

glaring cases to cross my path", declared His Worship in passing sentence. All fines were paid.

Still the case was far from being concluded; there were the infractions committed by the purchasers involved in the cloth profiteering racket to be considered. Starting May 28, 1947, 39 tailors were arraigned before Magistrate Bigelow on charges of Purchasing Cloth Above the Ceiling Price, p.c. 8528, W.P.T.B. Regs. Given the protection of the Court, Abraham Shiffer testified for the Crown at some of the trials to the effect that the note-books seized from him were used for posting "extra money" that had been received. Ten of the accused were found guilty and paid fines ranging from \$100 to \$200. Two

merchants who, at mark-up prices over the original black market fees they had paid, had resold cloth purchased from Shiffer were convicted of Selling Goods Above the Ceiling Price, one being fined \$100, the other \$1,000.

"I have never", Magistrate Bigelow commented, "had any sympathy with participants in a black market in time of war or, for that matter, in times of peace, yet one must admit a ready sympathy for those accused who from the first time they were interviewed by the police cooperated fully and frankly with them in uncovering a scandalous black market in cloth . . .".

The real malefactors, the Court found, were the Shiffers.

### R. v. Stokes

#### *Arson — Admissibility of Evidence Concerning the Actions of Trained Police Service Dog*

Owing to the risk it involves to human life and property, the crime of arson has always been regarded as one of the most serious in point of gravity. Because fire destroys the evidence, incendiarism is ordinarily a most difficult thing to prove, and though in modern criminal investigation the scientific crime detection laboratory has proved to be a real boon in establishing the elements necessary for a trial and conviction, this crime still is peculiarly difficult when it comes to building up a case. If a fire is set for revenge, to defraud an insurer, to conceal evidence of another crime such as robbery, or in pursuance of some other unlawful purpose, the experienced investigator knows how to go about looking for clues. But if the person who sets the fire is a pyro-maniac or fire bug the lack of apparent motive complicates the investigator's problem, and short of actually catching the incendiary in the act of setting the fire it is practically impossible to prove that a crime was wilfully committed. The present case will therefore, be of interest because, for

the first time in Canada so far as we know, a police service dog helped to furnish evidence linking an arsonist with his crime.

On Apr. 8, 1947, a barn in the Aulac, N.B., district burned down under mysterious circumstances, and less than two weeks later the New Brunswick Telephone Company telegraph wires in the same district were cut. There was no reason to believe that these events were related in any way or caused by the same person, but while conducting an investigation into them the R.C.M.P. heard that Harry Ronald Stokes of Aulac had threatened to burn down a large schoolhouse in Sackville, N.B., also that he planned in the near future to burn down one of three hay barns situated not far from the railway station in his home town. It has been laid down that an intention to commit a crime does not amount to an attempt, that in order to constitute the offence of attempting something must be done to follow out the intention. Accordingly the only course open to the police was to await