

Magistrate's Court

The Minister of Finance and Customs versus John Nauts, and Henry Jones, chief engineer of S.S. Herbert Green.

The prisoners were arraigned and charged with the following offence:— "That you did, at St. John's, on the 4th July, by obstructing a person discharging an officer of the customs in the discharge of his duty, commit a breach of section 223, chapter 22 of the Consolidated Statutes, 3rd series, entitled 'Of the Customs'."

Mr. Fox for the Crown informed the court that he was not ready to proceed with the hearing on the above charges at the present. The evidence will be first taken at a preliminary enquiry to be opened either on Saturday or Monday next. Mr. Fenelon, on behalf of the defendants, was agreeable to this, and hoped the matter would be proceeded with as soon as possible.

The prisoners, Captains John Ryan, Thomas Nauts, Thomas Byrne, Captain Orlean, and Guy Shears were then arraigned and stood charged with a breach of section 203, chapter 22 of the Customs Act. Mr. Fenelon, on behalf of his clients, entered a plea of "not guilty."

The Herbert Green entered port on July 4th, to take a part cargo of liquor. The suspicions of the authorities were aroused in connection with the vessel and close watch was kept on the captain and crew. Negotiations, it is alleged by the prosecution, entered into between city parties with the captain and others for the purchase of the liquor. Their subsequent actions were watched, with the result that five cases of liquor were taken from the Herbert Green midnight the 4th July, and placed in a small row boat. The police intervened, made a seizure, and brought the liquor to the Police Station.

The first witness called was Customs Officer Sydney Kendrick. Witness on Saturday last was on duty at Harvey's wharf. He recognized present defendant Capt. Nauts. He saw accused on Saturday last at the Furness Withy wharf on board the ship the Herbert Green, about seven o'clock. Witness was doing duty on Furness Withy wharf, watching the Herbert Green, she carried a cargo of liquor. He saw some liquor being taken from St. John's. Witness could not say whether it was whisky or rum. While he was watching the Herbert Green, Capt. Byrne, of the four masted schooner Orleans, came along on the wharf, and wished the witness good night. This was about 7 p.m. He asked him about the ship the Herbert Green. Witness was invited by Capt. Byrne on board the Orleans. Before proceeding on board, he asked witness what he thought the Herbert Green had on board. Witness told him it was a cargo of liquor. Witness then went on board the Orleans. The liquor was taken from the Herbert Green. Byrne first asked witness what his occupation was. He answered a Customs official. He told him he had nothing to do with the Herbert Green, as it was already in charge of two customs officials. They proceeded on board the Orleans. Witness then recognized the defendants, Guy Shears and John Ryan. Witness met Shears on board the Orleans about 9:30 p.m. This was the second time witness went on board the Orleans that night.

Witness accompanied Capt. Byrne to the Herbert Green about 8 o'clock. He said he was going over to see the captain or super-cargo. Customs officials were on the wharf, viz: Wilson and Roberts. Capt. Byrne then spoke to Wilson, and asked if the captain or super-cargo were aboard the Herbert Green. The reply was that they had gone aboard. The Orleans was berthed at A. Harvey's wharf at the time. Capt. Byrne then went to the Orleans, and asked him to take money out of his pocket and asked him did not have much change, and he wished to purchase some liquor. He mentioned that he wanted four or five cases. Customs officer Wilson told him the captain and super-cargo were on board the ship. Witness saw the going on board and went into the captain's room in the aft part of the ship. Witness also saw Capt. of the Orleans Green, and defendant Byrne going into the captain's cabin, and he would see them inside by looking through the glass window of the cabin. Capt. Byrne was in the cabin about ten minutes, meanwhile witness was standing about 14 feet outside the cabin, and heard the conversation between the parties on the inside.

He remembered Capt. Byrne asked if there was any chance of doing business, and wanted to know the different brands of whisky, and if the very best. Nothing was done at the time, and he was notified to come down later, when the transaction would be fixed up. Captain Nauts and Ryan the super-cargo, then left the cabin and came ashore together. Witness was at the wharf when they came ashore. Capt. Byrne said good night and passed by the wharf to the street.

Witness remained on the scene in company with the Customs officers, and about 9 o'clock left. Byrne came along again, and spoke to the three officials. Later witness went on board the Orleans with Capt. Byrne, and when they were taking stores the defendant came on board. The captain

did not have enough money to buy liquor, and further, stated he had only about \$45 in his pocket. At that time he did not say how much liquor he wanted to buy. Then Shears spoke up and told Capt. Byrne that he could manage to get some money. He would proceed to Bearn's and leave a cheque and get \$100 until Monday. The Captain agreed to this, and Shears went ashore to get the money before the store was closed. This was about 10 o'clock at night. Witness left the Orleans ten minutes later and went ashore. Witness proceeded to Furness Withy wharf and met Customs official named Green, and they reported to Customs Headquarters what had happened. Witness then remained on the wharf until Herbert Green left. Witness saw Capt. Byrne about 11 p.m. Witness saw Shears later on, and asked him if he got the money for Captain Byrne, and received the reply "yes." At this time Capt. Byrne and Shears went on board the Herbert Green, but witness did not know who they met. They remained there about five minutes. Witness saw them come on shore, and mentioned something about getting a boat to land the whisky.

An ordinary row boat was secured at the head of the wharf, with no oars in it. Byrne secured one from his own ship, and went into the boat in company with Shears. Witness saw them leave the wharf and rowed on the outside of the Herbert Green. The steamer started to blow her whistle then, and cast her lines off, and at the same time four cases of whiskey were lowered over her side. There were some cases on deck, but he did not know how many. The Super Cargo Ryan was on hand with members of the crew. While the captain was on the bridge looking forward, and could easily see the liquor from his position. Ryan was alongside of the stuff as it was being placed over the rail. As far as witness could judge, Ryan was checking the cases according as it went over. The police then went on board. Witness then went off and reported the matter to Customs Headquarters. He did not know what happened the whiskey after it went over the rail.

Cross-examined by Mr. Fenelon—

Witness met Capt. Byrne about 7 o'clock at Harvey's wharf. Before that he had been in conversation with Harvey's stevedore a Mr. Will's on Water Street. It was while witness was talking to Byrne on Water Street that Will's came along. The conversation between Mr. Will's and Capt. Byrne was about getting fresh cod tongues. After that the Capt. left and went to town, and left witness and Will's together. That was about 6:30. A half hour afterwards witness had a conversation with Capt. Byrne. Witness did not remember if he had any conversation with Byrne at the Furness Withy premises on the previous day. Witness may have said that the liquor on board the Herbert Green was released from bond. Several questions were put to witness as to what was said in the discussion with supercargo Ryan which he failed to remember. There was no secrecy on the part of Capt. Byrne in the presence of witness or Customs Officer Wilson about his business on board the Herbert Green. Witness did not speak to Capt. Byrne after his first interview. It was about half an hour or so before Capt. Byrne came back. It was then that witness was invited to go on board the Orleans. Customs Officer Wilson was asked to go along as well, but he refused. It was about 11 o'clock witness saw Capt. Byrne and Shears again. Witness was on the Furness Withy wharf when they came over and then went on board the Herbert Green. The captain and the supercargo was on board at the time. Witness on being asked whether there was any signalling done between the Orleans and Herbert Green, said Shears had asked him if he could mind signalling on the Furness Withy wharf after supercargo Ryan went on board. As a signal witness admitted that he struck a match as requested by Shears. Shears was on the Orleans and then matches were struck by witness as a signal. After the signal Capt. Byrne and Shears came over to the Furness Withy wharf. All they asked was whether the captain or the supercargo was on board. They proceeded on board and went into the captain's cabin. The further hearing was then adjourned until 4 o'clock this afternoon.

OTHER CASES DISPOSED OF.

A drunk was fined \$1 or 3 days.

An old offender charged with vagrancy was released.

A laborer, convicted of a breach of section 23, sub-section (a) of the Alcoholic Liquors Act, was fined \$10 or 30 days.

Personal

Miss Dorothy McGrath who has been spending a holiday at New York arrived by Silvia this morning.

A message has been received by the Prime Minister from Col. Secretary, Hon. J. R. Bennett, stating that he was crossing over to Halifax by the White Star Liner Andania, and would arrive here shortly.

Miss V. Roberts, the daughter of Mr. and Mrs. S. Roberts, of Monroe St., accompanied by Miss Gillis, arrived by the Monesterial from Boston, where she is engaged on the staff of the Chelsea Memorial Hospital.

These are Days When Our Thoughts Turn to HOLIDAY WEAR



Summer Hosiery

Summer Hosiery full of style and service, for the refinement of heels and toes give protection where the wear is strongest. Complete color and size range stresses the importance of anticipating present and future needs.

Lisle Hose.

Full fashioned Lisle Hose, double heels and toes, wide garter tops; sizes 9 to 10; shades of Grey, Beige, Brown and White. Regular 55c. pair. Sale Price 48c.

Women's Lisle Hose.

Shades of Beige, Brown, Log Cabin, Grey, White and Black, full fashioned leg, spliced heel, elastic tops; sizes 9 to 10. Reg. 65c. pair. Sale Price 59c.

Lisle Hose.

Seamless fashioned leg, spliced heel, sizes 9 to 10, in the following shades: Grey, Fawn, Beige, Champagne, Nude & Peach. Reg. 55c. pair. Sale Price 75c.

Sport Footwear Specials

For all the Family

Men's Canvas Oxfords.

Brown and White Canvas with special wearing Crepe Rubber soles; sizes 6 to 10. Ideal for holiday wear. Special pair \$1.90

Men's Bals.

Brown and White Canvas Bals with Crepe Rubber soles; sizes 6 to 10. These soles are made of pure Gum Rubber and will give splendid service, either for sport or general wear. Special pair \$2.10

Men's Canvas Footwear.

Slate Canvas Bals and Oxfords, with leather soles and heels; sizes 6, 7, 8, 9 and 10. These are good looking and dressy, and wear wonderfully well. Offered at a genuine bargain for clearing. Reg. \$2.70 pair. Special for Friday and Saturday pair \$1.98

Men's Ventilated Oxfords.

The acme of comfort for hot weather, made from Brown Calf with leather soles; sizes 6, 8, 9 & 10 only. Reg. \$3.45 pair. Sale Price \$3.08

Tennis Oxfords.

For Youths and Boys, of Brown and White Canvas with rubber soles. Youths' sizes 11 to 2. Special pair \$1.00 Boys' sizes 2 1/2 to 6. Special pair \$1.10

Women's Tennis Shoes.

Black, Brown and White Canvas, rubber soles, laced and strap styles; sizes 3 to 7. Special pair \$1.05

Misses' Tennis Shoes.

Canvas Shoes for misses, colors of Brown, Black and White, laced and strap styles, rubber soles; sizes 11 to 2. Special pair 95c.

Child's Tennis Shoes.

Sizes 6 to 10, of good quality Canvas, colors of Black, Brown and White, with rubber soles, strap and laced styles. Special pair 85c.

Women's Canvas Shoes.

Strap and laced styles, in White Canvas with leather soles, medium toe, Military and Cuban heels; sizes 3 to 7. Reg. \$1.95 pair. Sale Price \$1.76

Women's Canvas Shoes.

White Canvas trimmed with Blue Leather, strap style, medium toe, Cuban heel, all sizes, neat and dressy. Reg. \$1.95 pair. Sale Price \$1.76

White Canvas Shoes.

For children and misses, sizes 6 to 13, leather sole, laced and strap styles. Reg. \$1.50 pair. Sale Price \$1.35

Misses' Shoes.

White Canvas, strap style, plain and Black trimmed, natural fitting; sizes 12 to 2. Reg. \$1.55 pair. Sale Price \$1.40

Seasonable Gloves

Every style and color that is needed to harmonize with your summer attire will be found here, of a quality that are sure to give satisfactory wear.

Silk Gloves.

Made from a high grade pure Milanese Silk, in shades of Black, White, Cream, Pongee and Grey; all sizes. Reg. \$1.25 pair. Sale Price \$1.12

Elbow Gloves.

Of best quality Milanese Silk, 3 button wrist; shades of Grey, Cream, Fawn, Black and White; all sizes. Reg. \$1.95 pair. Sale Price \$1.76

Women's Lisle Gloves.

Shades of Fawn, Beaver and White, 2 dome fashioned, all sizes. These are a splendid quality and offer exceptional value. Reg. 90c. pair. Sale Price 81c.

Needed Things for the Home Lower Priced

Towels.

White Turkish Towels of a superior quality, thoroughly absorbent, hemstitched ends; size 22 x 42. Reg. 55c. each. Sale Price 45c.

Turkish Towels.

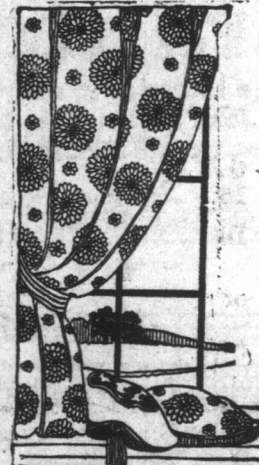
Made from high grade White Turkish Cloth, with pretty borders of Mauve, Gold and Blue, hemmed ends, size 20 x 40. Reg. 90c. each. Sale Price 75c.

Round Cushions.

Art Satcen covered in pretty Floral designs, edged with Black Satcen. Reg. \$3.60 each. Sale Price \$3.24

Sofa Pillows.

Beautiful Sofa Pillows, covered with pretty Floral Chintz, trimmed with satcen in assorted plain shades. Reg. \$4.25 each. Sale Price \$3.78



Novelty Curtaining.

Very pretty Curtaining, showing shades of Arabic and Gold, Arabic and Rose, Arabic and Green, 45 inches wide, exceptionally good looking. Regular \$1.20 yard. Sale Price \$1.08

Arabic and Gold, 50 inches wide. Regular \$1.85 yard. Sale Price \$1.62

Plain Arabic Bungalow Net, 50 inches wide. Reg. \$1.50 yard. Sale Price \$1.35

Axminster Hearth Rugs.

Beautiful Rugs, showing the newest designs and color combinations, fringed ends, size 29 x 64. The ideal Hearth Rug. Reg. \$12.00 each. Sale Price \$10.55

Circular Pillow Cotton.

Made from all White Cotton, in a very fine quality, 40 inches wide. Reg. 70c. yard. Sale Price 61c. Reg. 85c. yard. Sale Price 72c.

Chic Sport Sweaters



Job Sweaters—\$2.79 Each.

We have just received a shipment of chic, colorful Sweaters, that come to us via the special purchase route—and go to you through the price cut route. Included in the lot will be found all the newest styles, all the newest colors; they are as stunning as they can be, worn with a distinctive separate skirt, you have a delightful summer costume. Values up to \$5.00

Wool Slippers.

Silk and Wool Slippers, in pretty Oriental designs and colors, half slippers, v neck, girdle at waist. Special value. Reg. \$4.50 each. Sale Price \$3.98

Women's Middies.

White Jean Middies, with Navy and Saxe Sailor collar, long sleeves, wide hipper band, ideal for sport wear. Reg. \$1.85 each. Sale Price \$1.68

Rubber Feeders

Infants' Rubber Feeders, in assorted plain shades, bound with pretty contrasting colors, printed with nursery pictures and rhymes. Reg. 35c. each. Sale Price 29c.



Sale of Summer Dresses in gay stripes, printed designs and plain Poplin in pretty shades

This selling offers you an opportunity to select the dresses you'll need for several months to come—your summer wardrobe.

Pique Dresses.

A very special offering in Women's Striped Pique Dresses in the glorious patterns and hues for summer. An offering which emphasizes the value giving power of this store, and places within the reach of the most modest purse Summer Frocks in the early season at a little price. These Dresses show v neck, short sleeves, turned back collar and cuffs. Yests of White Pique, panel effect and buttons on side, finished with girle. Regular \$9.60 each. Sale Price \$8.00

Poplin Dresses.

Pretty and serviceable Poplin Dresses, plain shades of Saxe, Flame and Reseda, short sleeves with turned back cuff, round neck with fancy collar, finished with pockets and girle, shown in the new straight line modes and offering value to encourage the buying of an extra dress. Reg. \$5.25 each. Sale Price \$4.65

Plaid Skirts.

A group of pretty accordion pleated Plaid Skirts, in assorted fancy effects, at a special price concession, compelling enough to warrant a special trip to this store to-morrow; assorted sizes. A bargain at the regular price. Reg. \$3.50 each. Sale Price \$3.10

Dressing Gowns.

A selection of exquisite Cotton Crepe Dressing Gowns in neat designs; short sleeves, nicely trimmed with Satin Ribbon in assorted colors, finished with girle. These are light and airy and are just what you require for warm weather wear. Regular \$2.00 each. Sale Price \$1.76

Specials in Men's Furnishings

Men's Suits.

Made from hard wearing Tweeds, in Green Heather mixtures, good looking Suits in the conservative styles that are always in style. They're medium weights, good all the year round because we know they are going to serve you through several seasons; sizes 3 to 7; very moderately priced for Friday and Saturday. Reg. \$17.75 suit. Sale \$16.20

Straw Hats.

These bright warm days have started the Straws. If you haven't bought a new one yet, you'll find plenty to choose from in the several new straws we are now showing. For this week end we offer one of our lines at a special reduction; it is a very lightweight, cushion fitting, properly ventilated. A hat you will be proud to wear; all sizes in stock. Reg. \$2.75 each. Sale Price \$2.49

Boys' Linen Hats.

A big assortment of Linen Hats for boys, in plain shades, stripe and check effects, delightfully cool for hot weather wear; all sizes. Reg. 75c. each. Sale Price 64c.



Men's Combinations.

Balbriggan Combinations, made from high grade Egyptian Cotton, long sleeves and ankle length; sizes 34 to 42. Reg. 95c. per suit. Sale Price 86c.

Men's Belts.

During these warm vest-less days a worn belt cannot be hidden. Get one of these Rubber Belts with patent buckle, in either Black or Brown. Special for Friday and Saturday, each 15c.

Men's Socks.

Fine Wool Socks, with a fine measure of style, comfort and service in every pair, shades of Fawn, Brown and Grey, with pretty clocks; all sizes. Reg. 90c. pair. Sale Price 79c.

Cotton Socks.

This line offers you exceptional value, that will give satisfactory wear, shades of Brown and Grey, reinforced heels and toes, in all sizes. Reg. 85c. pair. Sale Price 30c.

Boys' Rompers & Blouses

Many styled Wash Blouses and Romper Suits that can be tubbed as often as they become soiled and will not lose any of their shape or color in the water. Made from sturdy fabrics in various colours and patterns.

Boys' Rompers Suits.

For the small boy, colors of Blue, Grey and Brown, assorted sizes. Reg. 95c. suit. Sale Price 76c.

Boys' Blouses.

Assorted stripes, with Sailor collar, to fit up to 10 years. Reg. 95c. each. Sale Price 80c.

Reg. \$1.20 each. Sale Price \$1.00

Reg. \$1.75 each. Sale Price \$1.40

Boys' Sport Shirts.

Made from strong Percal, White grounds with assorted colored stripes, short sleeves, Polo collar; all sizes. Reg. 95c. each. Sale Price 85c.



Silk Jersey Vests

Women's Silk Jersey Vests, shades of Fawn, Beige and White, bound at top and bottom, straps of soft material, medium size. Reg. \$2.50 each. Sale Price \$2.10