

August 22, 1901

THE BEAMISH CASE

A LARGE AMOUNT OF EVIDENCE TAKEN AT THE TRIAL YESTERDAY.

DEFENDANT HIS OWN COUNSEL.—ADJOURNMENT TO MONDAY.

The proceedings at the police court Friday were not of a very lively nature. The entire day was passed in taking the evidence of a comparatively small number of witnesses, a couple of whom were on the stand for a considerable period. The charge against T. M. Beamish of intimidation was gone into, but not completed, an adjournment to Monday morning being taken. Several prisoners are confined in the lockup awaiting trial and the court determined to devote today to a hearing of these matters.

Much of the evidence submitted was similar to that given in the Colistro case on the previous day. This was particularly the case when Joseph Horn, the complainant, went on the stand. His examination in chief conducted by Mr. Daly was along the lines of his affidavit and adhered closely to that document. Horn was cross-examined by counsel, and was on the stand for quite an hour and a half. Whether or not his evidence was shaken will doubtless be indicated by the court in reviewing the testimony.

An incident transpired during Horn's cross-examination that demonstrated the policy of the court toward the defence. When Beamish returned for the third or fourth time to the same question, Mr. Daly remonstrated against the waste of time thus incurred, stating in substance that Beamish had had no previous experience at the bar and had never witnessed anything like it and that the court had evidenced wonderful patience. Beamish pleaded that as a layman he should be allowed to conduct the cross-examination along the lines he had followed, to which the court replied that for the very reason that he was a layman the defendant had been granted every latitude.

Dr. Sinclair was called for the prosecution and gave his evidence almost word for word as on the preceding day. Witness added that he had not looked back on passing the party at the Washington street bridge for the reason that he was annoyed at such a thing transpiring in the city and desired to have nothing further to do with the incident than was absolutely necessary. The cross-examination by defendant was conducted in a manner that elicited a protest from the witness and a rebuke from the court. Edward Baillie, mining broker, detailed the occurrences in front of the central telephone office and described the incident as disgraceful. He had feared a breach of the peace at the time.

The first witness called after the noon adjournment, and the last for the prosecution, was Thomas Long, city sanitary officer, who testified to seeing the crowd on Columbia avenue on Saturday and to seeing Beamish in the outfit. He expressed the opinion as a peace officer that Beamish was breaking the law at the time, and a severe cross-examination on this point failed to make him change his opinion. He stated, however, on cross-examination that he had never known Beamish to commit a breach of the peace previously.

Mr. Thompson, office manager at the Rosslund Great Western offices, gave testimony similar to that given in the Colistro matter. When cross-examined, Beamish asked witness if there was not a blacklist, or a list of men who should not be employed, at the Rosslund Great Western office. Mr. Thompson stated firmly and promptly that no such document existed, nor had it ever been seen by him.

On the conclusion of the crown's case defendant moved for a dismissal of the charge on the ground that the evidence submitted did not support the prosecution. The court replied that the defence would be heard.

Constable Macdonald was the first witness called for the defence. He deposed that he was at the Columbia avenue, but saw nothing which he interpreted as a breach of the peace, nor did he see Beamish conduct himself at any time in a manner that was calculated to cause a breach of the peace. Cross-examined, the officer adhered to the statement that he had never seen anything in the nature of a disturbance at that time, but that he had never seen anything in the nature of a disturbance at that time.

He had, however, followed the crowd up the hill when Mr. Thompson was taking Horn to the Le Roi office, and his purpose in taking this action was to prevent a possible disturbance.

David Garland was called as one of the men who was at the Red Mountain depot and witnessed the incident at Saturday at other points. He swore that at no time did he see anything partaking of intimidation or a breach of the peace. His testimony occupied but a short time.

The last witness of the afternoon, and one of the best, was Amos Lee, a member of the union, who took an active part in the proceedings of Saturday. Lee appeared to be an exceptionally intelligent man with finer feelings than are usually attributed to partisan union members. In his examination in chief, the principal points in his evidence were that no disturbance was created at the railroad station and that at the Washington street bridge defendant Beamish joined with him in warning Colistro not to touch Horn. In cross-examination a number of interesting points were elicited. Lee stated that he went to the depot occasionally and that on Saturday his reason for going there was because he had been informed that some "scabs" had left Northport for Rosslund. At the station on the arrival of the train witness heard Colistro say: "Here's the scab from Northport." From the Red Mountain P. R. station, and Beamish also went along. Both followed Horn onto the platform when complainant went into the agent's office. His reason for following Horn and waiting for him was that he desired to know where he was going and to obtain other points of information.

The question was asked by the counsel

for the crown and the court also: "What business was that of yours?" Witness replied that strictly speaking it was none of his business. At the Red Mountain station witness declared he heard the word "scab" mentioned several times, and the same expression was used repeatedly on the way down town. Woodside told various people that Horn was a "scab," and he believed Beamish did also. Personally he did not use the expression and saw no particular reason why the others should have done so. Asked to define what the term implied, Lee said it meant the same to him as a traitor to one's country, but he said he would not use the word "scab" to a man's face. In addition he heard someone say, "This is no place for a scab."

Witness' attention was directed to the incident on the Washington street bridge, and he was requested to inform the court why he had taken such pains to warn Colistro not to touch Horn. The reply was that he had an "instinct" that those who followed Horn east on Columbia avenue, was pressed to state why he had done this, and replied that he regarded all who opposed the strikers as enemies to him as a member of the union, and he desired to know where Horn went on the ground that it is useful to know what became of his enemy. Personally he had nothing against Horn, but as a union man he had a spite against the plaintiff.

Lee's instinct appeared to be in the direction of observing the law. He was in front of the telephone exchange when Constable Macdonald moved the men gathered. Asked by counsel for the crown whether he thought the officer impertinent in this, witness replied in the negative, remarking that instinct led him to believe that for a party of men to gather in front of a place as was done on Saturday was not right.

MOYIE NOTES. Work at the St. Eugene—The Aurora Developing Well.

MOYIE, Aug. 16.—The St. Eugene mine is still partially closed down, and considerable uncertainty prevails as to whether it will open up in the near future or work for some months with a reduced force. Masons are now employed building walls in the Lake Shore tunnel, where a rich body of ore which was shown to be there by the diamond drill. For the last few days the management have been putting on more men, and now between 75 and 100 are at work. Thus, although the mine is not running in full force, quite a number of men are employed, and these with the men working at the sawmill provide the town with a very good pay roll.

T. Rader and O. J. Johnson, the owners of the Aurora mine, which is situated across the lake from the town, are still hard at work. They have without a doubt the same lead which runs through the famous St. Eugene property, and at the surface have a four-foot vein of high grade galena. They are now at work in the tunnel and indications are that within a short time they will strike a rich body of ore. Thus Moyie will soon have two shipping mines.

The schools opened last Monday with J. W. Sutherland as principal and Miss Lulu Crowe as assistant. The attendance for the opening day was fairly good, there being between 30 and 40 in the senior and 20 in the junior department.

The mammoth sawmill which has been under construction for the past four or five months is now completed, and started running on Friday last. The mill is provided with the very latest machinery and when running full force will turn out about 40,000 feet of lumber per day. Between thirty and forty men have been employed in the lumber camp since March, and a large quantity of very fine timber bottom out and boomed near the mill. About fifty men are employed at the mill, and Moyie can now boast of having one of the best equipped sawmills in British Columbia.

J. Fitzgerald and Wm. Bonner returned from the hills a few days ago and report having made some good locations.

J. J. Johnson, who has had the contract for building Manager Cronin's residence, has rushed operations and has the building nearly completed. It is now undergoing the finishing touches by the carpenters, and the painters and decorators are at work on the interior. When finished it will be one of the finest family residences in the Kootenays.

One of the most successful balls of the season was given in the Odd Fellows hall last Wednesday evening. The hall was tastefully decorated and excellent music rendered by the Moyie orchestra. A large number were present and enjoyed themselves to the full until 12 o'clock, when supper was served. The proceeds, which exceeded the highest expectations, are to be devoted to purchasing hose and other apparatus for the brigade.

The hydrants and fittings for the Moyie waterworks have now arrived and work laying the pipe will soon commence.

A Fireman's Close Call. "I stuck to my engine, although every joint ached and every nerve was racked with pain," writes C. W. Bellamy, a local fireman, of Burlington, Iowa. "I was weak and pale, without any appetite and all run down. I was about to give up, but I got a bottle of Electric Bitters and after taking it, I felt as well as I ever did in my life." Weak, sickly, run down people always gain new life, strength and vigor from their use. Satisfaction guaranteed by Goodwe Bros. and T. R. Morrow. Price 50 cents.

Frederick Schofield, registrar of the Supreme court, has returned from a vacation spent at the coast.

Good's Cotton Root Compound is successfully used monthly by over 100,000 Ladies. Suffer, affected Ladies use our druggist for Good's Cotton Root Compound. Take no other, as all mixtures are dangerous. Price, No. 1, 1.11 per bottle. No. 2, 10c. 30c. 50c. 75c. 1.00. 1.50. 2.00. 3.00. 4.00. 5.00. 6.00. 7.00. 8.00. 9.00. 10.00. 15.00. 20.00. 25.00. 30.00. 35.00. 40.00. 45.00. 50.00. 55.00. 60.00. 65.00. 70.00. 75.00. 80.00. 85.00. 90.00. 95.00. 100.00. 110.00. 120.00. 130.00. 140.00. 150.00. 160.00. 170.00. 180.00. 190.00. 200.00. 210.00. 220.00. 230.00. 240.00. 250.00. 260.00. 270.00. 280.00. 290.00. 300.00. 310.00. 320.00. 330.00. 340.00. 350.00. 360.00. 370.00. 380.00. 390.00. 400.00. 410.00. 420.00. 430.00. 440.00. 450.00. 460.00. 470.00. 480.00. 490.00. 500.00. 510.00. 520.00. 530.00. 540.00. 550.00. 560.00. 570.00. 580.00. 590.00. 600.00. 610.00. 620.00. 630.00. 640.00. 650.00. 660.00. 670.00. 680.00. 690.00. 700.00. 710.00. 720.00. 730.00. 740.00. 750.00. 760.00. 770.00. 780.00. 790.00. 800.00. 810.00. 820.00. 830.00. 840.00. 850.00. 860.00. 870.00. 880.00. 890.00. 900.00. 910.00. 920.00. 930.00. 940.00. 950.00. 960.00. 970.00. 980.00. 990.00. 1000.00. 1010.00. 1020.00. 1030.00. 1040.00. 1050.00. 1060.00. 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