

ALIENS RELEASED BY MAGISTRATE; TWO NOT GUILTY

Charges Trivial but Police
Were Only Doing Duty
in Arrests

The three men of foreign birth, Otto Pietz, H. Zulinski and F. Kaasch, who were recently arrested by the city police on the charge of possessing arms and ammunition as aliens, was proceeded with at the police court. A second charge was preferred against Mr. Pietz to the effect that he had given arms and ammunition to aliens.

According to the evidence of Detectives Dealy and O. Smith, who made the arrests, they one day last week went to 1063 Fraser, where the parties lived and found the three men hitching up a horse to a rig. Upon making an examination they found a couple of guns covered up by sacking and two boxes of ammunition in another sack. When the arrests were made Pietz told the officers that he was a naturalized Canadian and one of the other men went into the house and brought out a parole card, such as is signed by foreigners who have not been naturalized. They all spoke broken English and admitted that they were German born. Pietz showed his naturalization papers. Detective Effenberger gave evidence to the effect that Zulinski and Kaasch were given parole cards for for-

eign enemies on Nov. 30. On the men being searched two shells were found in the pockets of Kaech. George O'Connor, who appeared for the defendants, did not cross-examine any of the witnesses.

For the defense, Mr. Piets gave evidence to the effect that he was a naturalized British subject and that he had been in Edmonton seven years. He produced papers showing that he had been naturalized on Nov. 2, 1904. Kaech was his nephew and lived with him, while Zulinski was also a nephew and lived with his father some 60 miles out. On the day they were arrested they had arranged to go to the brother's place and took the guns so that if they saw any rabbits they could get a shot at them. One gun he had had for a year and a half and the other he had borrowed from a neighbor for the occasion. The shells contained No. 5 shot, which was very small. When he was arrested the police threatened to put the handcuffs on him if he did not go with them at once. He was a contractor in the city and had been for some time past. He owned the horse and rig they were going out in.

In cross-examination much amusement was caused by the defendant admitting that at the time he was naturalized he had not been in the country for three years.

Mr. O'Connor—Oh, that is nothing during election times."

Witnesses as to character was then called. Joseph Bullman said that he had known Mr. Piets for some time as a citizen of repute. His credit was good with him for \$10,000 any time he wanted it.

Mr. Rendall, of Rendall, Mackay & Michie, also said that he had known the defendant for three years past. He was a first-class citizen and "Al" pay.

Disposal of Cases

This being all the evidence his worship immediately dismissed the cases against Piets and discharged him. He went on to say that there had undoubtedly been a technical offense committed by Kaech, he having ammunition found on him. There was no criticism of the action of the police, they had merely done their duty. They had, however, many respectable German citizens in their midst and they were entitled to proper protection. There was no case against Zulinski and as regards Kaech, he would be allowed out on suspended sentence.

Mr. Barclay appeared for the crown, and George O'Connor for the defense.