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OL. V., NO. 279. PRINCE RUPERT B. C., WEDNESDAY, DECEMBER 2, 1914. PRICE FIVE CENTS

BRITISH COLUMBIA'S GIFT HAS REACHED LONDON

GERMANS BUSY CONSTRUCTING SUBMARINES AND AIRCRAFT TO COMBAT DREADNAUGHTS

MEETING OF SUPREME COURT WAS CONVENED HERE TODAY

JUDGE CLEMENT HAS CHARGE OF ASSIZES—CASE OF INDECENT ASSAULT WAS THROWN OUT BY THE JUDGE.

The sittings of the Supreme Court commenced this morning at 10 o'clock, the Honorable Mr. Justice Clement presiding. Mr. Patullo was chosen foreman of the Grand Jury, which consisted of the following: Alvin E. Wright, Magnus Lofquist, Walter S. Fisher, Arthur J. Smith, George J. Frizzell, Richard S. Argent, Daniel W. Morrissey, James McNulty, Hector Hebert, Thomas D. Patullo, Hubert Ward, Edward S. Wallace, George Mc-

Justice Clement, in his address to the Grand Jury, remarked that had been brought to his notice an attempt had been made by the authorities to influence the jury. A more unwarranted action, he had never heard of. He put to them that on account of the hard times it was desirable to make any recommendations regarding public safety. He requested them to take no account of such representations, but to act entirely as seemed best to them. It was not his opinion that the recommendations of a Grand Jury were of much effect. He thought they usually had a resting place in an office pigeon-hole. There were only three cases to be before them. There was a case of assault in which the accused asked for speedy trial.

With regard to the case of indecent assault, the Attorney-General had left the matter in his hands, and after reading the depositions he was of the opinion that no case was made out. The charge was founded on the evidence of a child who did not understand the value of an oath and was not corroborated. According to law such evidence was worthless and accordingly he did not put the case before the jury. A. M. Manson represented the accused and W. E. Fisher for the Crown.

With regard to the three cases before them, it was clear that they could only return true verdicts. The case of theft, where a woman of the restricted district accused another of robbing her of \$700, was clearly a matter of evidence and as such to be decided before a Petit Jury. The Grand Jury he considered to be the most irresponsible body known to law. They could hold sessions in secret if they wished, but he advised them to make use of the Crown Prosecu-

tor, Mr. Fisher, to assist them in taking evidence. The case of Rex vs. Ellis Hesketh was brought up for speedy trial. Mr. Patmore, acting for the accused, put in a plea of guilty. Hesketh was a man of good character and holding a responsible position as engineer on one of the Canadian Fish and Cold Storage Company's boats. On the day of the assault he had been suffering from a severe headache and was recommended by some friends to try a little brandy. He followed their advice but somebody mixed the drink with the result that he completely lost his senses and ran "amok" down the street. Mr. Dillman happened to be passing and was looking over his shoulder calling to a friend and Hesketh took offence and knocked him down. Several witnesses were called to prove the excellent character of the accused and Mr. Patmore, speaking for the prosecutor, said that every civil compensation that could be expected had been given. His client did not wish to press the matter. Hesketh was released on suspended sentence on his personal recognizance of \$1,000 with two sureties of \$500 each to appear for sentence if called upon. The court was adjourned until 10:30 a. m. tomorrow.

RUSSIANS HOLDING POSITIONS ON VISTULA
(Special to The Daily News.)
Petrograd, Dec. 2.—On the left bank of the Vistula, in the region of Lodz, action continues to develop. On November 30 the attacks of the enemy were directed principally on the front between Leleswy and Sabota to the north of Lowicz. Our offensive was crowned with success on the left wing. A reconnaissance during the last few days disclosed the fact that concentration of German contingents from Kalisz in the direction of Sieradz has been considerable. On November 30 the enemy resumed the offensive near Sieradz, in the region of Lusk, and our advance guard engaged them in combat which lasted all day. To the south after the battle we took possession of Szertzeff, where a Prussian infantry brigade with five batteries was dislodged and fled in disorder. On the other front there is no essential change. At Plock, besides four barges already mentioned, we took five steamboats and one barge loaded with cartridges. Communications from the Caucasus report no action of importance on November 30.

J. W. McKinley, of 416 Green street, is offering the balance of his furniture for less than half its cost. Call and see them, or phone Red 337. 2771f.
Chimneys, pipes and ranges cleaned.—Phone Fitz, number 503



FOOLING THE GERMANS.—A British officer in his trench. The guns back of him are only dummies to draw the German fire.

KITCHENER GETS HIS WORK DONE

Acts on Principle That Master's Eye Should Be Everywhere

Newcastle, Dec. 1.—The past week has seen a remarkable increase of confidence amongst all classes concerning the immediate results at this stage of the war. The view was expressed by me three weeks ago, after surveying the Belgian front that the German advance on Calais would be highly dangerous for the Germans, and was almost bound to fail. This opinion is now general and it will suffice for our purpose if we hold the present front for the next two months, while the real decision of the continental war is reached in Poland. In Britain all goes well. Although the navy is confident of its ability to prevent any raid, military preparations against a possible German landing continue at a pressure unimagined before. Any German force arriving at any point on the coast would promptly be overwhelmed. While it is impossible to reveal the details of our land preparations they are such as should satisfy even the alarmists. Each day Kitchener emerges more prominently as the great driving force of the army. He is not content to remain in his London office, but visits the vital spots, driving, hastening, compelling, as a great business king drives his different plants to attempt and accomplish the seemingly impossible. In the east and south, as in Dunkirk and Paris, one heard everywhere of Kitchener's coming, how he got things done. One danger, in the opinion of some, is that he should not attempt too much himself in place of leaving lesser matters to subordinates. But Kitchener is acting on the principle that the master's eye should be everywhere.

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"JACK FROST" MORE DEADLY THAN GERMANS
(Special to The Daily News.)
Boulogne, Dec. 2.—Fifteen hundred British officers and men are in hospitals here suffering from frozen feet. A thousand of these will lose one or both feet.

A SERIOUS TYPHOID OUTBREAK IN BELGIUM

(Special to The Daily News.)

It is reported that a shr shrug London, Dec. 2.—An officer of the British medical corps reports a serious outbreak of typhoid in Belgium. Thirty new cases appear daily among the Belgian soldiers, and others among civilians. He says the outbreak must be checked or the Belgian army may be wiped out and thousands of people in West Flanders and Northeastern France perish.

SITUATION IN THE SERBIAN CAPITAL

(Special to The Daily News.)

Sofia, Dec. 2.—Reports here indicate that the situation in Serbia is critical. The Serbian army is declared to have withdrawn from Belgrade. Telegraphic communication between Belgrade and Nish has been severed.

BELGIAN PREMIER LOSES TWO SONS

(Special to The Daily News.)

Amsterdam, Dec. 2.—A son of M. DeBroqueville, the Belgian Premier, has been killed in battle. This is the second son of the Premier to lose his life.

GRIM FIGHT STILL RAGING IN POLAND

(Special to The Daily News.)

London, Dec. 2.—The result of the important series of battles in Poland is still in the balance, though the impression is growing that the German general, Mackensen, has succeeded in saving his army after the Russians had encircled it. It is equally clear that the German tactical plan for taking Warsaw has failed. Berlin admits heavy losses in a three-days' battle in the vicinity of Lodz, but claims success in breaking through the Russian ring.

The Russians emphasize the capture of the German ammunition barges as indicating the beginning of a cut in the German communications. Our \$7.50 Girls' Coats will be selling at \$5.00 next Friday. Ja-hour Bros. 279-81

TALK WITH THE DEAD, BUT FIRST OBEY LAWS

Sir Oliver Lodge Makes a Striking Declaration of Spiritual Faith.

London, Dec. 1.—Sir Oliver Lodge, president of the Society for Physical Research, in a recent lecture here in Browning Hall, Walworth, made a striking declaration of his spiritual faith, expressing his absolute conviction in the future existence, and stating that he has conversed with friends who had passed away. "I say this," said Sir Oliver, "on definite scientific grounds. I say it because I know that certain friends of mine still exist, because I have talked to them. Communication is possible, but one must obey the laws to find out the conditions. I do not say it is easy, but I say it is possible. I tell you that these people still take an interest in the things that are going on, and they still help us to know more about things than we do, and that they are able from time to time to communicate with us."

Sir Oliver said that once people realized that consciousness was something outside the mechanism it made use of, they realized the survival of existence was the simplest thing. It was unreasonable that the soul should pass out of existence when the body was destroyed; people were not limited to the few years they live on earth, and they certainly continued to exist.

PETIT JURY PANEL

The following is the list for the Petit Jury for the present Assizes. No jury was yet selected as only a case for speedy trial has come up so far. The list is as follows: M. M. Wells, Frank E. Clap, Laehlan McDonald, Frank B. St. Amour, Phillip McDonald, Arthur Spurr, Douglas Sutherland, Ralph Tyson, Emil Van Gestel, Haliburton Peck, Walter Clayton, Robert, M. McIntosh, James J. Walsh, George M. Shirley, H. H. Hemmell, Frederick W. Renworth, Oscar J. Kirkpatrick, George Delasala, Arthur H. Silversides, William Blane, Guy G. Cameron, Hays W. Tooker, Solomon Mussallem, Clyde Rogers, John A. Edwards.

GIFT OF B. C. REACHES LONDON—GERMANS RUSHING SUBMARINES

BESIDES GOVERNMENT GIFT OF FISH SMALLER GIFTS ARE INCLUDED FROM PRIVATE PARTIES—GERMANS WON'T FIGHT WITH DREADNAUGHTS.

(Special to The Daily News.)
London, Dec. 2.—The C. P. R. steamer Montreal arrived with 25,287 cases of canned salmon, the gift from British Columbia to the Imperial government; also gifts of 100 cases of canned clams from the Sydney Trading Co., of British Columbia, and 100 cases of salted codfish from John Kendall & Co., of Alberni. Realizing that Great Britain has a preponderance in Dreadnaughts, work in the German dockyards is concentrated in the construction of submarines and aircraft. It is reported that the German fleet again has steamed to the North Sea.

CITY MAY VOTE ON RESTRICTED DISTRICT

Prince Rupert is liable to have the distinction of being the first city in Canada to have a plebiscite on whether or not the law of the land shall be enforced. They also probably have the first Police Commission which has not decision enough to do what they think is right without asking the assistance of the City Council. At a meeting of the Police Commission held yesterday, the report of City Solicitor Peters was received on this matter and it was passed on to the Council for action. The following is the report of the city solicitor: December 1, 1914. Chairman of the Police Commission. Dear Sir,—At the last meeting of your board a reference was made to me to ascertain whether there was any means whereby a plebiscite vote might be taken on the question as to whether or not the restricted area in this city should be abolished. The question of holding a referendum was dealt with in the old Municipal Act, under Section No. 53, Sub-section 154. By the Municipal Act of 1914 the old section was repealed and a new section, namely, Section No. 54, Sub-section 164, was substituted. Whilst referring to these sections I wish to point out that, for some reason best known to the Legislature, the new section is not nearly so broad as the old one. The old section gave power to have a referendum on every question, whereas the new section only gives power to obtain the opinion of municipal electors upon any question which affects the municipality, and with which the municipal council has power to deal; this being a very considerable limitation upon the powers given by the old statute. I might also point out that a referendum held under this clause of the Act, i.e., Section 54, Sub-section 164, should be ordered by bylaw. If the idea is that a referendum upon the proposed question is nothing more than to obtain the mere opinion of the voters I think such a referendum could be taken, but the result would not be binding upon the present or any future council. My reasons for making this statement are that it is undoubtedly illegal to conduct a house of ill-fame in any city, and even supposing, which is almost impossible to suppose, that a bylaw authorizing the carrying on of such places were passed, such bylaw would be absolutely futile

and prosecutions might be brought, notwithstanding the existence of that bylaw, and, having regard to this point of view, I do not think it necessary to pass a bylaw at all in the matter. In my opinion there is really no authority in the Statute authorizing the holding of a plebiscite upon the question proposed. At the same time I can see no valid reason why the Council should not adopt any means that it sees fit for the purpose of ascertaining the real sentiment of the public upon this much debated question. The result of the plebiscite would not be binding, in law, either upon the City Council or the Police Commission; but that result might fairly be looked upon as a guide which might materially affect the course taken in the future. I think the City Council might, if it sees fit, at the next elections, by a mere resolution, take the opinion of the voters upon the question. I am not aware that such a course has ever been taken in any other city. This may or may not have been done, but it is undoubtedly the case that at municipal elections the question of a restricted area has very often been brought prominently before the electors. I remain, yours truly, FRED PETERS, City Solicitor.

GERMAN BATTERIES DESTROYED BY ALLIES
(Special to The Daily News.)
Paris, Dec. 2.—(Official.)—In the region south of Ypres, an attack of the enemy against an entrenchment, taken during the day by our troops, was repulsed. Three batteries of the enemy's heavy artillery were damaged by our guns in a spirited artillery duel southwest of Peronne. A German battery was destroyed near Craonne.

NAME WANTED.

For the big doll at Wallace's. Little girls, bring in suggestions and contest for the two dollars.

See ladies and Misses' Collars and Muffs at Jabour Bros.' sale next Friday. 279-81

WANTED.
People to come and see our immense stock of Second Hand Furniture. We must dispose of it at once. Prices to suit everybody. Corner of Third Avenue and Seventh Street. Furniture Stores. Phones No. 86 and 465.

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WITH EVERY 50c PURCHASE YOU GET A COUPON
\$25.00 Motor Cycle First Prize
\$15.00 Victor Victrola Second Prize
Given Away Free on New Years Day
PIPES TO FIT ANY FACE