

# Fourteen Reginans Summoned Under Radio License Law

## Some Pay Dollar Fines Others Granted Remands

Fourteen Reginans were summoned to city police court Thursday to face charges of operating radio sets without having licenses.

Doubt of whether they should be required to have licenses for radios that they did not own themselves resulted in four of the 14 persons pleading not guilty. In these four cases adjournments were granted until Dec. 24, with the understanding that automatic adjournments would be arranged for on that date until Dec. 31.

Nine pleaded guilty and were fined \$1 and costs of \$3 each by Magistrate A. R. Tingley.

In one case no plea was entered and an adjournment was granted until Dec. 20.

The 14 charges were laid by J. H. Sinclair, inspector for the bureau of radios of the federal department of transport and communications. They resulted from investigations carried on in Regina on Nov. 22, Nov. 23 and Nov. 24 and were under the Radio Telegraph act.

### Plead Guilty

Those who pleaded guilty and were fined included: Wallace Anthony, 2218 Edgar street, whose wife appeared and told the court she always got a license within the year but had not obtained the 1937 license before Nov. 22; Bryson E. Cummings, 1340 Princess street; William S. Pate, 2022 Robinson street; James H. Parkin, 1535 Princess street; John Cookson, 2227 Robinson street; Nellie Murdock, 2155 Robinson street; Edward S. Forsyth, 2123 Robinson street, and John A. Stafford, 2110 Robinson street.

These persons had all obtained licenses one day after they were charged.

Claiming the radio he was operating when charged with having no license was one he had on trial from a store, Joseph Schlitt, 2170 Edgar street, believed himself "an exception" to the Radio Telegraph act under which the 14 charges were laid. He had bought a license as soon as he purchased a radio, he said. Magistrate Tingley advised him to plead not guilty.

Frank H. Derbyshire, 5 Adams block, pleaded not guilty because he didn't "own the radio." Donald K. Douglas, 1051 Princess street, pleaded not guilty as he said he didn't own or operate a radio but he was willing to plead guilty for "the owner."

### Told to Leave

Saying that the radio might be licensed under the name of George Pelly, Charles A. Collins, 1828 Rose street, the Night Hawk Cafe, told the court he was at a loss as how to plead. He asked Magistrate Tingley to "ask the department" if the radio was licensed. The magistrate replied: "I'll ask nothing. I'm here to try cases. I'll take it as a plea of not guilty."

Collins then started a conversation with two officials of the radio bureau in the court room and after Inspector D. McDougall had called for silence in the court Mr. Collins continued to talk in an audible voice he was told to leave the court room. He left.

"Your'e the doctor," said Magistrate Tingley to John A. Stafford when told that Mr. Safford didn't own the radio which he was charged with operating. "I'll plead guilty then. I don't suppose I'd get any farther the other way," replied the accused.

Peter Hogan, 7 Adams block, entered no plea and will appear Monday to answer the charge.

# News Travels Fast in Rural Points

## When Radio Inspector on the Trail

16 Jan 36

Popularity of a movie star has nothing on that of the small-town postmaster when the radio inspector comes to town.

And it takes less time than to say "Jack Robinson" for radio owners to hear that the radio man has arrived.

The radio men, now on a thorough and province-wide quest for non-licensed radios, are busy men these days. Delinquents are being caught and haled into court to pay fines.

The old-fashioned method of much footwork and door-knocking is the one being followed by the radio men. Without warning an inspector will drop into a town. He is armed with a list of those in the town who have radio licenses.

He begins his door-knocking.

"Have you a radio?" the question is asked.

If the householder has, he or she is asked to produce a license. If

the license can be produced, the householder can sleep peacefully in following nights. But if not, his name is taken by the inspector and his night's rest thereafter is spoiled for days in wondering what it's going to cost him.

### News Travels Fast

One difficulty the inspector runs up against is the speed with which the news that he is in town travels. The telephone is perhaps to blame. But hardly is the inspector on his rounds than the town postmaster, vendor of the radio licenses, is besieged by anxious radio owners, intent on getting a license before the inspector gets to their homes.

Some postmasters, radio men say, do a "land-office" business in radio licenses in the short space of an hour or so.

The radio inspector, being human, frequently is embarrassed, when often he happens to call at

the house of some friend. Despite the good relations existing, the inspector must ask for a license.

Even the mayors and magistrates in some small towns have been quizzed.

So far, though, no mayor or magistrate has had the misfortune of not being able to produce his license.

### Inspector Is Beaten

In one small town near Regina, the radio inspector knocked at a door. A woman, breathless, answered. Had she a radio license? Yes, she had—and not only did she have it, she said, but she "always had her radio license."

The inspector asked to see it.

He couldn't conceal his grin. The license was dated that very day, and, he surmised, the woman was breathless from a fast run to the post office to get a license and back to her home to be there before he arrived.

# RADIO OWNERS AFTER LICENSES

*Oct 12 1935*

## Police Court Convictions Are Having Effect Thinks Pottle

Recent prosecution of delinquent radio set owners who failed to get their 1934-35 licenses has sent Regins helter-skelter to pay their two dollars with the result the total already is some 500 more than last year.

W. R. Pottle, radio inspector, said he was gratified at the results of the campaign which is being continued throughout the province. In Regina district alone there have been 24 convictions registered out of 24 cases brought before the courts and 79 more are pending. Moose Jaw district has seen 14 convictions and Saskatoon nine.

Though he could only give an approximate estimate, Mr. Pottle said there are now about 7,500 radios licensed in Regina. The total for last year was 7,098. However, in September this year there were only 6,400 and the campaign began. It meant that at the end of October the number of sets licensed in Regina had jumped to 6,947. Saskatoon has 5,600 licensed.

Though there are more cases pending in the Regina courts, seven radio set owners have already appeared and been fined various sums for not having their licenses. Other convictions are: Four in Canora; five at Tiny; eight at Kamsack; with cases pending at Yorkton, Weyburn, Wadena, Melville, Springside, Rhen, Langgan, Wynyard, Dafoe, Neudorf, Kandahar, Fort Qu'Appelle, Killaley, Estevan and Bienfait.

# Scores Prosecuted As Radio License Drive Is Launched

Round-up of all radio license delinquents in Saskatchewan has been started by officials of the radio branch of the federal government.

The drive to prosecute those who are tuning in, without benefit of the federal government's license, was started this week.

## Small Corps Busy

A small corps of radio branch inspectors are now combing Saskatchewan—rural areas, small towns and cities. The check is a systematic one, each man thoroughly going over certain territories blocked out for him.

Results of the drive are already apparent as nearly 50 prosecutions have been started. Most of these are in northern towns and cities.

More will follow, radio officials state, if the radio owners who have no license, haven't taken one out before an inspector calls.

It has been estimated that 10,000 unlicensed radios are in use in Saskatchewan.

Prosecutions in Yorkton, Regina, Moose Jaw and Weyburn against several delinquents took place in December. Some were fined.

## License Cost \$2

The radio license costs \$2 and is good from April 1 of one year to March 31 of the next.

The radio branch statistics indicates that 36,468 radios have been licensed since April 1, 1935.

Figures for the chief urban centres for the same period are: Regina, 7,155; Saskatoon, 5,545; Moose Jaw, 3,544; North Battleford, 923; Prince Albert, 1,282; Swift Current, 503; Weyburn, 426.

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The spring fashion show is likely to be staged this year under the joint auspices of the Yorkton Enterprise and the "Need-Us" club. Watch The Enterprise for further announcement.

*YORKTON ENTERPRISE*  
*Feb 24 1938*

An inspector from the radio branch of the department of marine and fisheries was in Yorkton recently and as a result twelve local citizens who did not possess radio licenses for operating their receiving sets were fined \$1 and costs each in R.C.M.P. court this week. Three more citizens are to appear on similar charges Monday next.

# ELEVEN FINED FOR HAVING NO RADIO LICENSE

## Some Accused Indignant When Prosecuted After Heeding Warning

Persons who did not have a radio license last November, when check-ups were made, paid the penalty in city police court Tuesday whether they had since obtained a license or not.

Three of the 15 appearing entered pleas of not guilty and were remanded to next Tuesday. One man had his case adjourned a week without plea being taken.

Of the remaining 11, all entered pleas of guilty, and paid fines of \$1 and costs each. Many, however, with an air of righteous indignation. Kathleen French was first to declare that she had obtained a license immediately after the inspector called.

Mrs. Elsie Stokes wanted to know if she would have to buy a license now, and another one in March and pay the fine in addition. The court ruled that she would have to do just that.

M. Thompson, her attorney said, borrowed a radio on November 28. The inspector called on November 19 and Miss Thompson bought a license the following day.

Howard R. B. Baird, Audrey Turner, Muriel Grant, Frank Kernaghan, Mrs. Glorie Brown, Oliver Harrison, Aaron D. Chmelnitsky and Cecil H. Bishop all paid-up without comment.

# **HURRY TO GET RADIO LICENSE**

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(Special Despatch)

WYNYARD, Sask., Jan. 20.—

The office of the postmaster, James Purvis, issuer of radio licenses, was the scene of feverish activity Wednesday of this week, when A. C. Sinclair, federal license inspector, paid a visit to town, accompanied by Constable Love of the Foam Lake R.C.M.P. During their brief visit to town it is understood that several machines were seized and it has been intimated that about 12 charges will be laid. The postmaster was called upon to do several hours' overtime issuing licenses to many of the forgetful ones, who were forcibly reminded of their negligence by the presence of the inspector.



# What Is Your Opinion?

## RADIO PROSECUTIONS

Editor, Regina Daily Star:

Sir,—Your paper recently carried a news item to the effect that six people had just been prosecuted for failure to have radio licenses, and had been fined \$1.00 and costs. If this is a matter of public interest, and no doubt it is to some extent, so also should the circumstances of the inspection which resulted in these prosecutions be a matter of public interest. They should also be of interest to the Department of Radio and Marine, at Ottawa.

When this inspector arrived in town, along with his silent "witness," his presence was advertised for at least fifteen minutes before he got to work. It is alleged that he went so far as to tell one person that, if he did not have a license for his radio, he had better get one before he (the inspector) called. There was a grand rush for radio licenses. Wives telephoned their husbands and refused to answer the inspector's knock until husbands got home with the license. Others who had become aware that the inspector was in town, got their licenses and beat him to the front or back door, whichever was closest, by yards. It is alleged that other radios temporarily disappeared from their accustomed places in the homes. Other homes having radios were not visited, and those having crystal sets were given an "O.K." whether they were licensed or not.

Altogether it was a busy time, and the local postmaster sold twenty radio licenses that afternoon. All were bought after the Inspector arrived in town. Most of those prosecuted were among the twenty, but they were unfortunate, and therefore guilty, because they were unable for various reasons to beat the inspector to it, or preferred, perhaps, to candidly admit their position and rectify it immediately by purchasing a license so the inspector might verify the fact before he left town.

Now the point is this: Twenty people admitted, by the very act of getting their licenses that afternoon, that they were guilty of operating a radio set without having a license as required by the Act, but only six were prosecuted.

Why did the inspector not take action in all cases where

the evidence was so clearly before him?

Why were only six prosecuted?

We do not suggest that crystal sets should be taxed by a \$2.00 license fee, or that they should know by whose authority they are granted exemption. Neither do we suggest that people on relief should be debarred from the use of their radio because they have not the price of a license, but we should know on whose authority these cases are exempted when a few of those who are helping to foot the relief bill are not only taxed for a license but are prosecuted after they have bought one.

If these inspections and prosecutions were for the sole purpose of holding a few up as examples, then the purpose appears to have been accomplished. If they were for the purpose of seeing that justice was done, the prosecution of only six out of twenty equally guilty persons is evidence that the ends of justice, insofar as the action of this inspector was concerned, were sadly met.

Whatever the purpose, the circumstances surrounding this inspection, and the results of it, leave much to be desired in a British country, and have done nothing to increase respect for either Canadian Radio or Inspector W. Pottle.

Yours truly,

"THE SIX."

# RADIO OWNERS<sup>34</sup> PAY \$5 FINES

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## First Cases of Sort Heard After Charges by Government Inspector

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Charges of operating their radios without licenses brought pleas of guilty from three Regina citizens Tuesday in the first cases of their kind to come before city police court.

Walter Breet and R. J. McWaters were each fined \$5 and costs with options of seven days in jail. Alfred A. Fisher also pleaded guilty. His case was adjourned until Wednesday to give him an opportunity to purchase a license and produce it in court.

Magistrate W. B. Scott, K.C., observed that the charge carried with it a maximum penalty of \$50 and costs.

The charges were laid under the Radio Telegraph act, with W. R. Pottle, Dominion radio inspector, named as informant.

# COURT DROPS RADIO LICENSE CHARGE

SASKATOON, March 4.—Police Magistrate F. M. Brown Thursday morning dismissed a charge against George Simpson of operating a radio without a license. He dismissed it principally on the grounds that the permission to take action had not been before the justice of the peace when the information and complaint was laid.

The case presented several unusual angles, and counsel for the department and for the defence said that they could find no case exactly paralleling it in Canadian law books. The magistrate had also searched for cases on the point without success.

The magistrate also put some weight in the defence contention that the permission to proceed with the action had not been sufficiently definite in citing the actual offence which was to be laid against the defendant. He said he could not understand why the minister's permission must be obtained unless the minister required a prima facie case be made out by the inspector before proceeding. There was nothing to show that this had been done.

# **HAS NO RADIO LICENSE, FINED**

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(Leader-Post Moose Jaw Bureau)  
MOOSE JAW, Oct. 23.—Prosecutions against citizens who have failed to take out their radio licenses started in city police court Monday with the appearance in court of three men.

Harry Ediss pleaded guilty and was fined \$1 and costs and the cases against Nick Antonuk and W. Goetling were adjourned until Thursday.

Because Archibald T. Campbell bought his radio license in October last year, he said he thought it would be all right if he bought it the same time this year. W. R. Pottle, Dominion radio inspector, thought differently.

Campbell was fined \$1 and costs for operating his radio without a license for the current year.

*31 Oct 34*

# Six Operators of Radio Sets Fined; Had No Licenses

George Wm. Baker, 821 Athabasca Street East; Thomas M. Guthrie, 1038 Athabasca Street East; Samuel R. Newberry, 435 Home Street West; Joseph Bastin, 433 Athabasca Street West; George Knechtel, 1086 Sixth Avenue North West, and Samuel Acorn, 576 Stadacona Street West, were each fined \$5 and costs when they appeared on Tuesday afternoon in the Royal Canadian Mounted Police Court before Justice of the Peace Ken B. Hamilton, charged with operating radios without a license.

The information was laid by W. R. Pottle, Dominion Radio Inspector, and all pleaded guilty to the charges.

Speaking relative to the prosecutions to a Times-Herald newspaper representative, Mr. Pottle pointed out that there were several hundred radio operators in Moose Jaw who had not taken out licenses. Should they not do so at once, further prosecutions will in all probability be commenced.

License fees are applied towards paying the expenses of the service rendered by the Department of Marine and Fisheries in tracing and eliminating inductive interference. Every radio operator, he points out, should co-operate in paying for service he receives.

Radio licenses are obtainable for the sum of \$1 at the Post Office, and the R.C.M.P. Barracks, or at the office of any dealer in radios or radio supplies in the city of Moose Jaw.

Mr. Pottle also mentioned that the license runs from April 1 to March 31 in each year, and that all those now holding licenses will be required to obtain new ones on or before April 1 next.

# Start Court Cases For Radio Licenses

## Three Charges Laid in Moose Jaw and More Pending

MOOSE JAW, Oct. 22.—Radio inspectors and R.C.M.P. are busy checking up radio licenses and as a result of investigations to date three charges have been laid and four more are pending.

Although Harry Ediss, 243 Lil-  
loet street, produced a license in  
police court, he pleaded guilty to  
a charge of operating an unlic-  
ensed radio when the inspector  
paid him a call, and was fined \$1  
and costs, a total of \$4.00.

William Goetling, 1052 Willow  
avenue, pleaded not guilty and was  
set over until Thursday for hear-  
ing while Nick Antonik failed to  
appear in answer to his name. He  
will be given an opportunity to an-  
swer the charge, Tuesday, before  
further action is taken.

Inspector J. C. Stephen, depart-  
ment of marine and radio, is in  
charge of the drive against persons  
operating unlicensed radios and is  
inspecting machines in the city and  
country alike. To facilitate the  
work he has been supplied with a  
list of all radio owners who were  
licensed last year but who have  
failed to take out a license for the  
current year. Inspector Stephen  
states action will be taken against  
all owners of unlicensed machines,  
whether or not they take out a  
license following his visit.

## Radio Fee Action Argued by Counsel

### Question of Minister's Order for Prosecution Raised in Saskatoon Case

No decision was reached in city police court Thursday morning in the case brought by the Department of Transport against George Simpson, 330 Third Avenue, north, for failing to have a radio license while operating a radio in his home. Counsel for the defense argued that the prosecution of Mr. Simpson was completely out of order because the order for the prosecution from the minister, required under the Radiotelegraph Act, had not been shown to the justice of the peace at the time the information was laid.

A. L. Bates who is acting for the defense, also disputed the legality of the order from the minister. He claimed that it did not set out the

nature or the time of the alleged offense in sufficient detail.

A. M. McIntyre, K.C., for the prosecution, argued that the fact that the order was in existence and in the possession of the radio inspector when the information was laid was sufficient under the act. He also contended that the order for the prosecution which contained the wording of the act was suffi-

ciently definite. Additional legal references will be cited when the case is heard again—on March 3.

### INVITED TO REGINA

REGINA, Feb. 23.—Dr. Donald Moore, B.Sc., assistant pathologist at Vancouver General Hospital, has been invited to accept the position of pathologist at Regina Hospital.



# INFERENCE IS NOT PROOF IN RADIO CASE AT WINDSOR

ONUS OF PROOF IS ON DEPT. TO  
PROVE OWNERSHIP AND OPER-  
ATION OF SET.

Inference is not proof. The possession of a radio set does not prove the ownership and the fact that a radio set is in operation in a private home does not prove that the owner of the home is the operator of the radio set. This was briefly stated the ground upon which Magistrate Smith of Windsor dismissed the charges brought against Archie F. Gignac, Windsor barrister and township solicitor of Sandwich West, in a second tilt with the Minister of Marine and Telegraphs. However, as in the first case, the Department will appeal the magistrate's decision to the Supreme Court of Ontario.

Radio set owners in Western Canada will be interested in the decision as rendered at Windsor and the history of the first charge against Mr. Gignac, and the judgment given a few days ago on the two charges heard by Magistrate Smith are given for the information of the public, and are as follows:

## Acquitted Before

Several months ago Mr. Gignac was charged by the government with non-payment of his 1932 radio license and was also acquitted in Magistrate Smith's court. Mr. Gignac escaped conviction through technical loopholes in the act governing the establishment and operation of radio sets and stations. And, strangely enough, these gaps were not plugged at the session of the House of Commons intervening between Mr. Gignac's two appearances in court. Magistrate Smith found a few days ago in the first charge against Mr. A. F. Gignac, that of unlawfully operating a radio apparatus, that "there is no evidence that the defendant owned the set, except that some months ago he admitted ownership of a radio set then in his house." And there is no evidence he added, that Mr. Gignac "had ever worked" the set discovered in his home by the government authorities.

On the second count—that of unlawful establishment of a radio telegraph station—the magistrate found there "was no evidence except by inference."

The latest action against Mr. Gignac is set out in detail in Magistrate Smith's judgment, as follows:

## The Judgment

"Archie F. Gignac is charged by Robert G. Gooding, government radio inspector, for the Border Cities and district, on order of the Minister of Marine,

"(1) That on the 4th day of September, 1933, he did unlawfully work a radio telegraph apparatus without having been granted a license by the minister, contrary to Section 6, R.S.C. 1927, Chapter 195, and

"(2) That on the 4th day of September, 1933, or some time prior thereto, he did unlawfully establish a radio telegraph station in Canada, without having been granted a license by the minister, in accordance with the provisions of Section 6, R.S.C. 1927, Chapter 195.

"Chapter 195 of the Revised Statutes of Canada is a recapitulation of the Radio Telegraph Act passed in 1913, without any amendment making its provisions apply specifically to a private radio receiving set.

## In Sandwich West

"The defendant, Archie F. Gignac, is the owner and occupant of a house on Dominion boulevard in the Township of Sandwich West, in the County of Essex, more particularly described as being lot 128, according to plan 1286, and is assessed to him as owner.

"Electrical power or energy is supplied the defendant at his said residence by the corporation of the Township of Sandwich West for lights, domestic appliances and range, under the Power Commission Act, R.S.O. 1927, Chapter 57 and amendments thereto.

"On September 4th, 1933, the complainant Gooding, accompanied by Constable Jones, R.C.M.P., went to the said residence of defendant and was admitted to the house. They found a radio receiving set, described as a Westinghouse 6-tube model installed in the living room and attached to the 110-volt house current.

It was in operation and receiving a local broadcast. The set was placed under constructive seizure. The defendant was not at home. A lady said to be the defendant's wife talked to the officers and while they were there first lowered the volume of the set and finally turned it off.

## Once Admitted Ownership

"There is no evidence that the defendant owned the set, except that some eight months ago he admitted ownership of a radio set, then in his home.

"It is in evidence that on the 6th of September last the defendant, in conversation with complainant, said he had no license and did not intend to get one.

"By consent, the evidence taken in the one case is made applicable to the other.

"On these facts I am asked, first, to find the defendant guilty of working a radio-telegraph apparatus, which the prosecution claims includes a private radio receiving set, without a license permitting him so to do.

"To work or operate a radio receiving set, there must be a turning on of electrical current, followed by such necessary manipulation of the dials as will 'bring in' the station desired.

## Requires Proof

"There is no evidence that the defendant ever 'worked' the radio in any way. There is no presumption under the act that possession of a radio receiving set is even prima facie evidence of the offence of working the set. The onus is on the complainant to prove defendant's guilt, not on the defendant to prove his innocence.

"I must, therefore, find him not guilty of this charge.

"I am also asked to find that the defendant is guilty of establishing a radio-telegraph station without having been granted a license permitting him so to do.

"Even assuming that installing a radio receiving set in a private residence constitutes such residence or any part of it a 'land station' as defined by section 2, subsection (b) of the act, as to which, I having regard to such inconsistent parts of said act as sections 8, 9 and 13, I have considerable doubt, I must find that there is no evidence, except by inference, that the defendant established such station, and as stated previously I can see no authority for giving effect to any such inference.

"This charge also must be dismissed."

# *Pense People in Protest About Radio Prosecution*

Protest of six residents of Pense, prosecuted recently for failing to have a license to operate a radio, against being singled out for prosecution when 20 residents of the town did not have licenses, is contained in a letter to The Leader-Post.

These six residents state that when the radio inspector came to Pense there was a concerted rush by radio owners to get licenses from the postmaster. Among these 20 were those six who were prosecuted. The letter says: "Twenty people admitted by the very act of getting their licenses that day, that they were guilty of operating a radio without having a

license, but only six were prosecuted. Why did the inspector not take action in all cases where the evidence was so clearly before him?"

It is stated further that while it can be understood that people on relief cannot pay the price for a license "we should like to know on whose authority these cases are exempted when a few of those who are helping to foot the relief bill are not only taxed for a license but are prosecuted after they have bought one."

The writers say that the circumstances surrounding the inspection and the results of it "leave much to be desired in a British country."

# Fifty in Yorkton Face Prosecution

## Failure to Get Radio License Brings Inspector's Check-up

YORKTON, Sask., Jan. 11.—Approximately 50 prosecutions were pending against Yorkton unlicensed radio owners after J. H. Sinclair, government radio inspector of the Department of Marine and Fisheries, had made a canvass of local residences to see if radio owners have bought their 1935 licenses.

Mr. Sinclair contends that though there are more than 600 machines in the city, only 300 licenses have been issued here for the year ending March 31, 1935.

# Another Finds License Needed

## A. T. Campbell Fined for Not Having Necessary Radio Papers

Another Regina radio set owner who neglected warnings of the radio inspector to get his 1934 license, Archibald T. Campbell, was fined \$1 and costs when he appeared before Magistrate R. H. Turnbull, Wednesday, in city police court and pleaded guilty to a charge under the Radio Telegraph act. Campbell was represented by E. W. Hinkson. The charge was laid by Radio Inspector W. R. Pottle. It was the latest in a series of prosecutions aimed at delinquent radio license buyers. The total of 1,500 without licenses this year has been considerably reduced since the prosecution commenced.

# LICENSELESS RADIO ROUND UP BRINGS 14 INTO CITY COURT

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## Nine Plead Guilty and Are Fined and Five Others Adjourned

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Fourteen radio listeners in Regina who failed to buy this year's license before federal officials checked them up in November, were listed on city police court dockets Thursday, charged under the Radio Telegraph act.

Nine pleaded guilty and paid \$1 and costs. Four denied their guilt and their cases were set over for hearing December 24. One entered no plea and asked for adjournment which was granted to December 20.

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\* be much more prosperous soon than at any time in its history.

"I know industrialists in the east are thinking of expansion in the west. They realize, like we do, that we need to become an integral part of your west. We must think nationally."

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Feb. 7/39

# Drive Over Unpaid Radio Licenses Brings 16 Regina to Court

First radio license prosecutions of the year, charges were brought against 16 Regina residents in city police court Tuesday by department of transport officials, alleging that the defendants had illegally possessed radios without a license between April 1 and the latter part of November last year.

Eleven of the accused pleaded guilty and paid a total of \$44 into police court coffers. The penalty in each case was \$1 and costs or five days in jail. Three others pleaded not guilty and were remanded until next Tuesday for trial.

An adjournment without plea until Saturday was granted to Thomas W. Byam and the summons had not been served in the case against Steven G. Larden.

#### Pleas of Guilty

Pleas of guilty were entered by Howard R. B. Baird, Miss Kathleen French, Miss Audrey Turner, Miss Muriel Grant, Frank Kernaghan, Mrs. Glorie Brown, Oliver Harrison, Mrs. Elsie Stokes, Aaron D. Chmelnitsky, Cecil H. Bishop, Miss M. Thompson and Allan D. Hewitt.

Over half of the accused did not appear in person, but were represented by counsel or friends.

Walter R. Pottle, radio inspector, told Magistrate W. B. Scott that the department was asking only for a nominal penalty and pointed out that fines in other parts of the province had ranged from \$1 and costs to \$3 and costs.

"I just had the radio in Nov.," Mrs. Stokes told the court. "My family was sick and I couldn't get out to see about a license."

#### Forgotten License

The court was informed that Chmelnitsky had obtained a radio license in every other year, had forgotten to get one last year, but had obtained one immediately he was notified.

Geoffrey L. Miles, who pleaded not guilty, said he had only had a radio for a month and had got a license two days after the inspector called. Many of the other defendants carried radio licenses in their hands as they answered the charges.

Others who pleaded not guilty were Morley J. Grassie and Mrs. D. Russell Leckie.

Although he entered a plea of guilty on behalf of his client, D. M. Tyerman, counsel for Miss Thompson, pointed out that she had borrowed the radio on Nov. 28 and the radio license inspector had called on Nov. 29.

"She considers the inspector rather efficient," Mr. Tyerman observed drily.

# **Prominent Yorkton Men Fined For Failure To Buy Radio Licenses**

[Special to The Winnipeg Tribune]

**YORKTON, Nov. 21**—Appearing before Justice of the Peace, Robert Border, in R.C.M.P. court Friday, 15 prominent Yorkton citizens were fined \$4 each for failing to have radio receiving set licenses.

Magistrate Border was surprised to see before him another justice of the peace of the city in the role of accused. Another offender was a prominent lawyer, while another was a well known banker.

All men paid fines. W. R. Pottle, government radio inspector, prosecuted.

# Without License Three More Fined

## Magistrate Holds It's Not Duty of Officials to Chase Radio Delinquents

Holding that the department of marine and fisheries, radio division, is under no obligation to send a man around to citizens' homes and ask them to pay their radio licenses but that it is the duty of the radio owner to purchase the annual slip himself, Magistrate R. E. Turnbull, in city police court, Thursday, fined three more delinquent radio license purchasers.

The three, George H. Hamm, D. Bond and Charles G. Brewster, were each fined \$1 and costs. They all pleaded guilty. In each case, it appeared, they had offered to pay the \$2 fee when Radio Inspector W. Pottle visited their homes to get evidence of operation in October, more than six months after they were supposed to have them. The inspector refused, partly because he had no license slips and also because he had been ordered to prosecute if there were evidence enough.

"I don't think I can approve any argument the department is under any duty to go to anyone's home and ask them to buy a license. It is the duty of the people to obey the law and obtain the license themselves. It is not a question of the department selling them for it would be an impossible task to call at all the houses," said the magistrate. "Under any licensing law it is the duty of the purchaser to look after it himself. I think that even if the inspector had issued the licenses as requested when he visited the radio owners I don't see what difference it would make to this charge."

The inspector said that in two of the cases collectors had visited the radio owners on two occasions but could not get the fee. In the third the purchaser thought when he obtained his license last November it was good for a full year to date.



# Not Cheery News For Some Owners

## Two Who "Forgot" to Buy Radio Licenses Pay Fines in Court

Radio owners who have not secured this year's license will not be delighted to know that Magistrate R. E. Turnbull in city police court, Tuesday, assessed \$5 fines on two of three radio owners who confessed they had been neglectful in not getting the necessary \$2 blue slip of paper.

Walter Brett and R. J. McWaters were fined the \$8, with the option of a week in jail. The latter said the collector had called on him and he promised to pay but had forgotten. Alfred A. Fisher admitted his guilt also, but he was ordered to return Wednesday with the license before hearing sentence.

W. R. Pottle, radio inspector, Regina division, laid the charges. They were the first three of a series to be laid against radio set owners without licenses. There are more than 1,400 in Regina.

Next thing the boys will be  
shaving brushes and razors to school.

¶ Mark us down as Public Enemy  
No. 1. And just to show you that  
there isn't any gratitude in this world  
any more; we dropped around to the  
police court on Monday to sympathize  
with our friends and cover the beat  
for the paper when some bird tells  
his friends, all three of them, that  
he didn't feel so bad when he saw  
some prominent citizens and the edi-  
tor up on the carpet. Can you imagine  
that? We'll have you know young  
man that our license was paid early  
—in fact we just love to pay it. Can't  
expect the Government to provide air  
for the radio waves to travel in for  
nothink!

# Local Citizens Fined For Failing to Secure Radio Licenses

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Ten local citizens appeared before Justice of the Peace F. W. Ball on Monday, charged on the information of Radio License Inspector Sinclair with failing to obtain a radio license.

Nine pleaded guilty and were assessed a fine and costs of the court amounting to \$3.20 each.

One pleaded not guilty and the case was dismissed.

# The Grenfell Sun

Published Every Thursday at Grenfell, Saskatchewan

\$1.50 per annum in advance in Canada

Other Countries \$2.00

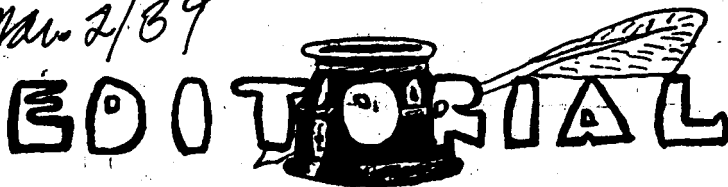
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Mar 2/39



## Radio License Prosecutions.

The ways of those charged with the duty of enforcing the collection of radio licenses are strange, as was evidenced when ten local citizens were charged on Monday with failure to have a license when the radio inspector called at their home.

No one would question the fairness of the local Justice of the Peace who tried the cases, and let it be said at the outset that when nine of the persons charged pleaded guilty he assessed a minimum fine and reduced the costs to the lowest possible amount.

The unfairness is higher up. Let us recall the events of the time of inspection, which was in January. The inspector came to town and proceeded from home to home where a radio was thought to be in operation, and a list made of those who had not obtained the necessary license.

Some homes were not visited. A list of those where no license was produced was sent in to the department, although some of them purchased licences on that day. As a result ten were summoned to appear in court last Monday.

But, and here is the unfair part of the matter; There were others who had no license and purchased same the following few days after the inspection, and no court action was taken.

Asked outside the court if it was correct that he had visited one home and found a radio in operation without a license, and taken no court action, the inspector replied that the police do not always prosecute for an offense.

He also volunteered the information that he sends in the list of delinquents to the department and then they are not all prosecuted. Who at Ottawa decides which ones will be prosecuted—or are the names checked at Ottawa?

If all are to be treated alike, we say by all means prosecute those who do not live up to the law, but when the list is handpicked, it ceases to be prosecution and becomes persecution.

One of the offenders, a lady past three score years, was only guilty technically of the offense, the set having been hooked up for only one day during the illness of her husband. Yet for the first time in her life she was hauled into court and convicted of the offense.

We understand that the department is considering the collection of radio licenses by placing the job in the hands of local returned soldiers on a commission basis, and we certainly approve of the idea. The boys who fought for liberty and democracy in the trenches will recognise what it stands for here in Canada, and the public will not be tyrannized.

We have every sympathy with those whose duty it is to uphold the law, when they use methods which do not savour of Hitler and Mussolini.