

JUN 16 1925

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and
Ambulance
Service
Anywhere at Anytime
Stand Royal Hotel, 3
and 6th St.
MATT VIDICK.

Legislative
Parliamentary
Buildings,
Map, 31/26

VOL. XV, NO. 437.

The Daily News

PRINCE RUPERT

Northern and Central British Columbia's Newspaper

PRINCE RUPERT, B.C., FRIDAY, JUNE 12, 1925.

Yesterday's Circulation, 1511

Street Sales 450.

PRICE FIVE CENTS.

BOSTON GRILL

Large Upstairs Dining Hall,
with newly laid dancing
floor for hire. Suitable for
dances, banquets and wed-
ding parties.

For rates, apply to Boston
Grill, Third Ave.
Phone 457.

EVIDENCE ALL GIVEN MANSLAUGHTER CASE

UNDERGROUND MEN AT NANAIMO VOTE TO RETURN ON COMPANY'S TERMS

Strikers Looted Stores Glace Bay Mines when in Conflict with Police

Several Fires Reported on Property of Company; Troops Rushed to District; Power House Wrecked

SYDNEY, N.S., June 12.—Several thousand miners, who are on strike in the Glace Bay district, are reported this morning to have looted the stores of the British Empire Steel Corporation in the vicinity of New Waterford where the battle took place yesterday between police and miners, which resulted in the death of William Davis, 35 years of age, a miner, who was shot dead when the miners rushed the police and dangerously wounded Gilbert Watson, who was shot in the abdomen and when two score police and miners were injured.

C.G.M.M. WINS IN BIG CASE

Effort to Make Them Responsible for Insurance on Cargo Falls

VANCOUVER, June 12.—Refusing all contentions of plaintiffs, the Western Assurance Co. of Toronto and New York, Mr. Justice Murphy in a judgment handed down yesterday dismissed the action against the Canadian government Merchant Marine to recover \$46,000 for insurance on a lumber cargo which the plaintiff paid to four consignees in Japan after the cargo was lost, when the Canadian Exporter foundered in July, 1921, off Columbia River.

Similar claims pending against the C.G.M.M. aggregate \$250,000. The judgment states that the ship was in seaworthy condition and places the blame for the wreck on the poor judgment in navigation by Captain Bradley and first officer Campbell.

FIVE DROWN SHIP AT SEA

ATLANTIC CITY, June 12.—Five persons are believed to have been drowned last night when 30 passengers and the crew of a pleasure boat were forced to jump overboard when the vessel was suddenly enveloped in flames eight miles at sea.

Coast guard boats saved 25.

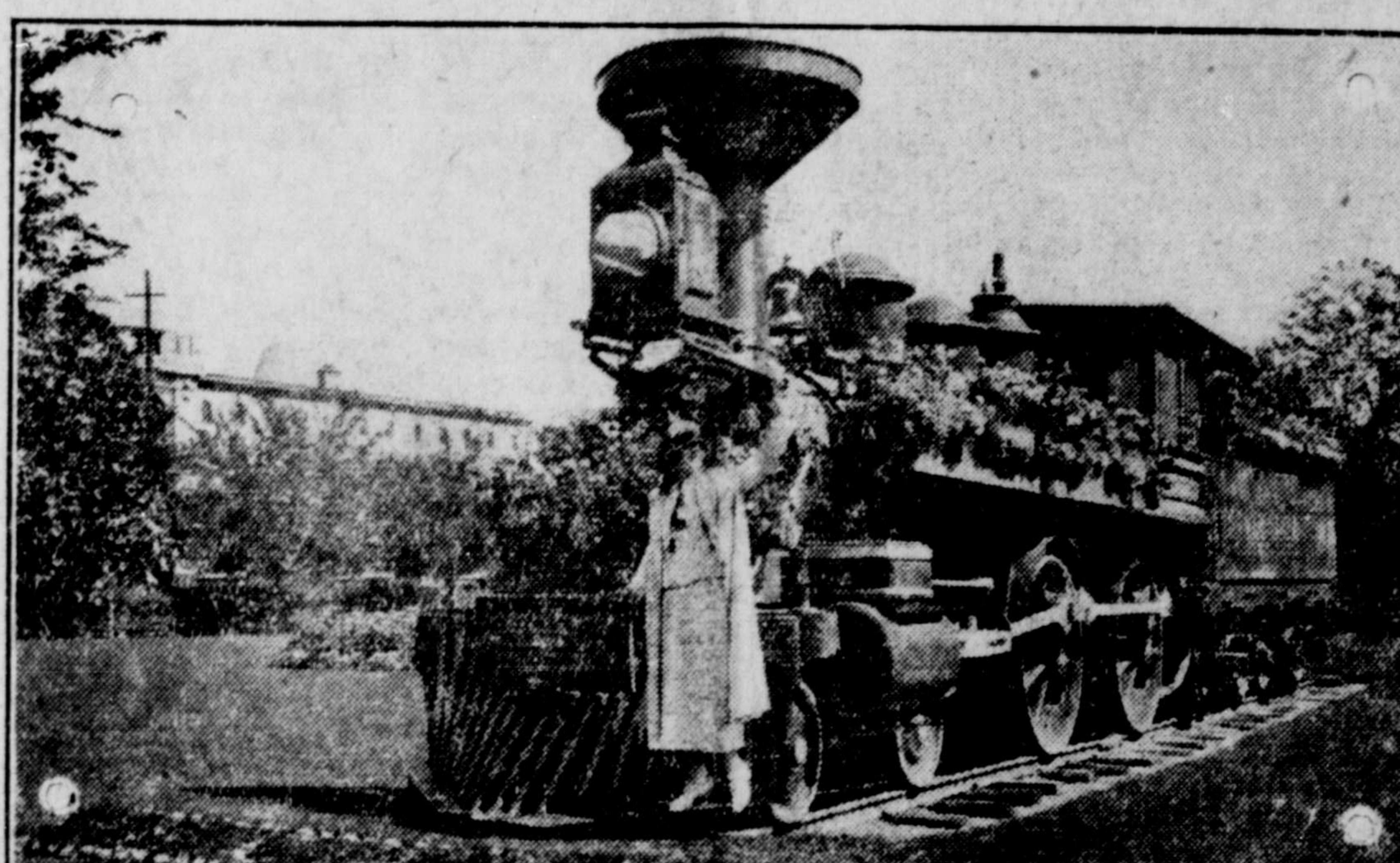
A lighted cigarette dropped down the hatch is said to have been responsible for the blaze.

CHINESE WALK OUT ONCE MORE

SHANGHAI, June 12.—Fifteen thousand Chinese mill workers who had struck and later returned to work walked out again tonight. A recrudescence of the strike is considered likely as the immediate result. There were disorders at Hankow where nearly a dozen Chinese had been killed in a series of riots.

I.O.O.F. OFFICIAL

REVELSTOKE, June 12.—At the closing of the session of the grand lodge I.O.O.F., T. Clarke of Fort George was elected grand conductor.



"Countess of Dufferin," the first engine to run out of Winnipeg, now given a place of honor on the station grounds. Flowers add an attractive touch to the black enamel.

Evidence Completed This Morning Manslaughter Case Against Symes

HABEAS CORPUS IS ADJOURNED

VANCOUVER, June 12.—A habeas corpus application made on behalf of Wong Foon Sing was adjourned until Tuesday. When it was called in Supreme Court chambers this morning adjournment was asked by the crown and not opposed by J. H. Senkler, defense counsel.

It is understood that W. D. Carter, deputy attorney general, will oppose the motion of Senkler, who will argue that the crown did not produce evidence at the preliminary trial connecting the Chinese with the death of Janet Smith.

The libel charge against J. S. Cowper will come up Monday.

Advertise in the Daily News

Clifford Roberts



Of the Lecture Staff International Bible Students' Association

Will Lecture in Westholme Theatre

SUNDAY NIGHT,

7.30 P.M.

on "CHRIST'S RETURN SOON MANIFEST."

Millions now living will never die. (Under the auspices of the I.B.S.A.) Seats Free. No collection.

The case of Claude Vincent Symes, taxi driver, charged with manslaughter in connection with the death of little Norma Munro when he ran her down with his Ford automobile on Fifth Avenue East on February 12 last, went to the jury late this afternoon. The evidence was all in at 12:45 when the luncheon recess was taken. At 1:45 court resumed, the addresses of counsel and the charge to the jury following. Attorney General A. M. Manson is prosecuting with L. W. Patmore defending.

Accused having been arraigned and the jury empanelled after a plea of not guilty had been entered before the six o'clock recess, the court room was crowded when at 7:45 last evening the taking of evidence in the case commenced. The great amount of local interest in the case was thus reflected.

The jury selected was as follows: W. H. Derry (foreman), W. Gratton, J. A. Smith, J. T. Ballinger, H. McEachern, G. J. Lindquist, F. Salter, W. Longwill, K. A. Rood, M. M. MacLachlan, J. Hunter and P. J. Ryan. W. H. Sherman, F. W. Welsch and J. E. Dyer were challenged by the defence and S. Wood and J. J. Gillis by the crown. Mrs. Emily Morris and J. W. Exley were stood aside by the crown.

Crown Case Outlined

In outlining the case for the crown, Mr. Manson said that from time to time people were called upon to sit at trial on their fellow citizens. It was a custom of long standing, which

(continued on page four)

Successful Tour of Ministers to Stewart, Marmot River and Alice Arm: Meetings are Held

Expressing themselves as impressed with the evident signs of increasing development in the mining industry, Hon. William Sloan, minister of mines, and Hon. W. H. Sutherland, minister of public works, who passed through the night before last, said the present movement is bound to result in a general speeding up of industry of all kinds.

"At Stewart, which the remarkable success of the Premier mine has brought to public attention as a potential field of great possibilities, the greatest optimism prevails," said Hon. Mr. Sloan, whose long and practical mining experience particularly fitted him to judge conditions.

"With a season three weeks ahead of last year work on many promising prospects has been got under way under most favorable conditions. The government of British Columbia, recognizing that the most important factor in the development of the mining industry is the provision of adequate transportation facilities by the opening up of

roads and trails, will lend its aid in every possible manner to meet the legitimate needs of the district. It was to that end that Hon. Dr. Sutherland and myself made the trip. The two departments co-operate in the providing of trails and roads and it is our desire to meet the growing demands of those sections."

At Stewart the Hon. Mr. Sloan and his colleague visited the famous Premier mine which in

(continued from page five)

Underground Workers at Nanaimo Mines are for Returning to Jobs

Open Vote of 257 to 147 in Favor of Accepting Cut in Wages Proposed by the Company

NANAIMO, June 12.—An open vote taken late yesterday among underground employees of the Western Fuel Corporation decided by 257 to 147 to accept the wage cut recently announced by the company in favor of returning to work. This was the second vote taken yesterday.

The previous afternoon a meeting of miners balloted on the wage question, the vote being 257 for acceptance and 359 against.

When the vote was announced at the afternoon meeting a motion was passed rescinding the ballot and an open vote was taken, resulting as stated.

It is said that this practically leaves the matter up to the surface workers who number 400 and it will take a day or two to ascertain their views.

Immunity to Strikers

NANAIMO June 12 (noon)—By granting complete immunity to all workers who took part in the strike, the Western Fuel Co. assured resumption of the working of the mines today. Surface workers are expected to follow lead of underground men.

PAUL POLLARD IS ACQUITTED

Jury Holds Him Not to Blame for Death of Norman Clelliam near Bella Coola Last December

The second acquittal at the present session of the Supreme Court Assizes in progress here was recorded yesterday afternoon when, after a retirement of over two hours, the jury in the case of Paul Pollard, charged with manslaughter in connection with the death of Norman Clelliam in an automobile accident near Bella Coola on December 8 last, returned with a verdict of not guilty. Accused was then discharged without further formalities. After a lengthy charge by Mr. Justice W. A. Macdonald, who stated that the crux of the situation seemed to be whether or not there had been time for accused to avert the accident after he had seen the truck in front of him slow down, the jury went out at 2:53. It returned at 5:10 with its verdict.

The Elks have been successful in chartering the C.P.R. steamer, Princess Royal, to take a big Prince Rupert excursion to Ketchikan on July 4. She will leave here about midnight on July 3 and leave Ketchikan about the same time on the night of July 4, arriving home on the morning of July 5.

The vessel has sleeping accommodation for 216 and can carry 700 passengers.

It is proposed to take over a show and a baseball team. Also an effort will be made to take a representative body of citizens to take part in the big Fourth of July parade.

The Ketchikan ball team is expected here for July 4 and it is very likely the Princess Royal will be again chartered to bring a big excursion of Ketchikan people here for the fair. Five hundred have been promised for that occasion.

STOCK MARKET

	Bid.	Asked
B.C. Silver	.14	.15
Hazelton	.01 1/2	.02 1/2
Howe Sound	16.50	
Silver Crest	.15	.18
Dunwell	3.35	4.00
Premier	2.22	2.30
L. & L.	.25 1/2	.28
Marmott	.11 1/2	.15
Granby		15.00
Terminus		.06
Daly-Alaska	.23	.28
Surf Inlet	.05 1/2	.06
Selkirks	.04 1/2	.04 1/2
Indian	.06 1/2	.07 1/2
Rufus	.12	.20
Bayview	.10	.12 1/2

BIRTH.

A son was born to Mr. and Mrs. C. Lindquist, Levine Apartments, on June 11.

LOCAL DELEGATES TO MASONIC CONVENTION

Robert Blance and Ernest Valentine are Leaving on Today's Steamer for Kamloops

Robert Blance and Ernest Valentine, masters of the two local blue lodges, are sailing this afternoon on the Prince Rupert for the south enroute to Kamloops where they will attend the convention of the British Columbia Masonic Grand Lodge opening next Tuesday. Attorney General Manson also hopes to attend the same convention. He is now senior warden of the Grand Lodge and is in line for the Grand Mastership.

MINAKI INN BURNED TODAY

Damage Estimated at \$100,000 to C.N.R. Hotel at Lake of the Woods

MINAKI, Ont., June 12.—The Minaki Inn summer resort at the Lake of the Woods operated by the G.N.R. was completely destroyed by fire late yesterday. The estimated damage is \$100,000.

Men had been engaged in finishing repairs for the opening of the season today.

Freshness Preserved "SALADA" TEA

H620
is more rich drawing & delicious
than ordinary tea since the
freshness is preserved in the
air-tight SALADA packet.

THE DAILY NEWS

PRINCE RUPERT - BRITISH COLUMBIA

Published Every Afternoon, except Sunday, the Prince Rupert Daily News, Limited, Third Avenue.
H. F. PULLEN, Managing Editor.

SUBSCRIPTION RATES:

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Member of Audit Bureau of Circulations.

DAILY EDITION



Friday, June 12, 1925.

Parking Bylaw
Being Considered.

The parking bylaw is at present before the police commission and later the city council will wrestle with it. By that time it is to be assumed it will have reached such a stage of perfection that it will be at least operative and beneficial.

The bylaw is designed to prevent merchants and others being annoyed by having cars parked in front of their places of business all day. It is also designed to keep crowded streets as free from traffic as possible. It may be made useful but it also may be made annoying.

At present there is plenty of room on the streets, as long as there is reasonable judgment used in parking places. The downtown streets look much busier with the cars there than if they were relegated to lanes or side streets. The city should have power to regulate them without having to wait for individual protests from merchants. At the same time regulation should be such as not to be annoying. The taxis are a great convenience to the public and this should be borne in mind in connection with any action that may be taken.

Use Of Poison
Gas In Warfare.

The international conference at Geneva has decided against the use of poison gas in war. That is all very well until some war-mad nation gets on the rampage. Then all regulations are thrown to the winds and the nation sets out to win the war by fair means or foul.

If war is to be regulated, why not have the chief performers inclosed in a squared circle where they could fight it out according to the Marquis of Queensberry rules or with swords or pistols, while the interested parties gather around and watch the game. To restrict warfare is to prolong it, unless it is restricted much more than is proposed by the international conference.

War Too Fearful
For Any To Begin.

War is becoming a fearsome thing. There is no glory in it anymore, and there is always the possibility that some new invention will make it possible to wipe out a whole nation at one fell swoop. Poison gas and bacteria are incidental. Possibly something much more dangerous will be invented soon or possibly has already been invented.

Politeness A Great
Asset In Business.

Politeness is a great asset in business or in any other walk of life. It costs nothing and once the habit is acquired it is not even an effort. It is one of the marks of a gentleman.

The businessman who is polite to customers is likely to get business. Sir Henry Thornton has been trying to train the C.N.R. employees in the art with a great deal of success. It might be extended to other branches of government service.

To be polite a person does not need to be easy to victimize. He may insist on his rights and be firm in his dealings but at the same time do it without unduly injuring the feelings of those with whom he deals. The Orientals carry it to the extreme, so that it sometimes seems like deception. The happy medium is the best, even in this.

Small Deposits

Do not delay a savings deposit on account of its small size. Small regular deposits soon amount to a substantial sum.

One dollar opens a savings account at any branch of the Union Bank.

UNION BANK OF CANADA

Prince Rupert Branch - H. H. Little, Manager

EARLY CLOSING DELEGATION

Retail Merchants Ask Stricter Enforcement of Closing Bylaws

OBJECTION TO PEDDLING

Asking that the early closing law be more strictly enforced, three representatives of the Prince Rupert Retail Merchants Association, Messrs. Hill, McMeekin and Minns, met the police commission yesterday afternoon. They explained that the bylaw in regard to closing was all right but that it was not enforced.

George Hill outlined the position of the merchants. The chief complaint was against Chinese merchants and the fur dealers. They had no objection to a person doing a fur business but some of them were dealing in other wares.

He understood that if they kept open, the fur section must be kept separate from the other.

T. McMeekin said it was not fair to the other merchants who obeyed the law for some to break it. They also objected to peddlers operating on license of \$10 as had been the case.

It provided that when selling goods not raised themselves they should pay \$50.

It was decided by the commission to strictly enforce the closing bylaw and so instructed the chief of police. Also it was ordered that peddlers, not selling produce raised themselves should pay a \$50 license fee.

Chief Vickers asked for another man in order that such things as this might be attended to. This was held over until next meeting.

TWO DECREES OF
DIVORCE ABSOLUTE

Henry Collinson of Kitkatla and Frank Biddlecome of Prince Rupert Obtain Freedom from marriages

Two decrees of divorce absolute were given yesterday afternoon at the Supreme Court Assizes by Mr. Justice W. A. Macdonald.

Henry Collinson of Kitkatla obtained his freedom from Maria Collinson whom he married at Prince Rupert on August 25, 1917. The wife was formerly Maria Smith of Massett. Records of their marriage not being obtainable, a photograph was produced of the wedding group who had partaken of a feast at the time in the Central Hotel. R. E. Benson, photographer, was called to prove the photograph.

Matthew Yeomans, a Haida Indian, was another witness in support of the petitioner. Frank Jones, a white man, was cited as respondent. L. W. Patmore appeared for the petitioner and Charles P. Ryan acted as interpreter.

Frank Biddlecome obtained a divorce from Elizabeth Flora Stephens Biddlecome, whom he married at Kincolth in January, 1914. H. W. Birch, secretary of the Prince Rupert General Hospital, was called as a witness in support of the petitioner. No correspondent was named though apparently there was one. Milton Gonzales acted for the petitioner.

Professor Thompson showed that the halibut was like all slow growing creatures liable to extermination. Compared with the herring that spawned in about three years it was easily seen how important was the adult to the industry. He was not an alarmist but he felt the seriousness of the situation would appeal to everyone.

The little tags with which the fish are marked bear the letter I.F.C. with a number. A small reward will be offered for the return of these. He hoped to see the at-

mosphere improved.

The medical inspector spoke of the value of athletics in the school as not only cultivating an esprit de corps but also improving the general health of the pupils. Twenty pupils had been found with defective vision.

The report of the medical inspector of schools, Dr. Treymaine, was presented to the school board last night. It showed that the health of the pupils was good. Vaccination had not been general, although opportunity had been offered.

Three pupils and four teachers had been vaccinated. The doctor emphasized the desirability of vaccination as a means of preventing smallpox.

The medical inspector also spoke of the value of athletics in the school as not only cultivating an esprit de corps but also improving the general health of the pupils. Twenty pupils had been found with defective vision.

Advertise in the Daily News

Professor Thompson Tells About Halibut and Makes Plea for Full Co-operation in Protection Effort

Professor W. F. Thompson, who has charge of research work in connection with the halibut fisheries for the International Fisheries Committee, made an appeal to fishermen, members of the fish trades and the public for co-operation in the work in order that data might be procured with a view to protection of the halibut from extinction. He explained that the halibut was an important resource but owing to the slow growth of the fish it might easily be exterminated. If properly protected it might be a resource for all time.

He was of opinion that the fish did not travel far and that they could be protected by local control, just as the forest was protected by cutting one section at a time and preserving the others. A system of tagging was about to be commenced and fishermen would be asked to send these in when found. The tags are clamped on the cheek bone of the fish.

In an extremely interesting address to the Rotary Club yesterday, Mr. Thompson told of some of the difficulties of procuring data on the fisheries, especially in regard to a fish that bred and lived in the open sea. However, the conditions were hopeful and it was the intention of the commission to confine itself to practical questions. There was a maze of prejudice and self interest to get through before success was reached.

History of Fish

Giving a short history of the halibut, so far as they knew it, Mr. Thompson said it belonged to the same family as the flounder, the plaice and the sole. It has two eyes, both on the same side of the body. When born it is like other fishes, the eyes being one on each side.

The eggs are laid in deep water and they float between the surface and the bottom at the mercy of the currents. It is not known how long before they hatch but when they do, the little fishes swim upright and gradually grow around one eye so that both are then on one side. The color of one side turns grey and the other remains white. Then the fish settles on the bottom and remains there; although it can and does sometimes come to the surface.

The halibut is cold blooded and for that reason stops growing in the cold season just like a tree. This stoppage of growth leaves marks on the body by which the age of the creature can be determined. It is seen on the scales and also on the bones and on the calcareous substance in the ear. The fish is slow growing. Those in Heceta Straits commence to reproduce at about twelve years of age and live for 25 or more years.

Millions of Eggs

An enormous quantity of spawn was laid, as many as 3,500,000 being laid in one season which would give a total for the lifetime of as many as 53,000,000 eggs from one fish. The enormous mortality, however, made many of these ineffective.

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Advertise in the Daily News

ATTENDANCE GOOD AT CITY SCHOOLS

One Division at Booth School
Made an Attendance for
the Month of 99.55
Per Cent.

The report of the school principals at the meeting of the schoolboard showed that attendance had improved very materially of late owing largely to freedom from illness of any kind. At Booth school the attendance for May was 399 of whom 202 were boys. The average percentage of attendance was 97.14 with division two going 99.55. The amount of money banked during the month in the savings bank was \$272.07 bringing the total for the term to \$901.11.

At Borden Street School the total attendance was 300 of whom 155 were boys. The average percentage of attendance was 96.22 and Grade 8 made 98.8 per cent.

Seal Cove had a total attendance of 49 of whom 26 were boys. The average percentage of attendance was 95. Savings for the month amounted to \$21.30.

HOTEL ARRIVALS

Principals: Rupert

Dr. G. A. Charter, Williams Lake; C. H. Sawle, New Hazelton; F. M. Dockrill, Telkwa; George Hornberger, Toronto; M. R. Pritchett, River Falk, Wis.; W. A. Parrott, Victoria; G. Tapp, Vancouver; William Lawrence, Pacific; Mr. and Mrs. D. E. Bell, Winnipag; E. F. Watson, New York City; A. S. Gibson, Elmoira, Ont.; E. and E. Wider, Houston; Mrs. J. Tabbe and R. W. Smith, Prince George.

Central

Mrs. A. Stone and G. M. Lewthwaite, Vancouver; J. Slater, Prince Albert; F. Duggan and C. Gosman, C.N.R.; G. H. Tyche, Smithers; Mrs. L. D. Dainpre, Kitkatla.



SEALED TENDERS addressed to the undersigned, and endorsed "Tender for Wharf Repairs, Port Clements, B.C." will be received until 12 o'clock noon (daylight saving), Tuesday, June 23, 1925, for repairs to the wharf at Port Clements, Skeena District, B.C.

Plans and forms of contract can be seen and specification and forms of tender obtained at this Department, at the office of the District Engineer, Old Post Office Building, Victoria, B.C.; and at the Post Offices, Vancouver, B.C.; Prince Rupert, B.C., and Port Clements, B.C.

Tenders will not be considered unless made on the printed forms supplied by the Department and in accordance with the conditions contained therein.

Each tender must be accompanied by an accepted cheque on a chartered bank, payable to the order of the Minister of Public Works, equal to 10 per cent of the amount of the tender. Bonds of the Dominion of Canada or Bonds of the Canadian National Railway Company will also be accepted as security, or bonds and a cheque if required to make up an odd amount.

Note.—Blue prints can be obtained at this Department by depositing an accepted cheque for the sum of \$10, payable to the order of the Minister of Public Works, which will be returned if the intending bidder submit a regular bid.

By order,
S. E. O'BRIEN,
Secretary,

Department of Public Works,
Ottawa, May 26, 1925.

To the woman who is tired of sewing on buttons!

YOU'D do most things to
make him happy, wouldn't you?

Well, the next time you are down town get him a suit of Hatchway Underwear—slip it into his drawer and say nothing about it. Then maybe one day he'll come downstairs with a new expression on his face. He'll be experiencing a new sense of comfortable freedom he never thought he'd have. Maybe he won't talk about it just at first—men are rather like that, aren't they? But you will find he will never go back to any other kind of underwear!

Remember, Hatchway is a buttonless garment, easy to wash, easy to launder and is daily receiving the blessings of the wives and mothers of over half a million Canadian men and boys.

Get him a suit of Hatchway and you will give him a gift that you will both appreciate.

WOODS UNDERWEAR CO.
LIMITED
TORONTO

WOODSY HATCHWAY
HAS NO BUTTONS

LESS TALKING!

and more practical regard for those who are suffering and forced to work for an existence.

We have all got to live. If I can give more satisfaction in export and import goods or if I can do better portraiture work at reasonable prices why shouldn't I get the business?

ECKOFF STUDIO

Cor. 2nd Ave. and 6th St.

Phone Red 68

Comfortable Room from \$2 a Week and up
REGENT HOTEL, Cor. 2nd Ave. and Sixth St.

SALMON TROLLERS

Before outfitting it will pay you to inspect our line of Trolling Gear. We have a new line of Salmon Hooks, Swivels, Cuttyhunk and Gear of all kinds.

In our stock you will find everything you require—Anchors, Rope, Chain, Marine Hardware of all kinds, Hull and Copper Paints, Galley Stoves and Utensils.

If it's for the boat we have it. Boats are lost every year by fire—have you got your Pyrene Fire Extinguisher yet? We sell them.

Call and see us.

STORK'S HARDWARE, LTD.

710 Second Ave.

(Near Post Office)

TENNIS

We have a complete line of Tennis Goods, and it is all new 1925 stock.

Sykes or Bussey Rackets, \$3.50 to \$30.00
Presses \$1.25
Covers \$2.00
Rubber Grips . . . 25c
Gut Reviver 65c
Sun Visors \$1.00
Beach Balls 50c
Slazengers 65c
Improved Birnal All Steel Racket, 13, 13 1/2, 14 oz. priced at \$14.50

Postage paid on all out of town orders.

Kaien Hardware Co.

J. L. Blain

Contractor

Agent for J. Ffye Smith Ltd.

Hardwoods

Store and Office Fixtures, Band-sawing and Planing, Jobbing and Repairing, Glass and Glazing, Sash, Doors and Mouldings.

P.O. Box 179.
Phone - - - Blue 268

Did You Buy

Premier, Dunwell, B.C. Silver, when these Mines were only prospects?

History Often Repeats!

Gold - Ore

at 8 cents is a mighty good buy, when you consider the location of their properties. Write us for information on this.

Portland Canal Sales Co.
318 Standard Bank Bldg.
Vancouver

Dr. Alexander

Smith Block
Phone 575

DENTIST

St. Regis Cafe

Prince Rupert's Leading Restaurant.
A Bakery Unsurpassed Third Avenue.

See The Latest Models
Economy, Simplicity, and Convenience. Lowest in cost.
Easy Payments if desired
Ask for Demonstration

S. E. PARKER LTD.
Phone 93

BRINGING UP FATHER



By George McManus

EVIDENCE COMPLETED THIS MORNING MANSLAUGHTER CASE AGAINST SYMES

(continued from page one)

stances such that with reasonable diligence and care the accident could have been avoided? The jury should make void in its mind all that might have been heard about the case and should concern itself with the evidence at this trial and with that evidence alone.

Court then adjourned until after the dinner hour.

First Witnesses

The first witness was H. O. Crews, assistant city engineer, who gave details of a plan showing the surroundings of the accident which took place near the intersection of Fifth Avenue and Young Street.

Mrs. John Manson, the first eye witness to be called, said that about 4:50 on the afternoon of February 12 she was coming up Fifth Avenue from McBride Street. She had her two children with her. As she was approaching Young Street she saw Norma Munro standing in the middle of Fifth Avenue. She also saw a car approaching from the opposite direction. She saw the driver turn in close to the curb to the right. At once she saw the car crowd very quickly into the sidewalk. Norma Munro was in front of the car. She then saw the right wheels of the car strike the sidewalk. There was a noise as of tin and then the grating of brakes. The car hesitated and then drove on with two wheels on the sidewalk, then on to the road again and on a short distance further passing her where she stood near Scott's house. She stopped when she saw that an accident had happened. The driver turned off his engine and got out. He asked if she had seen what had happened and then said, "My God! She's dead." He then went up the street towards Munro's house.

Middle of Road

Going into further details, at the request of Mr. Manson, Mrs. Manson testified that Norma Munro was standing in the middle of the road just slightly west of Jarvis McLeod's house. She was looking up the road or to the side for witness did not see her face.

Doctor's Evidence

Dr. L. W. Kergin, the first physician in attendance, testified as to the injuries sustained by Norma Munro. These injuries consisted of a fracture at the base of the skull which was very extensive. She was bleeding from both ears and the nose. She was unconscious and there were a few abrasions on the face. The important injuries were those to the head. Under witness' instructions, deceased was taken to the hospital where she died after being given appropriate treatment.

There was an extensive laceration to the brain which was brought about by a very severe blow. A statement made by Dr. W. T. Kergin, now in England, who later attended, was put in as evidence by Mr. Manson with the consent of de-

ceased.

Some Possibilities

Under cross examination by Mr. Patmore, Mrs. Manson said she believed the car would have passed the child safely if the child had remained where it was when she had at first seen it. She saw no skidding and could not say at what point the driver had put on the brakes. If the car had been going faster, the child would have been safely passed and there would have been no accident she thought.

"As far as you could see, Mrs. Manson, the driver was not negligent?" asked Mr. Patmore.

"As it looked to me the driver

did what he thought would save the child," replied Mrs. Manson after some objection had been taken by Mr. Manson to the question which was allowed in cross-examination by His Lordship.

"The child moved very suddenly in relation to the car?" asked Mr. Patmore.

"Yes," was the answer.

Mr. Patmore—"Since this accident, you have been observing the speeds of cars considerably?"

Not Driving Fast

Mrs. Manson—"Yes, and the result was that I came to the conclusion that I was quite right when I said the driver in this case was not driving fast."

Mr. Patmore—"The children in this town use the roads very considerably as playgrounds?"

Mrs. Manson—"Yes."

His Lordship—"All over Canada they do."

Further questioned, Mrs. Manson said she knew Norma Munro by sight and had often seen her playing but she could not recollect if previously on the street. She had never seen accused previous to the day in question.

Mrs. McRae Witness

Mrs. Duncan McRae, who was approaching Fifth Avenue along Young Street from Fourth Avenue, giving evidence, stated she had heard the noise of grating and grinding as if two cars were scraping. She saw accused's car passing the intersection of Young Street at an ordinary rate of speed. The car stopped opposite Spencer's house. When she got to the Baptist Church she heard Gordon Munro screaming and saw the body of Norma Munro just west of Jarvis McLeod's house. The body was crumpled up and the head was toward the middle of the road.

She saw Mrs. John Manson coming towards Young Street and also Mr. Munro pick up the body.

The body was on the proper side of the road in relation to the car, Mrs. McRae said in answer to His Lordship.

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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.—First class carpenters for elevator construction. Apply Elevator site, Carter-Hall-Aldinger Co.

OFFERS wanted for Lot 10, block 27, section 7, P.O. Box 697.

HELP Wanted; rooms and dining room. Hotel Central, 138

FOR SALE

FOR SALE.—Ten acre ranch, all fenced, half mile from Telkwa, ideal for small fruits and chickens; seven room house, 28 by 30, open fireplace in living room, water in kitchen, furnace in basement. Price \$750.00. \$400.00 down. For particulars apply to Thorpe & Hoops, Telkwa, B.C.

ERNEST Stubbs, A.R.H.S.; G.M. Ag.Cams; Landscape Gardening. Plans and estimates for gardens. Ferns and other plants from \$3.00 per doz. F.O.B. Usk, B.C.

PRICES OF EASTHOPE 4-CYCLE

Marine Engines—

4-H.P. without clutch \$185.00

4-H.P. 1 cylinder MD 260.00

6-H.P. 1 cylinder HD 450.00

8-H.P. 1 cylinder HD 750.00

8-H.P. 2 cylinder MD 450.00

16-H.P. 4 cylinder LD 175.00

All the above except the first include the Famous Joes Reverse Gear, and full electrical and propeller equipment. The best that money can buy.

Easthope Bros., 1747 Georgia St. W. Vancouver, B.C.

Always at your service.

Prince Rupert Boathouse, Agents

Phone 381.

BOARD

BOARD and Room, or board only. 443 Fifth Avenue East. Phone Red 707.

BOARD.—The Inlander, 830 Second Avenue. Phone 137.

FOUND

FOUND.—Mooseheart pin. Apply Daily News office.

BOATS AND LAUNCHES

PRICES OF EASTHOPE 4-CYCLE

Marine Engines—

4-H.P. without clutch \$185.00

4-H.P. 1 cylinder MD 260.00

6-H.P. 1 cylinder HD 450.00

8-H.P. 1 cylinder HD 750.00

8-H.P. 2 cylinder MD 450.00

16-H.P. 4 cylinder LD 175.00

Economy----- Plus

Thrifty and resourceful housewives of British Columbia see in Carnation Milk not only economy, but a pure, nourishing, ever-ready supply of wholesome milk.

Your grocer has Carnation, so you need never run short.

Made in Canada

Carnation Milk

John L. Christie
Sales Agent
Prince Rupert

SPUN PONGEE

A splendid quality 33
inch Pongee for Ladies'
Bloomers or Children's
Wear. Reg. 85c.

West of England Special

65c

West of England
Store
Phone 753. Third Ave.

"Demers"

Huge, the Newest and
Daintiest of

Summer Lingerie

Come and See Them

House of Quality
Phone 27 P.O. Box 327



TIMBER SALE X 7050.

There will be offered for sale at Public Auction, at noon on the 18th day of June, 1925, in the office of Forest Supervisor at Smithers, B.C., the Licence X7050, to cut 180,000 lineal feet of Cedar Poles and Piling on Lot 2389, situated on the South Bank of Skeena River, west of Skeena Crossing Cassiar Land District.

Two (2) years will be allowed for removal of timber.

"Provided any one unable to attend the auction in person may submit a sealed tender to be opened at the hour of auction and treated as one bid."

Further particulars of the Chief Forester, Victoria, B.C., or District Forester, Prince Rupert, B.C.

WATER NOTICE.

TAKE NOTICE that William Morgan, whose address is Lockport, B.C., will apply for a licence to take and use 2,000 gallons daily of water out of Spring on west side of Lockport, Q.C.L. This notice was posted on the 12th day of May, 1925. A copy of the notice and application can be seen thereunto and the "Water Act, 1914," will be filed in the office of the Water Recorder at Prince Rupert, B.C. Objections to the application may be made with the said Water Recorder or with the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C., within thirty days after the first appearance of this notice in a local newspaper. The date of the first publication of this notice is May 26th, 1925.

LAND ACT

In Prince Rupert Land District; District of Prince Rupert.

TAKE NOTICE that I. Merrill Des Brisay, of Vancouver, B.C., occupant, salmon broker, intend to apply for a permit to purchase the following described lands:

Commencing at a post planted $\frac{1}{4}$ mile south of the southeast corner of Lot 6709, Buller Creek, Range 4, Coast District; thence south 90° east, west 50 chains, thence south to shore line in an easterly direction to point of commencement; containing 40 acres, more or less.

MERRILL DES BRISAY, Applicant.

Edwin Elroy Barnum, Agent.

Dated April 3rd, 1925.

Canadian National Railways

Prince Rupert DRYDOCK AND SHIPYARD

Operating G.T.P. 20,000 Ton Floating Dry Dock
Engineers, Machinists, Boilermakers, Blacksmiths, Pattern
makers, Founders, Woodworkers, Etc.
ELECTRIC AND ACETYLENE WELDING.

Our plant is equipped to handle all kinds of
MARINE AND COMMERCIAL WORK.

PHONES 43 and 385

PARKING CARS IN THE CITY

Delegation of Taxi Owners Meets Police Commission and Dis- cusses Regulations

The question of parking cars on the streets was discussed at a meeting of the police commission yesterday afternoon, the mayor and commissioner Coombes being present.

A delegation from the taxi owners, E. Large and T. Dybhavn, was present and laid the views of taximen before the commission. A further meeting will be held when Commissioner Montgomery is present to go into the matter more fully.

Mr. Large suggested that cars parking on the streets should line up parallel with the curb and not more than two feet from it, a distance of six or eight feet being allowed between each car. No car should park within 15 to 20 feet from corners and that Sixth Street should be a one-way street for parking, cars being allowed to stop only on the opposite side from the Helsonson Block.

Sixth Street

The Mayor thought it would be wise to allow no parking on Sixth Street between Second and Third Ave., as that street was narrow and was a main thoroughfare.

The question of jay-walking was also discussed and the opinion expressed that if there was going to be strict regulation against cars, pedestrians should also be regulated.

Mr. Dybhavn said some people treated auto drivers as if they had no right on the streets. In Los Angeles jay walking was an offense and also in many other cities.

Mr. Large said they agreed that cars should not be allowed to park in front of a person's place of business without permission. He was allowed to stand in front of Ben Selfs.

Merchants Complaining

Commissioner Coombes said lots of merchants were complaining. The taximen then turned their guns on the merchants and said they were leaving their delivery cars all day backed up to the sidewalks. Also they were taking their heavy stuff through front entrances when it should go by the alleys. The taximen could turn a lot of business away from the merchants that tried to injure them. The autos were in business and were paying taxes, as much as anyone.

After a long discussion the matter was left over until a full meeting could be held.

MARKETING OF FARM PRODUCE

Suggestion Made to Retail Mer- chants by Trades and Labor Council

At the meeting of the Trades and Labor Council last night, which was poorly attended, S. D. Macdonald in the chair, a delegation from the Retail Merchants Association attended in connection with the co-operation of labor on the Oriental exclusion question.

After discussion it was suggested by the council that the Retail Merchants next year arrange for produce market depots at selected points in the interior and on the Queen Charlotte Islands.

In the past no particular effort had been made to market the garden and field produce of the white farmer with the result that Oriental production was being purchased to the detriment of the white population.

It was decided that it was too late in the year to try and arrange for co-operative markets just now. A. Plant, representing the Retail Merchants, will report progress to his board when the matter will have further consideration before anything of a definite nature is decided upon.

The merchants were promised that local labor would be willing to co-operate upon the question of Oriental exclusion in any fair manner.

Eight Hour Day

Frank Foster, labor representative on the Eight Hour Day board, gave a talk on the working of the board and explained the success it was so far attaining. The board had proved most successful from the worker's standpoint and the standpoint of the employers of labor.

SUCCESSFUL TEA AND SALE OF WORK AT HOME MRS. WRIGHT YESTERDAY

SUCCESSFUL TOUR OF MINI- TERS TO STEWART, MAR- MOT RIVER AND ALICE ARM; MEETINGS ARE HELD

Another Senior League baseball game had to be postponed last night on account of the inclement weather. It was the match scheduled to take place between the Sawmill and Sons of Canada. With special features on Dominion Day approaching and the Acropolis Hill grounds not being available on evenings during the week for the purpose, a proposal is now being advanced to play these postponed games on Sunday afternoons if for no other reason than to allow the players to get practised up. Further decision on this suggestion will probably be announced shortly.

Football fans are looking forward to a real live battle tonight between the Sons of England and the Callies in the Mohley Cup fixture. These two teams were the main contenders in the Stuart Shield series and now both have a victory in the city championship series. Therefore, the winners of tonight's game will take at least temporary leadership in the standing sheet. Both aggregations will be on their toes for the victory and a good game is assured. Doubtless, a multitude of fans will climb Acropolis Hill to witness the encounter.

Tomorrow in the school league Booth School will play the High School at football, the team chosen to represent the former being Alan Cross, Fred Dingwell, Kamii Miwa, Billie Colisson, Joe Scott, Jack McFie, Harry Crate, Willie Murray, Tom Kelsey, Jack Nelson and Edward Smith.

The High School line-up will be S. Gurvich, D. Stalker, O. Jackson, H. McDonald, P. Bond, M. McKenzie, G. Hacker, G. Bard, H. Walker, E. Walters, M. Sakamoto. Spares: B. Patmore and E. Bartlett.

SUCCESSFUL TOUR OF MINI- TERS TO STEWART, MAR- MOT RIVER AND ALICE ARM; MEETINGS ARE HELD

(continued from page one)

the past four years has paid over seven millions in dividends, and where over 300 men are employed on a property which, overnight as it were, jumped into the first rank of wealth producers. A thorough inspection of the up-to-date plant, a trip through underground workings and other activities featured their visit to the Salmon River producer. A trip was also made to the Marmon River section, across Portland Canal, where many promising prospects are now being actively developed, particularly those of the Porta-Idaho, Marmon Metals Co., Montana, and others. A day was spent inspecting road conditions along the Bear River in the section in which the Dunwell and other properties are under development. As a result of these inspection trips the ministers secured a first hand knowledge of conditions which will prove invaluable in aiding them to fully understand the needs of the Portland Canal mining industry. They met those actively interested in the industry and discussed their problems. They met the Stewart Board of Trade and gave heed to representations as to the business needs of the district, were guests of the board at a largely attended banquet, and also addressed a public meeting at which public questions in general and the development needs of the district in particular were dealt with.

Hon. Mr. Sloan emphasized the intention of the government to see that the legitimate mining proposition should receive every attention and encouragement, the while the "wild-catter" and the promoter whose aim is to "mine the public" would receive short shift. He declared that where the province, through aid to mining trails and roads, made it possible for properties to be developed and made producers, it was but fair that the Dominion government, which stepped in and levied its income tax, should be prepared to pay tolls for dollar with the province in the initial expense of opening up the mineral areas. Reduced duties on mining machinery, too, the minister of mines held, should be provided to aid the industry. These were matters which he has already taken up with the Ottawa government, he said.

At Alice Arm

By launch Hon. Mr. Sloan and

WILLIAM MORGAN, Applicant.

Dated April 3rd, 1925.

EDWIN ELROY BARNUM, Agent.

Dated April

Fancy CHINA

Special Discount for This Week Only on all Fancy China.

The Very Latest LUNCHEON SANDWICH CUPS

(combined cup, saucer and plate)

In beautiful Lustre China and delightful colorings

We cordially invite you to view our China stock which contains the largest variety in northern B.C.

Save Your Eyes

Our Optician has had over 25 years' experience testing eyes and fitting glasses. Satisfaction guaranteed.

Max Heilbronner

The Diamond Merchant of the North

Do You Know What This Means?

50c

You and another passenger can travel anywhere in Rupert or to Seal Cove for the small sum of 50c. Be sure and ask our driver for a ticket. When you have saved up ten of these tickets, present them to the driver and you are entitled to one free passage. Don't forget the phone numbers, 149-112.

Kindling — We are the only Agents for this excellent fire starter. None better. One load means more will follow. Delivered, \$6.00.

Transfer — Call us to do your Transfer work or let us deliver your Coal, Ice or Wood.

The Prince Rupert Transfer & Taxi Co.
Opposite Old P.O.
Open Day and Night. Phones 112-189

WEEK END SPECIAL

Tea and Coffee

For Friday and Saturday Only

Blue Ribbon Tea, 5 lb. pkg. \$3.25

Blue Ribbon Tea, 4's . . . 70c

Empress Tea, 4's . . . 70c

Supreme Coffee, per lb. 60c

Braid's Best Coffee, lb. 60c

Wedding Breakfast Coffe, per lb. 50c

Economy Tea, per lb. . . . 60c

Mussallem's
417-423 Fifth Ave. East.
Phones 18 and 84.

DRY BIRCHWOOD and Cedar

\$6.50 Per Load

Cut to any length.

Hyde Transfer
139 Second Avenue
Phone 580 Night or Day
WE BUY BOTTLES.

Auditorium
Dancing Every Evening,
8 to 11
1 Dance 10c 3 for 25c

Saturday evening, a clog dance by E. Sahourin with his maple clogs on that maple floor. Oh! Boy.
Free Admission

MISTOOK INDIAN FOR WHITE MAN

Employee of Government Liquor Store Unwittingly Supplied Native with Brandy

Mistaking an Indian for a white man has led an employee of the government liquor store here into the police court as the defendant on a charge of supplying liquor to Indians. William J. Moore, the Indian in question, was fined in the police court under the Indian Act \$25 for having liquor in his possession. On inquiries being made he informed the authorities that he had obtained the liquor—a bottle of brandy—at the government store after being issued a permit. C. L. Youngman, the official of the store, was summoned and he pleaded guilty to the charge. The Indian looked very much like a white man and the action of the official was entirely unwitting, it is said. The magistrate is holding the case under advisement.

FISH ARRIVALS

Six American and three Canadian schooners brought in a total of 126,500 pounds of halibut this morning including 12,000 pounds held over by the American



NOTICE OF CANCELLATION OF RESERVE

NOTICE IS HEREBY GIVEN that the reserve covering certain lands near the junction of the Stikine and Skeena Rivers, designated Lot 241, Range 3, Coast District, is cancelled.

GEO. R. NADEN,
Deputy Minister of Lands,
Victoria, B.C.,
May 4th, 1925.

LAND ACT.

Notice of Intention to Apply to Lease Lands.

In the Land Recording District of Prince Rupert, and situated on the north-west coast of Pease Island, B.C., approximately three miles north from the mouth of Winter Harbor.

Take Notice that J. Fielding Strang of Sunnyside, B.C., occupation carpenter intends to apply for a lease of the following described lands:

Commencing at a post planted approximately three miles north from the mouth of Winter Harbor, Pease Island; thence northwest two (2) chains, more or less, to low water mark; thence northeast along low water mark one hundred and sixty (160) chains; thence southeast two (2) chains; thence southwest one hundred and sixty (160) chains, more or less, to point of commencement and containing thirty-two (32) acres, more or less.

JAMES FIELDING STRANG,
Name of Applicant

Dated May 12th, 1925.

Take REAL Mustard to Your Summer Home

Colman's Mustard aids digestion

Be sure to include one or two tins of COLMAN'S MUSTARD in the supplies you take to your Summer Cottage or Camp.

Only real Mustard—freshly mixed—can give you that savoury zest and tang in your food that you appreciate so much. And only real mustard—freshly mixed with cold water—furnishes real aid to digestion.

Make a note now to "remember Colman's Mustard" when you leave.

Colman's Mustard aids digestion

380 C

schooner Glacier for tomorrow's sales. A feature of the sale was that Canadians received more for second class fish than did the Americans. Arrivals were:

American

President, 33,000, at 8.90c and 4c; Defence, 21,000, at 9.10c and 4c to Canadian Fish & Cold Storage Co.

Marguerite I., 13,500, at 9.30c and 4c to the Booth Fisheries Canadian Co.

Bravo, 7,000, at 9.30c and 4c; Gonah, 8,000, at 9.30c and 4c to Royal Fish Co.

Glacier, 12,000 (holding over).

Canadian

Point May, 7,000, at 9.80c and 5c; Tramp, 16,000, at 10c and 5c to Atlin Fisheries.

Tillie S., 9,000, at 9.90c and 5c to Canadian Fish & Cold Storage Co.

LIBEL SUIT ENDS IN APOLOGY BY SMITH

An apology from Maxwell Smith, unsuccessful Liberal candidate for Dewdney to Hamilton Read, a Vancouver lawyer, has ended litigation wherein the plaintiff claimed damages for an alleged libel which had been set down for trial in the Supreme Court here on June 15.

Read complained of statements in a letter written by Smith in which were observations reflecting on Read.

Mr. Munro—He did not.

Mr. Munro said that accused had phoned the police after he (Mr. Munro) had phoned the doctor and Mrs. Munro.

Chief Spiller gave evidence of the tests with cars substantiating that of Sergeant McGlinchey.

The accused was put on the stand in his own behalf after Mr. Patmore outlined that the defense would be that no negligence had been shown and that accused did all in his power to avoid the accident.

Accused on Stand

The accused said that as he came along Fifth Avenue there were from three to five children playing in the roadway. When he came over the brow of the hill he was travelling 8 or 9 miles an hour.

He sounded his horn, the children separated—some to one side and some to the other.

He put the car in neutral and had his foot on the brake. Just as he was ten or 11 feet from deceased she seemed to change her mind and rushed towards the other side of the street. He jammed on his brake and swung sharply to the right in an attempt to avoid hitting her.

He ran right up on the sidewalk and after he had struck her, drove off the sidewalk and on a short distance.

He did not know why he drove on unless it was from excitement. When he had run on the sidewalk he was nearly stopped. He could not avoid striking the little girl.

Before he put the car in neutral, accused stated that the speed might

have been 8 or 10 miles an hour.

After going in neutral with his brake on the speed would be slightly less unless the car was allowed to go without control when it would quickly pick up speed.

Accused was examined as to the conversation with Mr. Munro and declared that the conversation had been such as indicated by Mr. Patmore's questions and denied by Mr. Munro. Sergeant McGlinchey had been there but had gone away just when the conversation started with Mr. Munro.

Cross-Examined

Under cross-examination, accused said that it might be possible to see the heads of children from a distance of 212 feet over the brow of the hill.

Asked by Mr. Manson why he did not turn straight on to the sidewalk if necessary going right over, accused said that he thought he had done his best to clear the child when she suddenly darted in front of the car. The car did not stop inside of ten feet when the brakes were jammed on. W. H. Derry of the jury made inquiries as to the speed limits in the city to which Mr. Manson replied that the common danger rule always prevailed and was governed entirely by circumstances. F. Salter, another juror, asked if there were not the other children on the sidewalk to be considered in turning suddenly on to the sidewalk as Mr. Manson had suggested. Accused replied that there were.

This closed the case for the defence. The jury decided it would be unnecessary to call expert evidence as to the ability of cars to stop when the brakes were jammed on at different rates of speed. This had been suggested by His Lordship and Mr. Manson had secured a witness, Mr. Reed, to give this evidence.

EVIDENCE COMPLETED THIS MORNING MANSLAUGHTER CASE AGAINST SYMES

(continued from page 4)

Accused said: "I didn't mean it just that way," and he started to tell of the accident. He said that he had done everything in his power to avoid it. Witness said: "In other words, you blew your horn. If the children got out of the road it was alright. If they did not they would get killed." Accused replied: "That is a hard thing to say." Witness said: "It was a hard way to act." Particulars of the accident were then further discussed. Sergeant McGlinchey then arrived on the scene and told Symes that he had better go on.

The crown offered a picture of deceased as an exhibit. It was ruled out by His Lordship who warned Mr. Manson against exciting the sympathy of the jury.

There was further testimony from Mr. Munro with regard to the rates of speed of cars and the possibility of witnesses judging speed under certain conditions. A badly torn little coat, which Mr. Munro said at the time of the accident was Norma's best, was entered as an exhibit.

Cross Examination

The conversation that had passed between Mr. Munro and accused after the accident was again referred to under Mr. Patmore's cross examination.

Mr. Patmore—It would be the decent thing for a man who had caused such an accident to speak to you and express his sympathy, would it not?

Mr. Munro—Yes.

Mr. Patmore—Did he not say "What would you think of me if I did not speak about it?"

Mr. Munro—No, he said the words I gave, I realized that naturally he would be a little nervous. I held no ill will against him.

Mr. Patmore—Did you not say "I don't want you to come and try to smooth it over."

Mr. Munro—No.

Mr. Patmore—Did he not say "I am not here to smooth it over. An accident is an accident."

Mr. Munro—No.

Mr. Patmore—Did you not say "some of you drivers will not be satisfied till you have killed two or three."

Mr. Munro—No.

Mr. Patmore—Did he not say that he had nieces of his own about the size of the little girl and he would not want to see them deliberately run down?

Mr. Munro—He did not.

Mr. Munro said that accused had phoned the police after he (Mr. Munro) had phoned the doctor and Mrs. Munro.

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Cross-Examined

Under cross-examination, accused said that it might be possible to see the heads of children from a distance of 212 feet over the brow of the hill.

Asked by Mr. Manson why he did not turn straight on to the sidewalk if necessary going right over, accused said that he thought he had done his best to clear the child when she suddenly darted in front of the car. The car did not stop inside of ten feet when the brakes were jammed on. W. H. Derry of the jury made inquiries as to the speed limits in the city to which Mr. Manson replied that the common danger rule always prevailed and was governed entirely by circumstances. F. Salter, another juror, asked if there were not the other children on the sidewalk to be considered in turning suddenly on to the sidewalk as Mr. Manson had suggested. Accused replied that there were.

This closed the case for the defence. The jury decided it would be unnecessary to call expert evidence as to the ability of cars to stop when the brakes were jammed on at different rates of speed. This had been suggested by His Lordship and Mr. Manson had secured a witness, Mr. Reed, to give this evidence.

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