

Approved and ordered this

1367.
28th day of November, A.D. 1923
[Signature]
Lieutenant-Governor.

At the Executive Council Chamber, Victoria,

PRESENT:

The Honourable

Mr. Oliver
Mr. Manson
Mr. Hart
Mr. Barrow
Mr. Pattullo
Mr. Sloan
Mr. Sutherland
Mr. MacLean

in the Chair.

To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to REPORT:--

THAT on the 2nd day of November, 1923, at Golden, B.C., before G.E. Sanborn, Esq., Stipendiary Magistrate, CYRUS MASON and D. HOGOBOOM were each fined \$50.00 and in default thirty days imprisonment, on a charge of carrying firearms and traps without first taking out a licence, contrary to section 23 of the "Game Act".

THAT the fines were not paid and the said CYRUS MASON and D. HOGOBOOM are now confined in the lockup at Golden, B.C.

The Chief Constable at Golden reports as follows:--

"The above named men were apprehended by Constable F.H. Butwell at Beavermouth on the 1st instant, and appeared before G.E. Sanborn, Esq., Stipendiary Magistrate, at Golden on the 2nd instant, charged with carrying firearm and traps, without first taking out a licence in that behalf, contrary to section 23 of the Game Act.

"The accused, who stated they were from Calgary, Alta., pleaded guilty to the charge, and were fined \$50 each, and in default 30 days imprisonment in Golden Lock-up. The guns and traps were not confiscated, and as they have no money the fines have not been paid.

"The case arose from information given Constable Butwell by a trapper named Ed. Robinson, who was coming up the Columbia River and saw these men making a raft down the river from Beavermouth, and they stated to him they were going trapping down the Columbia River. He advised them not to attempt to go on the river on a raft, also that they would have to have a licence to trap. Constable Butwell went to their camp early on the morning of the 1st instant, there was no raft in sight, and as they admitted they were just in from Calgary he brought them in to Golden to make sure they did not go down the river, as it is likely to freeze up at any time it would be a hard trip on foot to bring them out. Moreover owing to the rapids only expert canoeemen with a good outfit has any chance of getting through. When arraigned before the Magistrate these men put up a poor defence, but since the trial have talked freely, and claim they had abandoned the idea of going trapping, had no intention of breaking the laws of this country, and had written out for funds so that they could look for work. They had a good stock of food, two pairs snow-shoes, and a toboggan, three dozen steel traps and a rifle. The rifle was still wrapped in paper as it came from the gun store in Calgary. Neither one of them has had any experience trapping, and they both seem to be respectable well spoken fellows. They had been in the Province three days when arrested, and both claim they were misinformed by two men from Revelstoke with whom they worked in the prairies, as to the trapping conditions in British

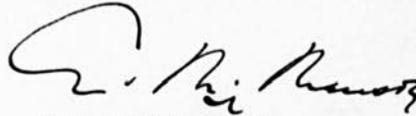
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Columbia. The penalty imposed seems rather a heavy one but is the minimum prescribed by section 45 S.S.(c) of the Game Act, and the Magistrate has expressed himself as being of that opinion."

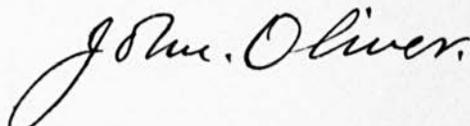
THE UNDERSIGNED HAS THEREFORE THE HONOUR TO RECOMMEND, under authority of section 9 of chapter 44, "Revised Statutes of British Columbia, 1911," that the sentence of \$50.00 fine, and in default thirty days imprisonment imposed on the said CYRUS MASON, and the sentence of \$50.00 fine, and in default thirty days imprisonment imposed on the said D. HOGOBOOM be remitted on the following conditions, namely, THAT, in case the said CYRUS MASON or D. HOGOBOOM be found guilty during the said time of an offence against either a Provincial or Dominion law, the Attorney-General may thereupon order the arrest of the said CYRUS MASON or D. HOGOBOOM under the original warrants of commitment for the offence first above stated and cause them to be returned to the Lockup at Golden, B.C., to undergo the unexpired portion of their sentences.

AND THAT a certified copy of this Minute, if approved, be forwarded to R.J. Sutherland, Chief Constable, Golden, B.C., and to the Superintendent of Provincial Police, Victoria, B.C.

DATED this 27th day of November, A.D. 1923.


Attorney-General.

APPROVED this 27th day of November, A.D. 1923.


Presiding Member of the Executive Council.

Order in Council No. 1367 and 1370

28th November 1923

Received from the Provincial Secretary's Office 2 Certified Copies of
above Orders in Council.

Department of Attorney-General

Per *A. A. Colvill*