

## Jury Will Go to Sooke

Conflicting Evidence in Armour Case Renders Visit Necessary.

Witnesses Testify That the Girl Had a Bad Reputation.

The trial of James Armour on the charge of seduction seemed likely to come to an abrupt termination in the Assize Court yesterday afternoon. Crown Counsel Belyea having closed the case for the prosecution, Mr. Powell for the defence asked his lordship to instruct the jury to dismiss the accused on the ground that no evidence had been given of the previous chastity of the girl, as required by the wording of the indictment. Mr. Belyea objected, as the evidence given by the doctor, by the girl's mother and by the girl herself was sufficient to prove the previous chastity of the girl. Mr. Powell replied specially to some American authorities, and an adjournment of half an hour was granted to allow him to produce them.

On the court re-assembling Mr. Powell quoted from some decisions bearing on the subject, but had been unable to lay his hands upon the particular one upon which he especially relied.

Mr. Belyea argued that a difference exists between "repute" and "character," and maintained that sufficient evidence had been given to fulfil the requirements of the statute. His lordship reserved the point.

Mr. Belyea then asked permission to call a witness as to the girl's character and permission being granted, Robert John Muford testified to the fact that as far as he knew Ethel Shields's reputation and character were good.

During the afternoon the jury expressed a wish to visit the scene of the alleged assault at Sooke and his lordship decided to let the matter stand over for a little while, at the same time expressing the opinion that the wish of the jury was most creditable to them.

Reopening this morning Mr. Powell first moved to quash the second count in the indictment referring to an alleged assault upon the girl by accused while she resided in the city, on the ground of absence of corroborative evidence. His lordship ruled that it was not the proper course to quash an indictment. He would allow the case to proceed and if sufficient reason developed would instruct the jury not to return a verdict of guilty on the second count.

Mr. Powell then proceeded to call evidence to prove that Ethel Shields had not a good reputation for chastity. The first witness was Manuel Troupe, a farmer at Sooke, who disposed that he had heard it said that the girl was loose in her behavior and unchaste. He had heard a man named Cartwright, Brandon the school teacher, Henry Fisher, witness's own brother and an Indian named Fred say these things. He was not in the habit of discussing with Indians the chastity of white neighbors' children. The Indian he referred to was no relative of the accused as far as witness knew.

Provincial Constable Daniel Campbell was the next witness called to prove Ethel Shields's previous reputation for want of chastity. He had first heard statements reflecting upon her from Mr. O'Brien, a rancher on the Otter Point road. It was common report around Sooke.

Henry Thomas Laurence Fisher had also heard reports of Ethel's loose conduct. They had reference to the same boys mentioned by previous witnesses. Witness was questioned by Mr. Powell as to the accuracy of the map of the vicinity produced and had prepared a rough one himself. He contradicted the statement that the beach was a dry one and said it was nothing but a mudflat. The trails were also depicted erroneously.

This point of the correctness of the descriptions given of the beach will be settled by the jury visiting the scene after all the evidence has been taken, the judge having decided upon that course being adopted.

Edward Milne, merchant, postmaster and manager of the Telegraph office, so testified to Ethel's reputation, being that she was previously unchaste. Witness was then examined upon Armour's actions on Saturday, October 1st, 1898, when he came to the store about 3 or 4 o'clock. Bullock, the P.R. operator of Victoria, was with him. Witness did not see Ethel or Annie Shields that day. Did not see prisoner on the following day (Sunday). Armour did not buy any pipes from him on that day or upon any day within a month of either side of that day, nor at any time from himself or from any one in his store. This in contradiction of the statement made by Ethel and Annie Shields that Jimmie bought three clay pipes at Milne's store while both of them on that day he is alleged to have committed the first assault.

Being shown photographs of the beach at Sooke witness was inclined to think more beach was shown in the picture than there really is. Witness could see from his front door the whole of the open space in which the assault is said to have been committed.

THIS AFTERNOON.

When the court resumed this afternoon Mr. Belyea commenced the cross-examination of the witness, Milne. It appeared that the school teacher, Brandon, who had deputed reports of Ethel Shields's want of chastity, had left Sooke and gone to the East. Witness, in explanation of this, said the pupils had lost confidence in Brandon and had taken their children away from school.

As to the purchase of pipes, witness said he could not remember anyone purchasing clay pipes in his store. He could not remember who of his customers smoke and purchase pipes and tobacco from him. Amending his statement regarding the open space being clearly to be seen from his front door, witness said there was a portion behind the big maple

tree that could not be seen. Shown a photograph taken from a position in the vicinity of the open place, witness had difficulty in recognizing the place. This was explained by Mr. Powell, saying the picture had been taken when the camera was improperly focused.

The next witness was Mrs. Catherine Joseph, mother of the accused, who was examined by Mr. Powell as to the conversations between herself and Mrs. Shoup, who told her that the child would be born about the middle of May. The witness was in the box when the Times went to press.

Along the Waterfront.

(From Wednesday's Daily.) A fleet of three sealing schooners has arrived since last evening, and it is probable that before night another fleet will make port. The Arctic, Capt. Hester, arrived last evening after a fast run from Kyquoot, which port she left on Sunday in company with the schooner Enterprise, which has a catch of 1,208 skins, Zillah May, Hattie with 927, Beatrice with 708. The arrivals of this morning were the Geneva, Capt. Evers, and the Teresa, Capt. Meyers. The Geneva has 880 skins and the Teresa 1,010. News was given by the arrivals that there are five schooners in the straits. Capt. White, of the Emma and Louise, according to news received by the returning schooners, is finding things unpleasant because of his nationality and what has been said of him. While his vessel was at Ounalaaka a movement was under foot to arrest him, the American officials contemplating proceedings against him under the law which while hunting in the sea he was boarded by the U. S. cutter Grant and compelled to turn out his 800 skins for inspection.

The cargo lost from the Peninsula, according to news given by Capt. Hester of the Arctic, was picked up by the City of San Diego on September 17th, the day after the accident, bottom upwards with a drag-out. The two Indians were undoubtedly drowned. The opinion of the arriving schooner, the Umbria and Mermaid will run the Victoria close, if they do not beat the Mermaid, which has not been spoken for by any of the schooners since the beginning of September. It is rumored to have over 2,000 skins. Like the previous arrivals the sealers have much to say of the cruelties of the branding apparatus. The deep gashes inflicted in the backs of the poor animals by the machines fester when the salt water and sand washes the wounds, killing many of the seals. According to a report given at Dutch Harbor on good authority the seal are deserting the St. George Island rookeries, the biggest in the sea, because of the operations.

Steamer Willapa, which is expected to arrive here to-morrow from the coast, will bring down Capt. Henningson and his crew of seven who were saved from the wreck of the barkentine Uncle John. The crew is made up as follows: Capt. Henningson, Mate T. Bortman, Second Mate Martin Swanson, Steward J. Carson, Seamen D. C. Freeman, W. Lauri, J. Christensen and Henry Shaw. Capt. Henningson in his report to his owners says: "We were thirteen days out from Honolulu when we sighted Cape Beale on Friday, the 6th October, at 2 a.m. It was then blowing fresh from the east, shifting to east-south-east. We had then a weather which continued through Saturday blowing fresh all day, the current setting us on the West Coast. We did not hear or see anything until we were almost on the rocks. Then we let go our anchor, but the chain parted and the heavy swell rolled us farther in. We next launched the ship's boat, which went in pieces alongside, with all the crew in it. The men scrambled on board again. Finally the vessel herself lay alongside an immense flat rock and the crew stepped off, remaining on the rock all night, drenched to the skin. Next morning one of the crew swam ashore with a line and succeeded in fastening it. All got safely ashore, and we then rigged up a line with a pulley from the rock to the shore until we could get on. After speaking the steamer Willapa on Sunday, myself and four others started in search of assistance, and this (Tuesday) morning reached Cloosee, from where we will take the steamer Willapa on her return for Victoria. We have lost all my best clothes, the chronometer, and other valuables." In a message to U. S. Consul Smith replying to the consul's inquiries, the captain says: "The vessel is a total loss. T. Daykin in charge. Shields and crew are safe, done at once. Now it is smooth." The vessel is insured in the Firemen's Fund of San Francisco, for whom the wreck is now being held.

R. M. S. Express of India left last night for the Orient. She was well filled with passengers. Among them was Kang Yu Wei, the Chinese reformer, who has gone back to the Orient, ignoring the danger which such pro-reform efforts for his life is sought by the Chinese government, a price being placed on his head some time ago. Before going he completed arrangements for the organization of the Chinese reform party in Canada and the United States. Other passengers were Lord Filbanks, who arrived by the Aorangi on a tour around the world. Miss Isa Ogilvie, daughter of James A. Ogilvie, of Montreal, who goes to Hong Kong, China, to marry Dr. Percy Leslie, a Montreal medical missionary engaged in work there. Miss Ricketts, a missionary. There were 110 passengers in all in the sloop and fifty Chinese in the steerage.

Steamer Princess Louise arrived from the Naas and way ports at noon. She was three days late, the delay being occasioned by the heavy weather encountered. Capt. McCroskie says the Louise had heavy weather all the time she was north of Vancouver Island, and had to anchor in various places to escape the furious gales. During one heavy gale which blew when she was off Metlakelch, at which port she laid for two days, the port anchor chain parted and the anchor was lost. She brought a large crowd of passengers. There was a survey party sent out in May last by the Dominion government

to explore a route for a projected railway from the headwaters of the Skeena to the headwaters of the Skeena. The party is in charge of Mr. F. Dwyer and Assistant Robinson, Messrs. Bolton and Paget returned by the steamer from a hunting trip at the head of the Skeena. They bagged a moose grizzly. The passengers were Bob, McKee, of the 43rd Mining Company, and the following miners returning from the Omineca country. Geo. Blackmore, W. A. Word, Peter Brown, R. S. Dalby, Liman, H. Davis, John Hamilton, A. Pike, John Axelson, J. T. Oliver, J. King, M. Campbell, Jas. Rowley. Among the cannery people who came down were Mr. Phillips, of the North Pacific cannery; Mr. and Mrs. Burlig, of the Standard; Mr. Olsen, of the British American; R. Cunningham and wife, P. A. Deroy, of Naas; Mr. and Mrs. Conyers, of Balmoral; W. Lord, Mr. Huggard, of Wainwright; Mr. Rood, J. Watt, Miss Hunt and Messrs. Holt and Lowrie, from Alert Bay. Other passengers were Purse, Clerkman, of the herring fishery; Company's steamer Caledonia; Mr. Piddock, Indian agent from Quatsika Cove, and Miss Goddard. There were 20 Chinese and four Indians. She brought down over 8,000 cases of salmon, 690 for Thos. Earle, 2111 for Friday, Durham & Brodie, 182 for H. Bell-Irving & Co., 1,038 for R. P. Bisset & Co., and 50 for G. Munro & Co.

(From Thursday's Daily.) According to news received from Dutch Harbor by the incoming sealing schooner, the steamer Laurada had a narrow escape from being wrecked near that port. The steamer was overloaded when she left Puget Sound. Soon after passing out through the Straits of Juan de Fuca her trouble began. Her captain took the inland passage, but that did not save the vessel from encountering a heavy sea, she became unsteady, and finally the captain had to put into a port of call and discharge some of his cargo. The stuff was put out on the beach and a member of the crew left to keep watch over it. After discharging the lumber put to sea again, but the heavy weather continued, and the captain, finding that she was still overloaded, put into Matlaketa, where he discharged a lot more of his cargo. After that the vessel seemed to be all right, but before she reached Dutch Harbor she encountered a heavy sea, and for a time it looked as if she was doomed. She, however, slid off, and made the harbor without any more mishaps. The captain was looking for the steamer Cleveland, now in the neighborhood of Cape Nome and St. Michael. He was hoping to see her on a ledge of rock, and for a time it looked as if she was doomed. She, however, slid off, and made the harbor without any more mishaps. The captain was looking for the steamer Cleveland, now in the neighborhood of Cape Nome and St. Michael. He was hoping to see her on a ledge of rock, and for a time it looked as if she was doomed. She, however, slid off, and made the harbor without any more mishaps. The captain was looking for the steamer Cleveland, now in the neighborhood of Cape Nome and St. Michael. He was hoping to see her on a ledge of rock, and for a time it looked as if she was doomed. She, however, slid off, and made the harbor without any more mishaps. The captain was looking for the steamer Cleveland, now in the neighborhood of Cape Nome and St. Michael. 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