

THE DAILY NEWS
PRINCE RUPERT - BRITISH COLUMBIA

Published Every Afternoon, Except Sunday, by Prince Rupert Daily News, Limited, Third Avenue
H. F. PULLEN - - - Managing-Editor

SUBSCRIPTION RATES

By mail to all other parts of British Columbia, the British Empire and United States, paid in advance, per year	6.00
By mail to all other countries, per year	7.50
By mail to all parts of Northern and Central British Columbia, paid in advance for yearly period	3.00
Or four months for	1.00
For lesser period, paid in advance, per month	.50
City delivery, by mail or carrier, yearly period, paid in advance	\$5.00
Transient advertising on front page, per inch	2.80
Legal notices, each insertion, per agate line	.15
Local readers, per insertion, per line	.25
Transient display advertising, per inch, per insertion	1.40
Classified advertising, per insertion, per word	.02

Contract rates on application.

Advertising and Circulation Telephone98

Editor and Reporters' Telephone86

Member of Audit Bureau of Circulations

DAILY EDITION

Thursday, Sept. 18, 1930

RIGHT POLICY

Under our British system of rule by the majority, Premier Bennett is taking the proper action in raising the tariff on manufactured goods imported from other countries. As long as the manufacturers do not raise the prices as a result of the protection they receive, all will be well.

With the assumption that the market for Canadian goods will be enlarged it ought to be that Canadian manufacturers will lower rather than raise prices, bringing them nearer to the prices at which similar goods are sold in the United States.

While this paper has been opposed to raising the tariff higher than it has been, the voice of the people has to be recognized. The people have asked for the change and the government undoubtedly had a clear mandate from them to carry it out.

Further than that, we believe Liberals and Conservatives will agree in hoping that the change of policy will be good for the country. We need more prosperity and less politics. If Mr. Bennett can give us prosperity greater than the former government gave, we shall all be glad that he was elected. If, on the other hand, it should develop that prosperity does not result from the change, the people will make it their business to change back to the former administration. Results will be watched with great interest, both here and everywhere throughout Canada.

HOW BIG ARE YOU?

The size of a man is indicated by the manner in which he stands defeat. If he is a big man he comes up smiling when knocked down. He does not bear petty spites in connection with his defeat. He takes hold and is ready to fight again.

Several examples of local men who have borne their defeat well are outstanding. There is the case of Colonel Peck, who was defeated by Fred Stork. The Colonel took his defeat like a real man, met his opponents with a shake of the hand and congratulations and best wishes and is again in the field of politics representing a constituency in Southern British Columbia. Another outstanding example was that of S. M. Newton who some years ago was beaten so badly that even his friends predicted that he would never be heard from again. But Mr. Newton was not really beaten, but only temporarily cast down. He returned to the political game to be elected mayor several times with large majorities.

When a person enters politics he must expect to be beaten. Most of the best statesmen of the country have been beaten. It indicates a petty spirit to resent it. Only the small man does that.

times with large majorities. Colonel McMordie was on more than one occasion overwhelmed by votes but never really beaten. M. M. Stephens laughs with his opponents and enjoys the fight even though not always victorious. George Bushby is a prince of good losers. John Dybhavn bore no malice while Manson lost and won with equal equanimity.

Some women are not as foolish as appearances would seem to indicate.

DEMAND

"Rupert Brand"
Kippers

"THE DAINTIEST BREAKFAST FOOD."

Smoked Daily by

Canadian Fish & Cold Storage Co., Ltd.

PRINCE RUPERT, B. C.

SENSATION AT ASSIZES

Ernest Lewis Turns King's Evidence Against George Ness in Scuttling Case

Ernest Lewis, youthful co-defendant, caused a mild sensation when he turned King's evidence Wednesday afternoon at the Supreme Court Assizes against George Ness in the case in which the two men were charged jointly with having scuttled the fish packer C.N. Lewis told the court how Ness had said that he was going to "drown the boat," Lewis said that he would have nothing to do with it to which Ness replied that he did not want him to have anything to do with it only to be a witness for him in case he should get into trouble. Lewis then proceeded to tell of the operations of Ness leading up to the alleged scuttling. Taking a dynamo from the larger boat and putting it in a skiff, Ness then went aboard the packer again and went below. A few minutes later there was a slight explosion and Ness came through the door as though he had been knocked off his feet. Smoke was meantime coming out of the doors and windows of the boat. Ness took rocks from the deck and threw them in the fish hold. Then the two men got in the skiff and Ness took a double-bitted axe that lay in the skiff and chopped a hole in the port side of the boat. Later, although the smoke ceased and the fire seemed to be out, Ness went ashore and got a skiffload of rocks and dumped them on the C.N. when it seemed to stop sinking as the water reached the level of the pilothouse. Going back to the beach, Ness, according to Lewis' story, took the dynamo into the bush and hid it.

Other witnesses at the trial testified that there was no evidence left on the craft of an explosion or fire which, Ness declared in his insurance protest, had necessitated his scuttling the boat. W. H. McCallum, insurance agent, told of \$6,000 having been paid in insurance on the boat. A large part of this went to Dr. W. T. Kergin, who had two mortgages on the boat, and the balance to Ness and Ed. Christiansen, his partner.

After Lewis had given his sensational evidence, Milton Gonzales, defence counsel, asked for an adjournment that he might prepare his cross-examination. The case resumed later in the evening, after dinner and reached its concluding stages last night before being adjourned till this morning.

After the Grand Jury, through its foreman, J. A. Smith, had brought in a true bill in the case of Ness, separately from Lewis, the accused was arraigned and pleaded not guilty to the charge of "having at or near the entrance of Kitkatia Inlet on or about May 7 unlawfully cast away or destroyed the gasboat known as C.N." The empanelment of a petit jury was proceeded with, those agreed upon being: Arthur Brooks-bank, foreman, Frederick W. Lawrence (Ocean Falls), Joseph Brown, Murdo McArthur, W. H. Simpson (Houston), H. A. Swain (Terrace), L. S. Davidson (Stewart), Ellsworth Mustard (Premier), Alex Creerar (Anyox), William J. Curtiss (Stewart), Frank Dresser (Anyox) and J. W. Reynolds. Defence counsel exercised many challenges and the crown prosecutor, W. E. Fisher, two stand asides.

The Crown's Case
Reviewing the evidence that would be presented by the crown, Mr. Fisher explained that witnesses would be produced to prove the condition of the boat and that there were no subsequent signs of explosion or fire although the accused had signed a statement that there had been such a terrific explosion and fire that he had had to cut a hole in the boat and submerge her in order to extinguish the fire.

J. H. McLeod, collector of customs, produced a copy of the C.N.'s registration papers. She was 30 feet long and equipped with an Eastern Standard four cylinder gas engine. The boat was owned equally by Ness and Christiansen and two mortgages of \$1880 each were held on it by Dr. W. T. Kergin. After the sinking, Mr. McLeod admitted in cross-examination, Ness had been in his office but he could not recall the nature of their conversation.

S. D. Johnston, insurance agent, told of Ness presenting to him his protest for insurance and read the protest which had been signed by the accused. There had been some engine trouble, the protest read, but a change had been made to another gas tank and the engine seemed to run smoothly again. They were proceeding up Ogden Channel when he (Ness) opened the pilot house door and there was a terrific explosion which threw both men stunned to

the deck. When they came to, they were driven out of the pilot house by the flames. The hatch covers were blown off and the vessel was all aflame. The only thing to do was to cut a hole in the hull so that the vessel might fill and sink to the water's edge, thus extinguishing the flames. The boat, however, after this had been done, continued to sink by the stern and in about an hour and a half had completely disappeared.

Insurance Paid
W. H. McCallum told of having insured the C.N. on August 1, 1929, for \$6,000 on application of Ness. The boat had been valued at \$8,750. After the accident, witness had been asked by the insurance company to get a personal statement from Ness. This he had secured from Ness. The insurance was paid in two drafts—one for \$4,147.35 being turned over to Dr. W. T. Kergin, who held the mortgages on the C. N., and the other for \$1,837.65 to Ed. Christiansen, joint owner of the boat with Ness. Ness had asked witness to give the check to Christiansen rather than to himself.

Under cross-examination, Mr. McCallum said that, on several occasions, both before and after the payment of the insurance, Ness had spoken to him expressing the desire to salvage the C.N. as he believed he knew where he could find it.

Austin Kennedy, engineer and diver for the Pacific Salvage Co., told of having located the C.N. in fifty feet of water near the entrance to Kitkatia Inlet. There were seaweed and barnacles growing on the boat when he dove to it but cabin and pilot house were intact. After the boat had been located, it was towed to a nearby beach where it was examined thoroughly. Inside the boat witness testified that there might have been ten or twelve tons of rocks, the majority being on the port side in the fish hold. There were a couple of rocks in the bunk on the starboard side. Witness saw no signs of an explosion. He could remember no windows broken nor bulkhead blown out. Neither were there any signs of fire. The most of the rocks were thrown out of the boat and a patch was placed on the port bilge over a hole which looked like it had been cut with an axe. The boat was then brought into Prince Rupert and turned over to Capt. Paul Armour.

Difficult to Do
Under cross-examination, witness said he could hardly see how the hole could be cut in the boat with so many rocks on the same side.

Fire Chief D. N. McDonald was the next witness. He told of having made an examination of the C.N. at the dry dock on August 12. He could not locate any signs of fire or explosion. Fire usually left signs of scorching and an explosion usually opened up the bow of a boat. It would only be a very slight explosion that would leave no signs, the fire chief said under cross-examination.

The only sign of fire was a slightly scorched piece of timber in the fish hold. The chief's opinion was that there had been no explosion or fire.

Examined the Boat
Capt. Paul Armour, local manager of the Pacific Salvage Co., told of having been instructed by the underwriters to save the C.N. He had gone out and located the boat but had not been present at the actual salvage operations. After the boat had been brought to port, however, he made a thorough examination of it. He saw no signs whatever of fire or explosion. The usual result of an explosion was to open up the stem, raise the pilot house and decking, etc. In this case there had been nothing like this. Not even any windows in the pilot house had been broken. A lantern and electric light bulb above the engine were unbroken. Witness examined the gas line and found the valve to the carburetor closed. The engine could not have been running with this valve closed. Ignition wires had been disconnected and there was no sign of a dynamo or generator.

Capt. Armour proceeded to tell of a conversation with Ness the next day in the presence of the crew of the Helac, the salvage boat. He (Ness) wanted to know who was going to pay him for the two months he had spent looking for the C.N. Armour replied that he (Ness) would have to put in his bill to the underwriters in the usual way. Asked how the rocks had got in the boat, Ness explained that, after he had located the boat, he had taken three dozy loads of rocks from shore and thrown them on to the boat as she lay on the bottom so she would not drift away.

Under cross-examination, Capt. Armour insisted that there should be some signs of fire or explosion if these had actually occurred. He admitted, however, that explosions did

queer things some times. Members of the salvage crew had had specific orders not to tamper with anything on board.

On Ernest Lewis being called, Mr. Gonzales objected to him, as one of the accused, taking the stand for the crown. As a matter of fact, he had been given no notice that Lewis was to be called by the crown.

Gave Notice
It turned out, however, that Mr. Fisher had given notice to T. W. Brown, Mr. Gonzales' associate in the defence, that he intended to call Lewis.

Mr. Justice D. A. MacDonald ruled that Lewis should take the stand. Mr. Gonzales could have an adjournment for cross-examination if he desired.

Lewis testified that they had gone to Porcher Island to pick up some logs which he and Ness had obtained during beach combing operations. They went to the fox farm and stayed there overnight, proceeding next day to Hanson's Harbor to get two skiffloads of rock to be used for ballast in the bow. Later Ness came to the boat and said that the logs were not there. He then suggested that they go back to the fox farm and load a little furniture to take into Prince Rupert. They got half a dozen chairs and, as it was getting late, decided to wait until next day before setting out for Prince Rupert.

The next morning, witness was aroused by Ness who was already up and taking in the anchor. Breakfast had also been cooked by Ness and after witness had had his meal he went out on deck and saw some rocks lying on the starboard side of the deck. It was at this time that Ness had said he was going "to drown the boat," witness demurring from having anything to do with such a thing. Witness then gave details of what had happened up to the time of the sinking of the C.N.

After the sinking, witness and accused took to the skiff and rowed to Oona River. About a month later witness told Capt. Armour where the boat could be found.

At the request of Mr. Gonzales, the case was adjourned at this point.

(Continued on page six.)

Make dresses bright as new!

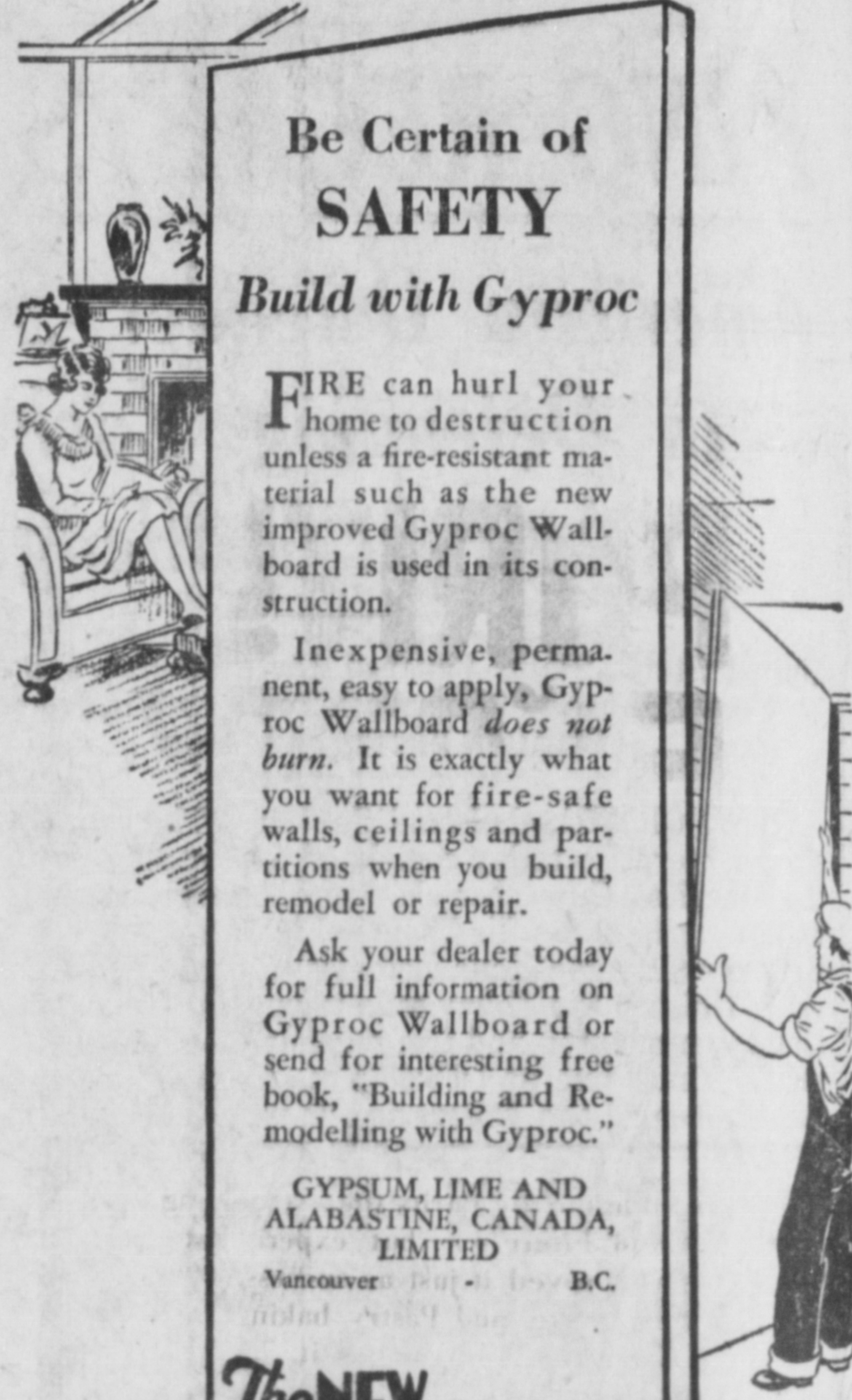
DIAMOND DYES are easy to use; go on smoothly and evenly; make dresses, drapes, lingerie look NEW. Never a trace of that re-dyed look when Diamond Dyes are used. Just true, even, new colors that hold their own through the hardest wear and washing.

Diamond Dyes owe their superiority to the abundance of pure anilines they contain. Cost more to make? Surely. But you pay no more for them. All dealers—15c.

Diamond Dyes
Highest Quality for 50 Years

BOVRIL
Builds Fitness
NOT Fatness

Be Certain of SAFETY
Build with Gyproc



FIRE can hurl your home to destruction unless a fire-resistant material such as the new improved Gyproc Wallboard is used in its construction.

Inexpensive, permanent, easy to apply, Gyproc Wallboard does not burn. It is exactly what you want for fire-safe walls, ceilings and partitions when you build, remodel or repair.

Ask your dealer today for full information on Gyproc Wallboard or send for interesting free book, "Building and Remodelling with Gyproc."

GYPSUM, LIME AND ALABASTINE, CANADA, LIMITED
Vancouver, B.C.

The NEW
GYPROC
Fireproof Wallboard

For Sale By
Albert & McCaffery, Ltd. Prince Rupert, B.C.
M. F. Nourse Burns Lake, B.C.
The George Little Lumber Yard Smithers, Hazelton and Terrace, B.C.
R. S. Sargent, Ltd. Hazelton, B.C.

YOURS TO USE

The **BANK OF MONTREAL** is yours to use, —

- For safekeeping of your money
- For making your money earn interest
- For the safekeeping of your papers and small articles of value
- For advice on financial matters
- For everything having to do with the collection of sending of money.

BANK OF MONTREAL
Established 1817
Total Assets in excess of \$200,000,000

Prince Rupert Branch:
A. H. CARSON, Manager.

if you lose anything, try a classified ad.