SANDERS' DECISION IN CHINESE CASE OF GAMING HOUSE

Interesting Judgment In Charge Which Was Quashed by Mr. Justice Beck of the Supreme Court and Which Provoked Some Important Talk

REASONS FOR VICE IN THE CHINESE QUARTER

Magistrate Points Out Fact That Chinese Women Are Not Allowed in Canada Except After Paying a Heavy Indemnity

The following is the written decision of Magistrate Sanders in the case in which he found Hung Gee, a chinaman guilty of running a gaming house. This case has since created some interest from the fact that Mr. Justice Beck in granting an order to quash the decision made some interesting statements supplementing those of the magistrate in connection with the alleged immorality of Chinamen in Canada.

The judgment reads as follows:

"The accused, Hong Gee, is charged with keeping a common gaming house. He admits he has the care of the place or room alleged to be a disorderly house and that Fan-Tan for money stakes is regularly played there.

"What I have to determine is whether or not this place or room, which was regularly resorted to by Chinese for the purpose of gambling, is a common gaming house as defined by section 226 of the criminal code, that is:

"1. Was it kept for gain?

"2. Was a bank kept by one or more players exclusively of the others?

"3. Was the game played, one in which the chances were not alike favorable to all the players.

"It is quite clear the law does not deem it within its province to punish such practices as gaming unless either fraud is resorted to, or regular institutions are established, so as to amount to a public nuisance.

Masonic Building

"The evidence for the prosecution would indicate that any Chinaman could enter this room and play but a horde of Chinese witnesses for the defence, claimis the room was part of the Chinese Masonic building and was used solely by Chinese Masons and their friends. In view of the definition of the word 'place' given by 9-10 Ed. VII, Ch. 10, as an amendment to section 227 of the criminal code, whether it was or was not a Masonic room does not appear of much importance, the amendment reads, 'a place, whether used permanently or temporarily, or whether there is or is not exclusive right of user.' There is also a Quebec case, Rex vs. Laud, in which it was held that 'an establishment would be a common gaming house though a large part of the general public are excluded by keys or watchwords or any other manner.'

"I now have to consider the nature of this particular game of fan-tan which was played in this room on the night in question. Evidence as to the manner of playing the game was given by the prosecution and an illustration (purposely, in my opinion) by a witness for the defence and an interpreter. Many witnesses for the deefnce were called to prove there are several varieties of fan-tan (this is admitted by the prosecution). These witnesses also testified that the variety played in this instance was free from any of the faults which would bring the room in which the game was carried on within the definition of a common gaming house as given in section 226 of the code.

"It is in considering this portion of the evidence offered by the witnesses for the defence that I have the most difficulty, knowing what I do of the habits, peculiarities and love of gambling ofthe Chinese in this country, noticing their demeanor in their witness box and their casual way of taking the oath; also bearing in mind that all the evidence for the defence was practically that of accomplices I would be failing in my duty if I gave full recognition to the evidence they offered. For intance it would be absurd for me to believe that their true reasons for barring and bolting the doors and placing a sentry was for the purpose of keeping out bad men and those not Masons. These precautions were taken withone object and one object only, viz. to keep out the police as shown by their action when the police actually arrived.

Admitting there are varieties of Fan Tan, from the ordinance it is clear that it has to be played with a banker and that the banker or the person who may be called a banker for the time being, has an advantage, if there is any advantage of being banker or dealer, over the other players, the act applies that the variety of Fan Tan played on this occasion gave equal chances to all the players to become bankers did not mature any difference. The point is as stated by McColl, C. J., Reg vs. Petrie 3 C. C. C., 439 in that the banker while banker has some advantage or is under some disadvantage, and this is, it seems to me, just what is forbidden."

"Having considered thus far whether the room kept by the accused was a common gaming house, as defined by Section 226 of the codes, I now turn to Section 985 and find that the articles seized were tables, counters, covers for counters, etc., used for the playing of Fan Tan, that the room was furnished for no other apparent purpose and that the constables were wilfully obstructed in entering under a warrant, all this is prima facie evidence in any prosecution for keeping a common gaming house. I find the accused guilty of the offence charged.

"I might add that at first sight it seems quite a proper question for the learned counsel for the defence to ask why Chinamen should not be tasigned the same privileges as white people in their social clubs. All things being equal, they should, but I cannot see an analogy between their room and an ordinary club. The conditions under which the Chinese live are different, and although they are a quiet and inoffensive people they have many peculiarities, which if allowed to flourish, will result in centres of vice and disease, such as are found in many cities of the Pacific Coast. These people are here without their women and we do not want a Chinese quarter where white women disappear and vice can flourish. If they live like the people to whose country they come, it will be ever necessary for the police and other officials to carefully watch and prevent their living district from not only being a public nuisance but a menace.

E. C. SANDERS
Police Magistrate

SIR IAN HAMILTON WILL WITNESS SHAM FIGHT

Wednesday Will Be Big Day at Military Camp, and Distinguished Party of Soldiers Will Accompany Minister of Militia Sam Hughes to See It

HAMILTON ONE OF MOST NOTED BRITISH GENERALS

Saw Service in Afghan Wars, the Nile Expedition and the South African War; Was Chief of Staff to Kitchener; Present at Russo-Jap War

Wednesday will be the big day at the reservoir encampment and during that day, though hardly to the distress of the peaceful tradesmen of the city of Calgary, the place will be under siege of a strong and powerful force which will make an attempt to storm the ramparts of Calgary's defences against an equally strong force which will stand up for the protection of the city of their adoption for the time being. The two armies of reds and blues will make war in miniature and what with manoeuvres and marching and harmless shooting there will be a real sham battle, if such there may be, for the contradiction in words is not such in actuality.

The battle will rage the livelong day and will be witnessed b ythe most noted band of soldiers that Calgary has ever seen. There will be of course, the redoubtable Col. Sam Hughes with his memories of the veldts of South Africa. But the minister of militia will not be alone and will be accompanied by one of the most famous of the generals who made a great reputation in the war in South Africa.

Hamilton Great Soldier

Sir Ian is a born soldier and besides being the general in command in the Mediterranean forces, he is inspector general of the overseas forces and was for a time a member of the Army council, being the second military representative.

Born in Corfu just fifty years ago he was educated at that school which has given more soldiers to Britain than any other Wellington. He opened his seyes to active services in the Afghan war in 1878-79 and was mentioned several times in the despatches. Thereafter he served in the Nile expedition of ill starred memory of '84 and the Chitral relief expedition of '95. He served through the South African war and was shut up in the seige of Ladysmith but after his being relieved with the others, he won fame as one of the most effective of the soldiers of the time and was finally chief of the staff of Lord Kitchener. He was the military representative of Britain at the Russo-Japanese war. He carries mor edecorations than one can well recount in one breath and all in all is one of the most noted of modern day soldiers in the British army.

To Inspect Canadians

Sir Ian is here in Canada to inspect the forces of the Dominion and will be the most interested spectator of the sham fight of Wednesday next. He will review the men and perhaps give forth his opinion on the work of the camp of the Alberta fighting force.

B.C. INDIANS COMPLAIN OF COMPETITION OF JAP FISHERMEN

Fishing Described by Coast Redmen As Principal Industrial Source of Livelihood; Very Hostile Towards the Japs

WOULD SELL THEIR LANDS TO GET BETTER EQUIPMENT

Indians Declare That Japanese Are Subsidised by Japanese Government to Spy Out the Country; Some Indians Are Making Good Money

Vancouver, June 18.—The Indian commission, consisting of members appointed by both Dominion and provincial governments, has completed a series of sittings of Vancouver Island and will open tomorrow in Vancouver.

At the majority of reserves visited, fishing was described as the principal industrial source of livelihood of the Indians. The witnesses were unanimous in protesting against the alleged encroachments of Japanese fishermen in their waters.

Several of them suggested that the government should consider the advisability of selling a portion of their lands and devoting the proceeds to them with boats and up-to-date gear to meet the competition of the uniquitous Japanese.

At various sittings the ndian witnesses expressed the belief that their rivals were supplied with superior fishing equipment on account of intelligent use of a Japanese secret service fund enabling the Japanese fishermen to spy out the country.

The Indian Harvest.

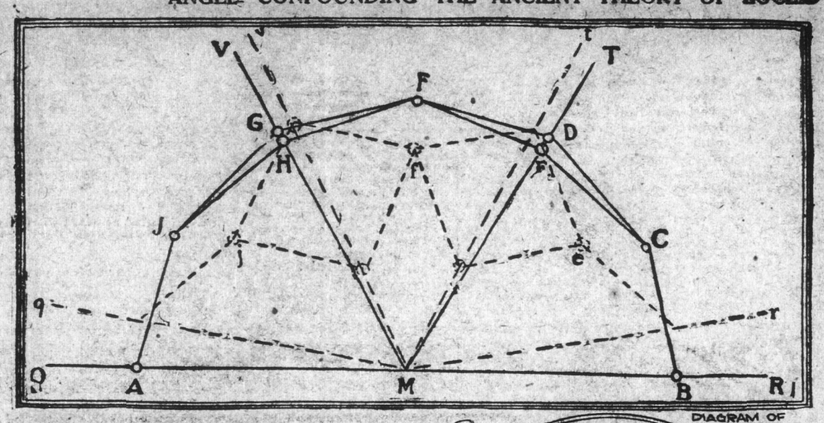
Northern Indians are reaping a harvest just now in catching spring salmon, which are taken to various fish-curing establishments and mild-cured, particular for the German market, where a large trade had recently been worked up.

The spring salmon are being caught with troll and spoons. One party of Indians has been fishing off North Island lately and have been taking from 10 to 15 tons daily. Four cents a pound is the price paid. One Indian made $57 per day for several days.

A New Way.

Two old salts were strolling along a wharf and halted before a new snow-white yacht. "Well, look at that name, Bill!" said one. "Ain't that the rummiest way to spell fish—P-s-y-c-h-e?"

ANGLE CONFOUNDING THE ANCIENT THEORY OF EUCLID



Q.M.R. equals an angle of 180 degrees.

T.M.—V.M. equal straight lines trisecting angles at M.

Figure arranged with heavy lines and capital letters denotes angle of 180 degrees trisected.

Points G.D. are stationary.

Points H.E. are movable on M.E. respectively.

As points H.E. move down their respective lines the figure takes the position of q. M.R.

But v. M. and t. M. still trisect the angle at M.

Points J.F.E. move nearer to M. as H. and E. move nearer to M. and take the positions of j. f. e.

Thus any angle of 180 degrees or less can easily be trisected.

DIAGRAM OF GROSS TRISECTOR

SYDNEY A. GROSS

A sturdy Philadelphia boy of sixteen has startled the scientific world by the discovery of a practical method of trisecting any angle of 180 degrees or less. He is Sydney A. Gross, who is pursuing the Latin-scientific course at the Boys' Central High School in his sophomore year.

Mathematicians, of whom Philadelphia boasts many, seem unanimous in their approval of the device, which, they assert, will be an invaluable aid to scientific theorists in their researches and which may also solve many physical and mechanical problems which are now mystifying.

WOULD MAKE WOMEN ELIGIBLE TO SERVE AS SCHOOL BOARD DIRECTORS

Legislative Committee of the City Council Endorses Request of the Local Council of Women; Talk of Abolition of the Poll Tax

A request from the Local Council of Women for a charter amendment making women eligible for election to the school board, was endorsed unanimously by the Legislative Committee of the city council yesterday.

"There's one thing—women on the board would not be drunk!" said Ald. Carson sagely.

Another request from the local Council of Women that the poll-tax be made to apply to self-supporting women, and to give them the right to vote, was tabled for further consideration.

There is talk of abolishing the poll tax which is considered by some as a relic of mediaval custom, and which is not satisfactorily collected in the city at present. Before anything is done, the poll-tax collector, Mr. Menarey, will be consulted as to the possibility of collecting this tax as a possible increase in revenue.

Ald. Carson objected to the proposed discrimination between self-supporting and dependent women and sugested that the tax, if applied to women, be applicable to all women alike.

GENERAL LAW FOR TRUST AND LOAN COMPANIES

Ottawa, June 18.—The finance department has begun the preparation of a bill so be introduced next session establishing a general law in respect to the trust and loan companies. Heretofore each company incorporated has been a law unto itself. A general statute to which all incorporations must hereafter conform will now be brought in. Those receiving deposits will be controlled by special regulations.

The Boy and the Arctic.

The little boy who wrote on his examination paper, "The Arctic regions are principally used for purposes of exploration," was perhaps wiser than he thought.

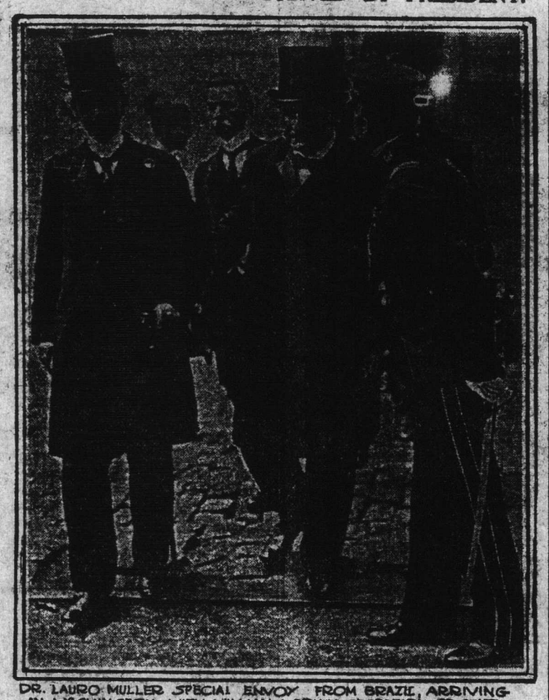
MAN IS RUN OVER BY CAR; BOTH LEGS ARE CUT OFF

Nelson, June 18.—While shunting cars this afternoon at Jeffrey, F. G. Cameron, an employe of the North Star Lumber company was run over and both legs cut off. He was taken to the hospital at Cranbrook on a special train but died two hours afterwards. A brother, Peter Cameron, lives at Lanigan, Sask.

Unfortunate Mistake.

By a printer's unfortunate mistake a certain well known vocalist was described as the chief terror of Covent Garden opera."

BRAZILIAN ENVOY RECEIVED BY PRESIDENT.



DR. LAURO MULLER, SPECIAL ENVOY FROM BRAZIL, ARRIVING IN WASHINGTON WITH WILLIAM J. BRYAN, SECRETARY OF STATE.
HARRIS & EWING PHOTO.

Dr. Lauro Muller, Minister of Foreign Affairs of Brazil, was officially welcomed to this country a few days ago by President Wilson, who gave a special audience to the distinguished Brazilian diplomatist in the East Room of the White House. Dr. Muller was introduced to the President by Mr. Bryan, the

IMMIGRATION MAY BRING BRITISH BIRTHRATE TO A STANDSTILL

(By L. G. Chiozza Money in the London Daily News)

It was in this column that attention with first directed to the true character of this new and unprecedented emigration which has been artifically fostered in the United Kingdom in recent years. It is an emigration which is entirely different in kind from any movement hitherto experienced by this or any other country. First Canada, and the Australia, has deliberately set itself to advertise for our people, and they have found immigration to pay. It is interesting to see what is stated on this head by Mr. Arthur Hawkes, who was recently sent to this country to report on this subject. I think that he speaks truly when he says: "The cost of immigration is the national advertising bill. Wise advertising is an investment, not an expense. . . . The Dominion Treasury makes a profit on every immigrant from his arrival in the country."

Here we have the immigrant claimed as a gain to Canada, and most assuredly he is. Apart from a proportion of the emigrants sent out by rescue agencies, the great bulk of persons who emigrate from the United Kingdom are obviously persons of spirit and of enterprise, who requires courage to make so great and so speculative an adventure. Mr. Hawkes counts each emigrant a gain. There are many who count each emigrant from these shores a gain also to the United Kingdom, but the time has certainly arrived when we need very seriously to consider the subject on its merits.

The Emigration of Mrach.

The latest official return we have shows that in March of this year as many as 39,442 British subjects left these shores for places out of Europe, declaring that they intended to take up "permanent residence" abroad. In the same month 5,250 persons arrived here from places out of Europe to take up "permanent residence," according to their own statement, in the United Kingdom. That gives a balance outwards for the month of 34,192. If such emigration were to occur every month that would mean a loss of over 400,000 a year. Probably the loss will not be as heavy as that in 1913, for although the April and May returns, when we get them, will probably prove to exceed those of March, the winter months are slacker. However, it is unlikely, to judge from all the evidences, that the emigration from the United Kingdom this year will be less than 300,000—a record figure, and one which is a good deal too near the natural increase of births over deaths to be pleasant. The natural increase may be as low as 400,000, and in that case we shall only gain 100,000 in population in 1913. It will be seen, therefore, that it would need only a slight further fall in the birth rate and a slight further increase in emigration to bring the British population to a standstill.

At this moment the position is as follows:—

The population of Ireland is falling.
The population of Scotland is falling.
The population of England is slowly increasing.
The population of Wales is slowly increasing.

In the old days emigration was small in good times and large in bad times. The new type of emigration is an entirely different thing. The Colonies advertise themselves to our people as lands flowing with milk and honey, where free land and a good and certain livelihood awaits any man who will pull up his roots and go to them. The call affects our population even more in good times than in bad, because in good times the passage money, and a trifle for a start, are more easily found.

A Question of Degree.

Of the 33442 British subjects who left us in March as many as 31,275 went to the Colonies, and the remainder 7,443 went to the United States; "other foreign countries" accountin for only 724.

Thus by far the greater part of our emigrants are merely transplanting themselves within the confines of the British Empire. If we regard the British Empire as a unit, it is not emigration at all, but merely a re-settlement. Further, we have to remember that up to a point nothing better could happen for the Empire or for the world. The new lands must be peopled, and it is of the greatest importance that the white races should conquer the vast spaces of the world by the only lasting means, that of living in them. If therefore, we had a natural increas of, say, half a million a year, and an emigration of 250,000 all would be well. But unfortunately the birth-rate is falling even while artificially fostered emigration is increasing, and we are thus face to face with the fact that England and Wales are in danger of going the way of Scotland, and of actually falling in population.

Up to a point we can afford to contemplate emigration with satisfaction; beyond that point we cannot afford it at all; and the question we have solely to consider is whether the point of danger has been reached.

Emigration is chiefly the departure of the young and of those in the prime of life, and it is also chiefly the departure of males and not of females. In March the 39,442 of whom I have spaken were composed as follows:

23,573 males.
10,314 females.
5,555 children under 12.

It is clear, therefore, that emigration is raising the average age of our population, and rapidly raising the already enormous number of necessarily mateless women.

Emigration at 300,000 to 400,000 a year thus composed could not proceed long without very serious social effects. There would be a fall in national wealth and production, and an increased call for social expenditure; a reduced and enfeebled population would be called upon to ameliorate the condition of an increased proportion of the old and the unproductive. That, of course, is what has already happened in Ireland, and what is beginning to happen in Scotland.

As for Imperial interests, the integrity of the British Empire must for long depend upon the strength of the Mother Country, for the States of the Empire are widely severed, and they can with difficulty help each other.

I have given here what is necessarily a very broad and brief survey of a very great and grave problem; it is one which deserves, and, indeed, demands the most careful consideration and study.

MR. BORDEN URGED TO COME WEST, BUT WILL LIKELY TAKE HOLIDAY INSTEAD

There Will Always Be Quorum of Council Within Call in Ottawa For Emergencies, But There Promises To Be Quiet Time in Political Circles During Dog Days

Ottawa, June 18.—While there will always be a quorum of the cabinet council within call to transact urgent and routine business, there promises to be a quiet time in political circles at Ottawa this summer. The prime minister, who returns from Halifax at the week-end, is being pressed to go west, but is unlikely to do so. However, his plans are not definitely made. It is Mr. Borden's desire to have a real holiday somewhere instead of going on a political tour.

During the autumn or sooner Messrs. White, Coderre, Pelletier, Crothers, Cochrane, Roche, Hazen, Hughes and Rogers plan to go to the west, but not as a party. They will go individually at different times, and their present ideas are subject to change. Messrs. Doherty and Nantel have made no plans as yet. Mr. Foster is in the Orient and Mr. Perley, after returning from his wedding trip, will run affairs at Ottawa, while the others are on vacations.

AFTER TEN YEARS' ABSENCE, RICHARD LE GALLIENNE RETURNS TO LONDON AND FINDS MANY CHANGES

(By Richard Le Gallienne.)

I find it an unexpectedly strange experience to be in London again after ten years in New York. I had no idea it could be so strange. Of course, there are men to whom one great city is as another—commercial travellers, impresarios, globe-trotting millionaires. Being none of these I am not as much at home in St. Petersburg as in Buda Pesth; in Berlin as in Paris; and whilst once I might have envied such plastic cosmopolitanism, I am realizing, this last day or two in London, that, were such an accomplishment mine, it had been impossible for me to feel as deeply as I do my brief reincarnation into a city and a country with which I was once so intimate, and which now seems so romantically strange, while remaining so poignantly familiar.

My home was once this London—this England—in which I am now writing; but nothing so much as being in London again could have made me realize that my home now is New York, and how long and how instinctively, without knowing it, I have been an American. It is not, indeed, that I love New York and America more than I love London and England. In fact, London has never seemed so wonderful to me in the past as she has seemed to me during these fed days of my wistful momentary return to her strange great heart. But this very freshness of her marvel to one who once deemed that he knew her so well proved the completeness of my spiritual acclimatisation to another land. I seem to be seeing her face, hearing her voice, for the first time, while, all the while, my heart is full with unforgotten memories, and my eyes have scarce the hardihood to gaze with the decorum befitting the public streets on many a landmark of vanished hours. To find London almost as new and strange to me as New York once seemed when I first sighted her soaring morning towers, and yet to know her for an enchanted Ghostland; to be able to find my way through her streets—in spite of the new Kingsway and Aldwych!—with closed eyes, and yet to see her, it almost seems, for the first time; surely it is a curious, almost uncanny experience.

The Englishman Abroad.

Do I find London changed? I am asked. I have been so busy in rediscovering what I had half-forgotten, in finding novelties in things anciently familiar, that the question is one that I feel hardly competent to answer. For instance, I had all but forgotten there was so noble a thing in the world as an old-fashioned English pork pie. Yesterday I saw one in a window, with such a thrift of recognition as made a friend with whom I was walking think for a moment that I had seen a ghost. He knows nothing of the human heart who cannot realize how tremulous with ancient heart-break may be the sight of an old-fashioned English pork pie, after ten years in America.

And, again, how curiously novel and charming seemed the soft and courteous English voices—with or without aitches—full about one in the streets and in the shops—I had almost said the "stores." I am enamoured of the American accent these many years, and—the calmly superficial observations to the contrary, I will maintain, so far as my own experience goes—that there is as much courtesy broadcast in America as in England; more, I am inclined to think, than in France. Yet, for all that, that something or other in the English voice which I had heard long since and lost awhile smote me with a peculiar pleasure, and, though I like the comradely American "Cap" or "Professor,"—and am hoping soon to hear it again—yet the novelty of being addressed once more as "Sir" has had, I must own, a certain antiquarian charm.

Vagabond Music.

Wandering in a quiet bye-street near my hotel, and reading the names and signs on various old places of business, I came upon the word "sweep." I believe it was on a brass plate. For the moment I wondered what it meant; and then I realized, with a great gratitude, that London had not changed so much, after all, since the days of Charles Lamb. As I emerged into a broader thoroughfare, my ears were stricken with the sound of a minstrelsy. It is true that the tune was changed. It was unmistakably "ragtime," yet there was to the plaintive organ once more, and in a broad circle of spectators, suspended awhile from their various wayfaring, a young man in tennis flannels was performing an Apache dance with a quite comely short-skirted young woman.

Across the extemporised stage every now and then taxicabs footed cautiously, longing in their hearts to stay; and once a motor coal wagon, like a sort of amateur freight train, thundered across; but not even these could break the spell that held that ring of enchanted loiterers, from which presently the pennies fell like rain—the eternal spell still operating, I was glad to see, under the protection of the only human police in the world—a stately strolling player in London town.

Just before the players turned to seek fresh squares and alleys new, I noticed on the edge of the crowd what seemed, in the gathering twilight, to be a group of uplifted spears—or halberds, were they? It was a little company of the ancient brotherhood of lamplighters, reduced, like the rest of us, from the stride of pursuance of duty by the vagabond music.—London Daily News.

SENATE SPEAKER AND ALGOMA MEMBER HONORED

Ottawa, June 18.—Two leading parliamentarians were honored by universities today.

Hon. A. C. P. Landry, speaker of the senate, had the degree of LL.D. conferred upon him at the convocation of Ottawa university.

A. C. Boyce, M.P. for Algoma, left for Lennoxville, Que., where he will receive the degree of D.C.L. from Bishop's college. Mr. Boyce's honor comes as a mark of his service as chancellor of the Anglican diocese of Algoma.

For the Rainy Day.

Mrs. Spinks—"Where is the money you have been saving for a rainy day?" Mr. Spinks—"In the savings bank." Mrs. Spinks—"Well, you must let me have a little of it. I want a new waterproof."

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