

### Tomorrow's Tides

High	3:55 a.m.	20.5 ft.
	16:25 p.m.	18.3 ft.
Low	10:10 a.m.	1.8 ft.
	22:07 p.m.	8.3 ft.

# The Daily News

NORTHERN AND CENTRAL BRITISH COLUMBIA'S NEWSPAPER

THIS WEEK THE  
**Pontiac Straight 8**  
is on Display at  
**Kaien Motors Show Room**  
All Cordially Invited Phone 52

Vol. XXIV

PRINCE RUPERT, B.C., FRIDAY, MAY 12, 1933

PRICE: FIVE CENTS

## LOCAL RIOT CASES HEARD TODAY

### PEIPING GETS WAR SCARE FROM JAPANESE BOMB PLANE

#### Carter Is Convicted; Trial of Nina Gurvich On This Afternoon

Local Youth Giving Evidence on His Own Behalf at Assizes This Afternoon—Is Final Criminal Hearing of Docket

Robert Thomas Maryland Carter was convicted at the Supreme Court Assizes this afternoon on a charge of rioting and was remanded until the end of the Assize for sentence. A poll of the jury was taken at the request of Gordon Grant, defence counsel. This established unanimity.

The crown had completed its evidence early this afternoon in the trial at the Supreme Court Assizes in which Nina Gurvich, local youth, is charged with rioting in connection with an alleged disturbance of Anyox strikers in the local railway yards on March 1 which resulted in a clash that morning with the police. There were four witnesses for the crown after the evidence of which had been heard the defence started presentation of testimony on its own behalf with Herbert William Macey the first witness, accused later going on the stand himself.

#### PRAIRIES ARE WET

Spring Work on Farms is Delayed By Heavy Downpours

#### Seeding Well On

Various Districts Report From 50 to 100 Percent of Crop in

WINNIPEG, May 12.—In some districts spring work has been delayed considerably by rain as different points report from 30 to 40 hours of continuous downpour while, in districts where weather has been cloudy and cool with high easterly winds, seeding has continued in full swing, according to the weekly crop report of the agricultural department, Canadian National Railways. From many points not delayed by rainfall come reports of wheat seeding varying from 50 percent to completion and a few localities report earlier sown wheat above the ground. Seeding of coarse grains has commenced. A few districts report from 30 percent to 50 percent of these grains seeded. Generally speaking, growth is slow and warmer weather would be beneficial for not only grain germination but the revival of pastures.

#### IS KILLED ON STREET

Mrs. Elizabeth Waring Loses Life When Struck by Automobile in Victoria

VICTORIA, May 12: (Canadian Press)—Mrs. Elizabeth Waring, aged 50, was killed when struck by an automobile at the intersection of Joffre Street and Esquimalt Road here last night.

#### TRADE TREATIES WITH FRANCE SIGNED TODAY

OTTAWA, May 12:—Two trade treaties between Canada and France were signed in the office of Prime Minister R. B. Bennett today.

#### DAWSON IS ACQUITTED

Smithers Man Found Not Guilty on Second Arson Charge at Supreme Court Assizes Yesterday

#### Jury Out Long

Nearly Two Hours Taken up in Considering Verdict—Crowded Courtroom Hears Judge's Charge

After deliberating for one hour and forty minutes, the jury at the Supreme Court Assizes here in the trial of Ernest Claude Dawson, charged with arson in connection with the burning of his store and living premises at Smithers on September 25, 1930, late yesterday afternoon returned a verdict acquitting accused of the charge. Immediately upon receiving the verdict, Mr. Justice Denis Murphy, the presiding judge, ordered accused released from custody. It was the second arson charge upon which accused had been acquitted at the Assize session.

A few minutes prior to returning its verdict of acquittal, the jury came back into the courtroom to ask the court reporter to read over to it a portion of the evidence regarding the ownership of a shotgun which John DeVoin stated belonged to him and which had been in the store the night before the fire.

There was a crowded courtroom in the afternoon to hear His Lordship sum up the evidence and charge the jury. Speaking for about an hour, he defined the law regarding the nature of the crime charged and the degree of proof required, reviewing the facts of which, he pointed out, the jury was "the exclusive judge." He referred to the two kinds of evidence which might be presented, direct and circumstantial, the present case being based on the latter. The jury, before convicting, must be satisfied beyond a reasonable doubt that the circumstances were such as to be consistent with the guilt of accused and inconsistent with any other rational conclusion.

The judge first dealt with the evidence of the crown apart from that of John DeVoin and Mrs. Dorothy Lewis, brother-in-law and sister-in-law respectively of accused. Movements and actions of the accused on the night before the fire were reviewed.

#### Important Evidence

Much depended in this case upon how much belief the jury put in the evidence of DeVoin and Mrs. Lewis. His Lordship declared. Here the crown, although not compelled to establish a motive, had put one forward—that accused was in financial difficulties and a fire offered a way out for him. It was important, of course, for the jury to consider whether or not accused believed at the time of the fire that his place was insured for the additional \$5,500.

It was most important whether or not the jury believed the evidence of DeVoin. If it did believe this evidence beyond a reasonable doubt, then the jury had to consider if it did not comply with all the necessary principles of circumstantial evidence on the basis of which accused might be found guilty. The defence had sought to attack the credibility of DeVoin's evidence. Credibility was a matter entirely for the jury to decide upon.

At 3:35 the jury retired to consider its verdict, returning to the courtroom at 5:15 with the finding that Dawson was not guilty.

#### CARRIED OUT LINDY KIDNAP

(Canadian Press)

WASHINGTON, D.C., May 12:—Gaston B. Means testified in the District of Columbia Supreme Court today that the Lindbergh baby was stolen last year by New Jersey liquor runners and that Max Hassel and Max Greenberg were responsible. Means later found note saying that, in an attempt to remove the baby from its hiding place, it had been accidentally dropped on its head and killed.

#### FLEET HAS QUIT WORK

West Coast of Vancouver Island Trollers Protesting Low Fish Price

TOFINO, May 12: (Canadian Press)—While not officially on strike, the entire salmon trolling fleet of the West Coast of Vancouver Island is observing a tie-up, involving the fishermen of Kyuquot, Clayoquot, Tofino and Ucluelet, numbering more than 250 boats. Low price for spring salmon is given as the reason for the tie-up.

#### Baseball Scores

(Canadian Press)  
National League  
Pittsburg 7, New York 6.  
Cincinnati 6, Brooklyn 7.  
St. Louis 2, Boston 1.  
American League  
Washington 3, St. Louis 4.  
Boston 1, Cleveland 4.

#### Vancouver Wheat

VANCOUVER, May 12: (Canadian Press)—Wheat was quoted at 63c on the local exchange yesterday, being considerably up from Wednesday's price of 60½c and Tuesday's price of 60½c.

#### Halibut Arrivals

Canadian  
Kaen, 20,000, 5c. and 3c., Cold Storage.  
Teurnen, 5,000, 4.5c. and 2.5c., Cold Storage.

If the rich only are to support the government by taxation, then surely on democratic principles the rich should rule.—Nicholas Murray Butler.

#### COMMISSIONER ALDER LEAVING FOR RUPERT

VICTORIA, May 12: (Canadian Press)—W. J. Alder leaves here on Saturday for Prince Rupert to assume his duties as commissioner of that city. He sails for the north on the steamer Princess Norah.

#### GURVICH ON TRIAL NOW

Local Rioting Case Being Heard at Supreme Court Assizes Today

The jury, trying the case of Nina Gurvich on a charge of rioting at the Supreme Court Assizes today, is composed as follows: J. R. Mitchell, A. T. Parkin, George Bailey, Fred McLeod, William Robb, C. C. Ketchum, Clem Houldsworth, John Gabriel, Charles Youngman, Tom Ballinger, J. F. Pilon and C. P. Balagano.

The first witness was Constable Boyes who testified to seeing accused on the overhead bridge while the men were below throwing stones at the police. About six men were with him. He was facing the mob bending over the rail.

Roy Taylor, roadmaster's clerk, watched the fight from the roadmaster's office. He saw accused in the mob coming down the path. He (accused) beckoned to the men as if to urge them over the embankment against the police.

F. S. Walton also gave evidence as to the alleged riot on March 1. He heard accused say, as the mob was coming back up the embankment after the first clash: "Come on. Go and get them."

Constable G. E. Anderson told of the clash between the police and the mob in which he had sustained head injuries.

H. W. Macey, defence witness, told of going down to near the overhead bridge in company with accused after the crowd of men had passed and later coming back up the path with accused after the crowd retreated. Accused had been separated from him only a short time, possibly ten minutes.

The hearing adjourned at 1:30 until 2:30 p.m.

#### OBJECT OF LOAN

Minister of Finance Tells What is to be Done With Money Raised

OTTAWA, May 12: (Canadian Press)—The Dominion government will require a minimum of \$375,000,000 this year to meet bonds maturing together with Canadian National deficits, unemployment and farm relief. Hon. E. N. Rhodes, minister of finance, stated yesterday in the House of Commons in introducing his resolution asking for authority to raise a loan not to exceed \$750,000,000. The balance would be used to convert bonds not yet due.

#### COMMISSION IS CHOSEN

Body Which Will Examine Municipal Relations With Government is Named

VICTORIA, May 12: (Canadian Press)—The personnel of the Royal Commission to examine municipal relations was announced by Attorney General R. H. Pooley today as follows:  
Judge A. M. Harper of the County Court, Vancouver.  
Ex-Mayor Herbert Ansoncomb of Victoria.  
Alex D. Patterson, former Liberal member of the Legislature and Reeve of Delta.

#### Two Greatest Chinese Cities Threatened If Resistance Continues

Handbills Rained on "Forbidden City" Declaring Soldiers Will be Exterminated and Good and Evil Alike Will Come to Harm—Revolt in Chahar

PEIPING, May 12: (Canadian Press)—Peiping, the old capital of China with population of two million souls and residence of many British and foreign citizens, had its first war scare yesterday when a Japanese bombing plane circled over the "Forbidden City" and rained handbills warning against continuation of the Chinese struggle against the Japanese and declaring that, if the Chinese fail to heed the solemn command, then the tragedy of Kuei Kow will be repeated in Peiping and Tientsin. "Your soldiers will be exterminated. Good and evil alike will come to harm. You will all lose your stupid heads due to the failure of Chiang," the messages read.

#### RIOT CASE IS NOW ON

Trial of Robert Thomas Maryland Carter Proceeding at Supreme Court Assizes

#### Clash Described

Crown Evidence Completed in Short Order Yesterday—Concluding Hearing Case Today

It took the crown less than two hours Thursday afternoon to present its evidence in the trial at the Supreme Court Assizes of Robert Thomas Maryland Carter who is charged with rioting on March 1 at Prince Rupert when he allegedly led a body of several hundred men, mostly strikers from Anyox, towards the Canadian National wharves where the steamer Prince Rupert was moored at the time having on board a number of men going to Anyox to join the employ of the Granby Co. After a motion of Gordon Grant, defence counsel, for dismissal of the charge on the ground that accused had not actually been connected with the incident, had been denied by Mr. Justice Murphy, who held that this was a matter for the jury to decide, the court adjourned until this morning when addresses of counsel and charge of judge were to be heard, the defence intimating that it would present no evidence.

There were five crown witnesses, two of whom were provincial police officers, two railway constables and the other an onlooker in the person of J. H. McLeod, collector of customs.

Constable Harold Raybone testified to a crowd of several hundred men coming down from town and being intercepted at the entrance of an overhead bridge leading to the wharf after which the mob let out a shout and started to clamber down the side of a rocky hill into the railway yards, throwing rocks at police officers who came forward to meet them. This crowd of men was led by accused. The crowd, after being dispersed in the railway yards, proceeded back uptown where another clash with the police occurred back of the Post Office building, Sergeant Service, chief of city police, being injured when stoned.

C. N. R. Constable John McPhail of Jasper told of arresting Carter after a chase in the railway yards. **Pleaded Not Guilty**  
Carter is charged with participation. Continued on Page 2.

#### DR. MANDY IS HEARD

Resident Engineer Addresses Anglican Young People's Meeting

At the regular meeting of the Anglican Young People's Association held in the church hall Wednesday night, Dr. J. T. Mandy, resident mining engineer, addressed a group of some thirty young people. Dr. Mandy, with the aid of lantern slides, showed the growth and progress in British Columbia due to mining. He showed how it was the observation of little things in nature that was responsible for the progress of a country as in the case of a prospector drinking out of a stream and noting a flake of gold. Many of the unexpected strikes that have developed in this country were due to these small observations.

The theme of Dr. Mandy's address was "Back of the Beyond." He impressed on the young people what possibilities were even around this vicinity for those who went out into the woods and hills and used their eyes for observing the finer points of nature.

After the address President Orme Stewart thanked Dr. Mandy on behalf of the group for his interesting and educational talk. Refreshments were served at the close of the meeting.

#### HAULSHAM SAYS GERMAN RE-ARMING WOULD MAKE BREACH OF VERSAILLES

LONDON, May 12: (Canadian Press)—Lord Hailsham, Secretary for War, told the House of Lords last night that, in his opinion, any attempt on the part of Germany to re-arm would be a breach of the Treaty of Versailles and would bring into operation sanctions provided by the treaty.