You can't go wrong with a 'Butterick'

BUTTERICK 2261

Patterns tingling with modernity, lively and intriguing. Designed by leading artists of today.

TRY 'The Nobby'

In The Letter Box

LIBERAL CONVENTION

Editor, Daily News:

I see by your paper yesterday that the Liberals here are going to choose a man next month as a candidate to represent them at the next Dominion election. I suppose that means the same old gang will be in control and the party will go deeper in the mire than they did at the last election.

As a Liberal I should like to put forward the name of G. W. Nickerson as one of the most able men that the party could choose. He is a Liberal, although he bolted the ticket and ran in the McRae interests some years ago. He is none the worse for that. It only shows his independence, something we Liberals ought to encourage.

If the Liberals want to win they could not do better than choose George Nickerson, a man who would always speak up for Prince Rupert and district and would be heard more than once a session in the House. Let Geogre do it.

I hope you will give this suggestion a chance as I want to see the Liberals win and if they are to win they must have a good candidate.

YOUNG LIBERAL.

Arthur Brooksbank will sail tonight on the Prince Rupert for a two weeks' holiday trip to Vancouver, Seattle and Vancouver Island.

D. A. Imrie, auditor for the Edward Lipsett Co., who has been in the city for several days on company business, will sail by the Prince Rupert tonight on his return to Vancouver.

DEMAND

"Rupert Brand"

Kippers

"THE DAINTIEST BREAKFAST FOOD"

Smoked Daily by

Canadian Fish & Cold Storage Co., Ltd.

Prince Rupert, B.C.

PEPS

for Coughs and Bronchial Troubles

THESE November days, when the old bronchial cough shows signs of return and the chest feels raw and tender, Peps are a boon and a blessing.

You *breathe* in the Peps medicine and it gets to vital spots which can't be reached by liquid medicine swallowed into the stomach.

Peps carry comfort and healing deep into the chest. They strengthen and heal the entire bronchial system, loosen phlegm, free the breathing and soon end the worst cough. *Never be without Peps*

THE GREAT BREATHABLE REMEDY

ASSIZE COURT HEARS STORY OF A FIGHT IN WHICH KNIFE IS USED.

(continued from page 1)

for the man, who claimed that he did not have a ready understanding of the English language.

Eleven witnesses—nine for the crown and two for the defence—including the man who was stabbed and the accused, gave testimony in regard to an international drinking party in a bunk house at Anyox on August 24 which was intended as a farewell for Rawka, who was leaving the camp ,but witness landed the guest of honor in hospital and nearly cost him his life, while Priza ended up in jail. Priza who served in the great war with the Serbian army, admitted the stabbing but claimed that it was committted in fear and self-defence.

The first witness was the wounded man, a Ukrainian, whose eyes were blackened and who had a sheepish air and still looked rather wobbly. He told of the party in his room and the arrival there of Rawka. The latter issued a general challenge to the men present to wrestle with him and finally one, Big John, accepted and all went outside to watch. On arrival outside, Big John declined to engage in the encounter, saying, 'No,' you have a knife, Nick, I don't want to fight." Then Louis himself offered to wrestle and putting his hand on Priza's shoulder, the latter fell down. Accused then said 'You want to fight" and, drawing his knife, stabbed him, inflicting two wounds.

Under cross examination, Rawka explained his present black eyes by declaring that he had fallen down a flight of steps the other day. He denied that he had had any fight in Prince Rupert. Previous to the stabbing, he had never had any fight or quarrel with Priza. He denied ever having grabbed accused by the throat. He also denied bein the aggressor in the Anyox fight Among those present at the farewell party, besides himself and Priza, had been a Russian, a Pole, a Serbian an Englishman and a Jugo-Slav. He had heard no one make fun of accused for fighting for his king in the war. He had never done any harm to accused and knew of no reason why he should stab him.

Dr. J. W. Lang, described the wounds that had been inflicted upon Rawka. One was deep in the abdomen and another superficial. There was danger of peritonitis and for four days Rawka's life had been despaired of. He had been some 21 days in hospital and it would probably be some time yet before he was fully recovered.

Under cross-examination, Dr. Lang also told of attending accused on the same night as Rawka. His face showed signs of violence, his eyes were blackened his hands cut and one of the small bones in his wrist fractured. Though Priza complained of pain there, the doctor did not think his rib had been broken.

Steve Stander, Pole, gave evidence to the effect that after the encounter with Priza, Rawka called out that he had been hurt Bloow was streaming from Rawka's body. Witness then went in pursuit of Priza and said to him, 'You know you have no right to fight with a knife," to which accused replied "Beat it or I will kill everybody." Then witness kicked accused in the "Belly' and he fell down. Witness caught accused's wrist and twisted it, a knife dropping to the floor. Then he continued to fight with Priza until other men came and separated them.

Accused Aggressor

Witness maintained under cross examination that Priza and not Rawka was the aggressor.

Mike Marchuk testified to picking up a knife from the floor after Steve had started to punish accused for using the knife. He identified the knife which he had turned over to Constable Smith the next day.

"Big John" Melchuk, his stature not belying his nickname, teatified that he had told Nick to keep quiet when he offered to wrestle. He went on request of accused outside but would not fight with him for he suspected he had a knife. Asked if he had a knife accused answered "That's my business. Louis grabbed him by the shoulders and then Nick fell down. When he go up, he drew a knife and stabbed Rawka twice in the abdomen. Rawka, witness said, was usually good tempered. They had been roommates three years.

Under cross-examination, Melchuk denied having tripped Priza or hitting him before he left the room.

Dan Govan, the strongest man in Anyox, who was reading in a room on the floor above, told of being attracted to his window by accused calling Big John outside to fight. Govan gave further details of the encounter of which he had a full view. When asked by Big John if he had a knife, accused said l'lok me over," holding up his arms. Louis asked Nick if he wanted to fight and the latter said "I don't want to fight you." Then Louis pushed Nick a little way and leaned over his body while holding him. Big John and Steve pulled Louis back in order to leave Nick free. Louis approached him again and Nick went backward and stuck his hand in his right hand pants pocket, drawing a knife and stabbing Rawka twice.

Under cross-examination, Govan said that Rawka had not appeared to be rough with accused.

Surveyor Witness

A. J. Ritchie, a surveyor, who happened to be passing by, was also an eye witness of the stabbing. Before the knifing, Priza had ejaculated: "You think I don't mean it!" The two men appeared to be drunk, the witness said under cross-examination.

William Hart, called for cross-examination, testified that he had seen Louis strike accused on the side of his face with his open hand.

William Smith, provincial constable at Anyox, told of arresting Priza in the hospital. He found in his pocket an open pocketknife with some blood on the blade. Witness identified the knife which was taken from accused's pocket while he was having his hand dressed in the hospital. Under cross-examination, the officer described some of the methods of fighting used among foreigners.

In announcing that he would put accused and another witness on the stand, Mr. Fulton stated that he would endeavor to show how the whole trouble started, that the accused was not quarrelsome but that Rawka was a troublemaker and that the accused, actuated by a real fear of the Polish gang, had acted entirely in self defence when he drew the knife.

Dapalo Vittoria testified that he too was a witness of the fight. As he came along he saw Louis and Nick holding each other, Nick landing on the ground on his back. Attempts were made by John and Steve to take Louis away. Louis said two or three times that he wanted to fight Nick and finally got away and swung on him. Then accused said: "You mean it? You want to fight? All right then look out." Then Nick made two passes at Rawka below the belt.

In answer to a question by Frank Morris, one of the jurymen, witness said that it would have been quite possible for accused to run away. There were two roads he could have followed and his back was not to a wall.

Accused on Stand

Accused swore that he had been drinking heavily a day or two previous to the episode. He was on his way to his room in the bunk house when some one called him in from an open door. He drank more whiskey and beer there and then some one mocked him for "fighting for his King" in the war and said he (accused) was "no good." Accused then said: "All right I don't want to stay here" and, as he was leaving, Big John trippped him and others of the party piled on him. Accused said: 'If you want to fight, let's go outside." Accused swore that he was further assaulted outside and was trying to get away. Rawka was the principal aggressor in the attack upon him. Up against it and excited, accused asserted that he lost his head and remembered no more that happened. He did not remember taking out his knife. He had had previous trouble with Rawka when the latter had gone into his room with an Italian and they had drunk almost all his liquor. There had been on previous trouble on that particular day, however. Accused stated that he had no intention of killing but was trying to get away. He was very drunk himself and could hardly stand on his feet.

Under cross-examination, Priza suggested that he had lost his memory because he had been drinking so much liquor and had been hit so often. Sometimes when he was drunk, he did not know what he was doing. He denied that he had called on Big John to come out and fight before he (accused) had entered the bunkhouse.

In his address to the jury, Mr. Fulton laid all the blame for the trouble on Rawka who he said was of a mean disposition and apparently itching to fight. Counsel for the defence expanded on the subject of self-defence on which grounds he asked for an acquittal. In any case, there was clearly no intent ot murder.

W. E. Fisher, crown prosecutor, felt that accused was entirely to blame. If accused was so drunk that he did not know what he was doing, then the story he had told in the box must be a fabrication. A man who got mad and stabbed another just because he had been slapped was dangerous to the community.

His Lordship agreed with defence counsel that it was difficult to find evidence which would warrant conviction on the charge of wounding with intent to kill. The judge then gave the jury impartial instructions on four other possible verdicts: 1. acquittal; 2, assault occasioning actual bodily harm; 3, unlawful wounding; 4, common assault. His Lordship pointed out, however, that a defence witness had asserted that accused could have got away. He did not see that the fact of drunkenness would make much difference to any of the possible verdicts except that of attempted murder. The accused was entitled to employ violence as he considered necessary to repel loss of his life or bodily injury.

The jury retired at 5.55 to consider its verdict with which it returned, having come to the court room once in the meantime to receive further instruction on a point of law.

Sentence upon Priza was reserved by His Lordship until the end of the Assizes.

DEAN CHANNEL MURDER CASE IS PROCEEDING AT ASSIZES TODAY, ALL CROWN EVIDENCE FINISHED.

(Cotinued from Page One)

ing one shot whiz past him and then a second shot. He saw deceased fall forward and accused with the rifle in his hands. Coming up to accused's boat, witness asked him why he did not help the man who was hurt. Accused replied, "Help him, the ——. He corked me all night and all day.' Then accused put his gun to his shoulder and aimed at him (the witness. The latter ducked and rowed away and later saw accused when he came with his fish to the fish packer President II. Witness told of later finding the dead body of Kristiansen on his boat.

Under cross-examination, witness said that he did not notice accused's clothes were soaked although it was not raining that morning.

Admitted Shooting

George Palmer Jorgensen, engineer of the fish packer President II., told of accused coming on board and giving up the rifle. Witness identified the gun. Under cross-examination, witness testified that accused told him "he corked me all night and all day and I shot him." He did not notice that accused's clothes were very wet though they might have been damp.

James Hazlett, special provincial constable at Ocean Falls at the time, told of receiving the rifle and placing accused in custody. The only thing peculiar about accused he noticed was that Turner accused him (witness) of trying to gas him in his cell. When he heard the wireless station in operation, he (accused) said he thought it was a gas machine.

Andrew L. Frederickson told of identifying the body of deceased.

S. Carr, cook and deckhand on the President II., also told of accused coming aboard with the rifle and saying, "I shoot him." Witness did not pay any attention to accused's clothing. He had a wild look like a man with a temper.

Inspector Spiller was tendered for cross-examination, Mr. Gonzales asking no questions.

This concluded the case for the crown.

Accused is going on the stand in his own behalf this afternoon, being the only witness for the defence. It is being attempted to establish provocation and that accused had been tantalized by "corking" and theft of his fish.

The case should go to the jury late this afternoon.

OCTOBER SALE AT THE LOUVRE

Starting Friday morning at 9 o'clock is the Louvre's first October Sale. Without a doubt, this is the greatest apparel sale ever staged in this city! For never has such fine quality, has such extremely low prices prevailed on the very smartest of styles as you will find here. Coats, Dresses, Evening Frocks, every garment in stock has been tremendously underpriced to offer you savings of one half and less.

We urge your early attendance, so that you may secure the best selection. —Advt.

RECEPTION TODAY OF MRS. JAMES FARQUHAR

Mrs. Rix Is Receiving with Hostess and Mrs. McClymont and Mrs. McIntosh Pour

A great many Prince Rupert ladies are this afternoon attending the post nuptial reception of Mrs. James Farquhar at her home, Fifth Avenue East. Mrs. G. A. Rix is receiving with Mrs. Farquhar. Mrs. McClymont and Mrs. R. L. McIntosh are pouring, and Mrs. Blott is cutting the ices. Those serviing include Mrs. Milton Gonzales, Mrs. Norris Pringle, Mrs. Rochester, Miss Gillingham, Miss Caroline Mitchell, Mrs. Robert Bartlett, Miss Willa Dyer, and Miss Mary Easthope.

STOCK QUOTATIONS

(Courtesy of S. D. Johnson Co., Ltd.)

The following quotations were bid and asked.

Argenta Rufus 28; 29.
Bayview 4¼; 5½.
B. C. Silver 1.25; 1.40.
Big Missouri 56¼; 57.
Cork Province 27; 27½.
Cotton Belt, nil; 75.
Dunwell 20; 21½.
Duthie, nil; 94.
George Copper nil; 5.50.
Georgia River 37½; 38.
Glacier 2; nil.
Glasiar 65; nil.
Gladstone 4; 6.
Golconda 75; 76½.
Grandview 57½; 58.
Independence 11½; 12.
Indian 5½; 6.
Kootney Florence 18; 19.
L. & L. 8⅜; 8½.
Lakeview 2¾; 2⅞.
Lucky Jim 24; 25.
Marmot Metals 9½; 10.
Marmot River Gold 9½; 9¾.
Mohawk 6½; 7.
National Silver 13; 14.
Noranda 48.80.
Pend Oreille 11.25; 11.50.
Porter Idaho 61; 64.
Premier 2.25; 2.27.
Richmond nil; 5.
Ruth Hope, 60; 61.
Sherrit-Gorden 6.15; nil.
Silver Crest 10; 11.
Silverado, nil; 75.
Sunloch 2.25; 2.50.
Slocan King 6 nil.
Terminus 17; 19.
Topley Richfield 53; 54.
Toric nil; 3.00.
Woodbine, 11; 13¼.
Noble Five 35; 36.

Oils

Dalhousie nil; 1.70.
Devenish nil; 40.
Home 2.43; 2.45.

F. M. Boston, who was a conductor on the Grand Trunk Pacific Railway out of here in the early days, will sail on the Prince Rupert tonight for Vancouver after having spent a few days in the city renewing old acquaintances.

SINCLAIR WAS AIDED ESCAPE BY MITCHELL

Man With Criminal Record Charged with Cutting Hole in Juneau Jail.

KETCHIKAN, Oct. 18.—The arrest of Jack Mitchell charged with aiding and abetting Charles Sinclair to escape from the Federal jail at Juneau is one of the latest developments in the case of the man who is detained at Prince Rupert awaiting extradition proceedings.

Mitchell sawed a hole in the jail, it is claimed, through which Sinclair escaped. He has a criminal record.

Sinclair was first arrested in 1927 charged with bootlegging after tw ofederal prohibition agents had fired three shots into a car in which he and two others were riding down a blind street. One of the bullets passed through the coat of one of the men in the car. The auto was taken by the officers and later on the same day was taken away from before the residence of one of the offficers who testified he saw Sinclair take the machine.

FISH ARRIVALS

Prices Much Improved When Four Boats Sold Catches This Morning

Prices were much improved at the Fish Exchange this morning when four vessels sold catches as follows:

American

Alten, 60,000 pounds, Canadian Fish and Cold Storage Co., 17c and 6c.

Canadian

Cape Spencer, 7,000 pounds, Canadian Fish and Cold torage Co., 16c and 8c.

Helge H., 12,000 pounds, Royal Fish Co., 17.3c and 8c.

Ruth, ,3600 pounds, Atlin Fihsries, 15.8c and 6.

Local News Notes

T. J. Shenton, inspector of mines, sailed last night on the Prince Rupert for Stewart on official duties.

At the Rotary luncheon this afternoon Captain Bartlett gave an interesting talk on his recent trip to the Arctic, James Lee presided.

Earl Smith of the Aero-Alarm Co. of New York arrived in the city from the south yesterday and proceeded east on this mornin's train.

TO LATE TO CLASSIFY

WANTED—Kitchen help with some cooking experience. The Inlander, P.O. Box 987. tf

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Unfortunate Client

There was once a poor young barrister who was conducting his first case. He began something like this: "M'lud, ahem, M'lud, my unfortunate client, ahem! M'lud, my unfortunate client—"

He got no further. The judge scowled down upon him.

"Get on with it, Mr. Dash, get on with it," he admonished. "So far as you have gone the court is entirely with you."

Form No. 16 (Section 86)

LAND ACT.

NOTICE OF INTENTION TO APPLY FOR LEASE OF FORESHORE

In the Skeena Land Recording District, and situate, fronting on part of Lot 36, Range 5, Coast District, Telegraph Passage.

TAKE NOTICE that the British Columbia Fishing & Packing C. Ltd., of Vancouver, B.C., occupation Fishing and Packing, intends to apply for a lease of the following described foreshore:—

Commencing at a post planted about twenty chains northwesterly from the southwest corner of said Lot 36; thence west, ten chains; thence northwesterly, parallel to the general run of the shore line, fifteen chains; thence east to mean high water mark, ten chains, more or less; thence southeasterly, following mean high water mark to point of commencement, containing fifteen acres, more or less.

BRITISH COLUMBIA FISHING & PACKING CO., LTD.
By James Henry Bushnell, Agent.
Dated August 24, 1928. 266