird inquired why it was that witness had not told Magistrate Hill at the preliminary trial about the "shoot the policeman" incident.

His Lordship suggested that witness might not have been asked about everything on that occasion.

"He was asked about the whole thing," contradicted Mr. Bird.

"I don't think he was," replied the judge.

Mr. Bird continued his attempt to bring out discrepancies between evidence of witness at the preliminary and present trials.

Witness denied that he had had trouble with accused. There was a boat which he had obtained from Dan Nelson and kept for a year and, on not paying the required \$10 for it, Nelson had taken it back after accused had fixed it up. The boat had been in turn sold to Whitewash by Nelson.

"You were very mad at Peter for that?" inquired Mr. Bird.

"I was not cross at all," replied the witness.

"You never said to Peter that you would get even with him?"

"Not at all."

ENQUIRY RE BULLETS
The bullets witness asserted he had thrown away were the subject of further cross-examination. They were not the kind of bullets he used in his own rifle, witness stated. He had no idea of their value. The spectators tittered when Mr. Bird inquired if they might cost \$2.25 per hundred. It was deep water they were thrown in and no attempt had been made to recover them.

"Do you think you could find them?" questioned Mr. Bird.

"No, I don't think so," replied Moody.

Mr. Bird asked witness if he understood slang. Did he know that when Whitewash used the words "shoot the policeman" he might have merely meant "who cares for a policeman?"

"Did you tell anybody about Whitewash using the words 'shoot the policeman'?" asked Mr. Bird.

"No," from witness.

Mr. Bird—"Did you tell anybody about Peter and the gun?"

Moody—"I told his mother."

Whitewash, while on the hillside, might be observed by a number of people, asserted witness. Harry Schooner and his wife and family were all looking as a matter of fact. The whole village could see.

Mr. Bird ridiculed witness' bravery. "I was not afraid of him for I knew he was not after me," said Moody.

Witness said that he was merely trying to prevent trouble or anybody coming to harm.

J. Edward Rendle, another witness at the preliminary trial, was not called, the defence waiving cross-examination of him.

This completed the case for the crown.

ASKS FOR DISMISSAL
Mr. Bird made a motion for the dismissal of the case by His Lordship,

"TRY A NIP TONIGHT"

Grant's
BEST PROCURABLE
Scotch Whisky

BOTTLED & GUARANTEED BY
William Grant & Sons Ltd
PRODUCE OF SCOTLAND

TRADE MARK

THE ORIGINAL LABEL—look for it at the Vendor's and insist on GRANT'S "BEST PROCURABLE"

This advertisement is not published or displayed by the Liquor Control Board or by the Government of British Columbia

holding that there was not sufficient evidence to warrant it going to the jury. Subsequent argument by Mr. Bird was marked with much interruption and correction by the judge. Legal station after legal citation offered by defence counsel went by the board.

Assuming that the crown evidence as all true, submitted Mr. Bird, he could say that the prisoner was perfectly justified in all he had done under the circumstances. Referring to treat without warrant, Mr. Bird started to read the code applying to such procedure.

"Please don't waste the time of the court," Mr. Bird advised His Lordship. The arrest was only a side issue in the case. What you have got to show to me is whether or not the officer was properly subject to being shot down because he had no warrant."

It was not a question of authority, asserted Mr. Bird. Armed men had "seized" accused's house. Arrest without warrant could only be made when there were reasonable grounds or believing that "offences, and then only of a certain nature, had been committed. There was no evidence of such kind in this case. There was only the suggestion of a threat to shoot an officer.

While agreeing to some extent with contention of defence counsel that arrest could not be made under certain circumstances without warrant, the judge inquired again, however, if there was justification for shooting the officers down.

Mr. Bird replied that he could show authority. He started to read of another case.

RIGHT TO SHOOT
His Lordship again interrupted. He pointed out that in this case the party

sought had not been touched at all. At a distance of several feet, it was being attempted to induce him to come down. Even though the officer might be under misapprehension as to his rights, was there any right to shoot him down?

Nor had the officer any right to be a leaguer a man's house, show arms and lock him up, countered Mr. Bird. Connectedly the officer and his men were doing more than trespassers. They are patting accused under great inconvenience by preventing him from having his sleep for two hours and ten minutes.

"Do you put being inconvenienced in a par with killing a man?" inquired the judge. Accused might have killed the officer and then he would have been inconvenienced forever.

Mr. Bird felt that the Indians, used to they were to arms and practice with such, knew perfectly well what they meant to hit. Whitewash, he contended, meant to knock the flashlight out of the officer's hand and it was only ill fortune that Williams was hit even in the hand.

Mr. Bird started to cite further cases. "Have you no regard for the sentence of the court?" demanded His Lordship.

There was no evidence of attempted slony, contended Mr. Bird.

DECEIVING HIMSELF
"I don't know whether you are trying to deceive the court or yourself," roared in His Lordship, "but let me assure you that you are not deceiving the court."

Mr. Bird started to cite another case "which has not the slightest application to the matter in hand" rejoined the judge. "Even if they were trespassing, was that any reason why they

should be shot down?" asked His Lordship.

Mr. Bird admitted that it was a question for consideration whether or not accused had used more force than the circumstances called for. There was not a little of evidence to justify the officer and his men, however.

"That is a matter for the jury to decide upon," corrected His Lordship.

Mr. Bird next cited the case in the Appeal Court where Mr. Justice McPhillips had ruled in Rex vs. Stanyer that one had authority to defend his home against assault and battery. In his case, armed officers had attempted to force entry in the dead of night.

"Nor did the men break in in this case although they might have attempted a barricade," countered the judge.

Mr. Bird—"They put the accused in position of confinement."

His Lordship—"And he had no authority to shoot them down."

FUNDAMENTAL POINT
A fundamental point of justice, argued Mr. Bird, was that every man's home was his castle. An assault on a man's house was equivalent to an assault on his person. Here three armed men had assaulted the house of accused and had deliberately kept him awake for two hours and ten minutes when he wished to sleep. He was justified in repelling them with force as he had done. The only error was that accused had shot the officer's hand.

"And does the law permit of such experiments?" inquired His Lordship.

"Does the law permit a man's home to be invaded without a warrant?" was Mr. Bird's rejoinder.

"I submit" continued Mr. Bird "that nothing more has been done in this case than might have been expected from a man who had been beleaguered, straggled and driven to an extremity. I respectfully submit that the case should not go to the jury."

"The application is refused" promptly decided His Lordship.

Mr. Bird called Peter Whitewash to stand in his own defence. George Wilson interpreting evidence of accused. Whitewash stated that he was a fisherman, living on the Indian Reserve at Bella Coola and owning ten acres of land. Behind his land there was a hill and the entire ten acres was fenced in around. Inside the main fence here was another fence around the arden at the west of the house. Accused had a gasboat and also a smaller boat. The latter he had bought from Dan Nelson after the latter had taken it away from Sam Moody. Sam Moody wanted money from him (accused) for the boat. He refused to pay and after that they were not friendly. Accused sold of his movements on the day in question. He had had breakfast with Robert Hood and supper at Talheo Gordon's house. Sam Moody also being at the latter place. During the day, he pumped out his boat and walked around the cannery, having nothing to do.

TAKE GUN TO HOUSE
Accused testified that he had a gun in his boat and he went to the boat to get the weapon and take it to his house. He was going to shoot bears which had knocked his fruit trees down. There was not one else there except a dog. Nobody had heard other voices or him say "Go ahead." He went to bed at 7 o'clock. After he had been in bed some time upstairs, he heard a noise. It was knocking on the door and he thought it was about 10:30 o'clock.

Accused denied having been drunk at suppertime. Nobody was drunk. When Joe Saunders came in with Constable Williams, he (accused) asked him what he wanted. He asked Constable Williams to look at his ear. Soon Williams and Saunders departed. Accused denied saying anything about "shoot the policeman." He had no intention of shooting the policeman.

Whitewash also denied having ever left the road while on his way from the boat to his house. The rifle was slung over his shoulder all the way. Sam Moody never asked for shells and accused never gave him any. The only conversation he (accused) had with Sam was when the latter asked for a drink, accused not giving him one. After that Moody went back to the cannery and accused proceeded to his house, never going into the bush.

When the alarm was raised at his door, accused said that he did not want to go down. He wanted to go to sleep and told them to go away. They did

go away but soon he heard another noise. He could hear Williams' voice and knew it was the policeman.

Mr. Bird—"Did you suspect the police were after you?"

Witness—"No."

Mr. Bird—"Why did you not come down to see Williams?"

"I wanted to go to sleep and I was scared to go down."

The Judge asked several questions along similar lines to which witness answered he was afraid the police were going to get him, he was scared and thought it might be somebody else. He thought it was Williams but was not sure.

Mr. Bird—"What did you shoot at?"

Witness—"I saw a man with a revolver in his right hand and a flashlight in the other."

Mr. Bird—"Why did you shoot?"

Witness—"I was scared at two revolvers. I saw another man with one."

Witness said one man told him to open the window upstairs. He had only his shoes on but no pants. He heard one man say "better break the window now." He also heard the window downstairs smash.

(continued on page five)

Wanted For Sale For Rent

DAILY NEWS CLASSIFIED ADS.

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

WANTED
cash. Send details to Box 100 News Office.

HELP WANTED
EARN \$25 WEEKLY UP TO \$50 clipping newspapers and envelopes. No training, thing furnished. Send to: Particulars for a stamp to my office.

FOR SALE
40 H.P. Standard heavy engine
20 H.P. Buffalo 2-cylinder engine
28 by 8 trolling boat
Frisky
31 by 8 trailer 12 1/2 hp banks
48 by 11-3 Sime boat 10 hp
200 fathom salmon net and short season with 200 and a snap \$2500.
Apply J. Field, Box 81, Prince Rupert.

FOR SALE—33 FT. FISH PACKING boat, Taylor, 15-20 H.P. duty Vivian, with complete outfit \$2,500.00. M.K. Dept.

FOR SALE—IRISH WATER SPA. Males; two months old. Apply G. Fraser, Main Dept.

FOR SALE—GREY ENGLISH Buggy. Phone 516.

FOR RENT—FOUR ROOMS, finished apartment with water paid. Phone 947.

FOR RENT—Pianos, phonographs, Singer sewing machine, Music Store.

FOR RENT—MODERN HOUSE, excellent view. Apply 215 Fourth St.

FOR RENT—Apartments by the week or month. Phone 817.

HOUSE FOR RENT—4 ROOMS, BATH. Apply Murray Ross.

SPORT CHAT

The St. Andrew's Church Club is planning a badminton tournament on its court in the church hall commencing on December 1. There will be three competitions—men's doubles, ladies' doubles and mixed doubles. Members of other clubs are invited to enter this tournament and will be advised of dates to play off their games. A fee of fifty cents will be charged for each couple, payable when entry is received. Entries must be in by the last day of November in order to arrange the draw for games. Entries may be made at the club any night from 8 to 10 o'clock or to the court captain H. T. Cross, or any officer of the club. Those wishing to enter are asked to get their entries in as soon as possible.

Some interesting games are promised in the Basketball League tonight. First and foremost will be the match between the Grand Terminals and Native Sons which will be for first place in the Senior League, the former now being one point ahead of the latter. Other games will be Elevator and Big Four in the Intermediate League and Drill Team and High School in the Ladies.

BILLIARD SCHEDULE
REVISION ANNOUNCED
Time-Table for Remainder of First Part of Season is Rearranged

The following revised schedule for the remainder of the first half of the City Billiard League is announced:

NOVEMBER
25—Maple Leafs vs. Gyro Club.
29—Grand Terminals vs. Grotto.

DECEMBER
2—Cold Storage vs. Grand Terminals.
6—Grotto vs. Maple Leafs.
9—Gyro vs. Grand Terminals.
13—Grotto vs. Cold Storage.

Teams in tonight's fixture will be as follows:

Col. McMordie (Maple Leafs) vs. C. Belgino (Gyro Club).
James Hamilton vs. W. J. Nelson.
M. Andrews vs. G. P. Tinker.
M. M. McLachlan vs. G. A. Woodland.
George Howe vs. Bert Morgan.

Advertise in the Daily News.

PRINCE RUPERT TIDES

SATURDAY, NOVEMBER 26	
High	2:41 a.m. 19.0 ft.
	14:16 p.m. 21.3 "
Low	8:19 a.m. 9.0 "
	20:55 p.m. 4.1 "
SUNDAY, NOVEMBER 27	
High	3:18 a.m. 18.7 "
	14:49 p.m. 21.0 "
Low	8:54 a.m. 9.4 "
	21:32 p.m. 4.4 "
MONDAY, NOVEMBER 28	
High	3:57 a.m. 18.3 ft.
	15:25 p.m. 21.3 "
Low	9:32 a.m. 9.8 "
	22:14 p.m. 4.8 "

EXCHANGE
NEW AND SECOND HAND FURNITURE bought and sold and repaired. Player Piano and gramophone. Two Cash Registers in stock. PAPAPOULOS & MARRAS, 839 Third Ave. Phone 317.

FURNITURE AND RANGES
"Your Home should come first. Call on us for your ranges, floor coverings, beds and more. Our prices are always reasonable." A. MCKENZIE, FURNITURE, Phone 775.

TAXI
Phone 67 Taxi (Call George, Paul or Sam) Six and Seven Passenger Bakers at your disposal. ROSS BROS. POOL ROOM, Meeker Block. (Across from Empress Hotel)

It took seven years to make the first two million pounds of "SALAD" Tea, but such is the reward of giving public satisfaction that the quantity is now shipped in seven weeks.

Use **Royal Yeast Cakes** for baking Home made Bread

The Standard of Quality For Over 50 Years