

CIRCULAR.

37

04.

THE OFFICE OF THE COLONIAL SECRETARY,
STANLEY, FALKLAND ISLANDS,

2nd April, 1904.

SIR,

I am directed by the Governor to inform you that on the 13th January last, a Warrant was issued by the Police Magistrate for the arrest of CHARLES POOLE, one time Master of the Schooner "*Allan Gardiner*" on the charge that, about the month of February, 1902, at Centre Island, Port Salvador, he feloniously did wilfully kill three animals—to wit cattle, the goods and chattels of ALEXANDER PITALUGA, with intent then feloniously to steal the carcasses of the said three animals so killed.

2. On the charge, any one may arrest POOLE without the the production of the actual warrant and for this purpose the Governor authorizes any Manager of a Station or the Captain of any Schooner, in terms of Section 12 of Ordinance 3 of 1900, to make the arrest.

3. The Government will give a reward of £20 to any person who shall effect POOLE's arrest and deliver him to the authorities in Stanley.

I have the honour to be,

Sir,

Your obedient servant,

W. HART BENNETT,

Colonial Secretary.

To _____

[626]

Falkland Islands

Government House, Stanley

No 101

29 December 1904

Sir,

In my predecessor's despatch No 27 of 28 March 1903 he refers in paragraph 3 to the Jason seal rookeries having been raided in the close season of 1901-2, and states that the Government had confiscated a small barrel of sealskins.

2. It was supposed at the time that one of the principal raiders was a man of the name of Charles Poole, but he left the Colony in H.M.S. 'Cambrian' for Punta Arenas in April 1902 before the Government was in a position to take proceedings against him for a breach of the Sealing Ordinance.

3. In March 1903 my predecessor was informed by Mr Lowther, H.B.M. Minister at Santiago to whom he had addressed a communication in January on the subject of extradition:- 'I have received a verbal assurance from the Chilean Government to the effect that they would be prepared to act upon the Treaty of 9 August 1893 in the event of your Government submitting satisfactory evidence with reference to a British subject at Punta Arenas charged with a crime in the Treaty, the copies of the proceedings being produced'.

4. I

The Right Honble

Alfred Lyttelton K.C.

cc cc cc

Secretary of State for the Colonies

Downing Street

I have no doubt that Governor Grey-Wilson on a further perusal of the Extradition Treaty with Chile was satisfied that he could not apply for Poole's extradition for a breach of the Sealing Ordinance of this Colony, but as the hides of two cattle had been found in the barrels containing the confiscated seal skins he caused information to be laid against Poole for cattle killing and stealing, and on 26 November 1904 forwarded to the British Minister at Santiago copies of two affidavits relating thereto. Further communications followed and on the 13 ^{January} ~~February~~ last sworn copies of the affidavits were forwarded to Mr Lowther as also a warrant for Poole's arrest.

5. The Chilean Courts have their vacation in February, and finally on 8 April the Minister of the Supreme Court there granted an order for the arrest of Poole.

6. Eventually on the 26 October I received through H.B.M. Minister at Buenos Aires a message from H.B.M. Minister in Chile notifying me that Charles Poole's extradition had been granted.

7. On 22 November I received a despatch from Mr Lowther confirming the above and stating that Poole would be handed over at Punta Arenas. I despatched the Chief Constable there by the first opportunity, and he returned here on the 6th instant with Poole in charge.

8. Poole was in due course committed for trial by the Stipendiary Magistrate in Stanley, and a Special Court was held on the 27th instant for the purpose of dealing
with

with the case.

9. I appointed Mr Durose to prosecute on behalf of the Crown, and Poole was indicted for feloniously killing one bull one cow and one calf &c with intent to steal the carcasses and hides &c 24 & 25 Vic. cap. 96 sec. II, and a further count was laid under sec. 92 for feloniously receiving the same.

10. The Jury returned a unanimous verdict of 'not guilty' although I consider that it was opposed to the weight of evidence, and the case was dismissed. The fact that Poole had been under arrest in Chile for about eight months, that the alleged offence took place more than two years ago, that no action had in the meantime been taken by the Government against the other offenders, that the owner of the cattle killed was at no time aggrieved and never made any complaint, that the value of such cattle in this country is extremely small, may one and all have influenced them in their verdict.

I have the honour to be

Sir,

Your most obedient humble servant

W. Z. A.
Governor

219/05
 Answered by No. 46 of
 5-Sept. 05- W.S.A.

FAULKLAND ISLANDS.

Downing Street,

No. 35

26 July, 1905.

Sir,

With reference to your despatch No. 101 of 29th December last, I have the honour to forward to you for your consideration copy of a letter from Charles Poole, submitting a claim for compensation for alleged false imprisonment.

2. Before replying to this letter, I should be glad to receive from you a report as to the reasons for
- (1) the delay in the grant of Poole's extradition:
 - (2) the delay in removing him, after extradition had been granted:
 - (3) the failure to arrest him during the alleged visit to the Colony in February 1904.

I have the honour to be,

Sir,

Your most obedient,
 humble servant,

Alfred Lyttelton

Governor ALLARDYCE, C.M.G.,

cc. cc. cc.

H. 85

Copy.

Rio Grande do Sul,
Brazil.

22nd June, 1905.

To The Right Honourable

ALFRED LYTTTELTON, M.P.,

Secretary for the Colonies, Colonial Office,
Downing Street, London, E.C.

Sir,

I, the undersigned, Charles A. Lang Poole, British Subject, but, master of the Chilian Schooner "Rapida" employed in the seal fishery off the coast of Chili, have to draw your attention to the following facts which interfered with my personal liberty.

On the 26th March 1904, I was arrested at Punta Arenas (Sandy Point) by the Chilian Government through orders from Santiago, to which city I was sent as a prisoner, the cause of which imprisonment I had no knowledge at the time. On my arrival at Santiago, I was cast into prison, and after being examined, I found that the Governor of the Falklands Islands (Mr Grey Wilson) had asked for my extradition on the ground of cattle-killing in the Falkland Islands. The said deed was supposed to have been committed in January 1902.

One month previous to my arrest, I was in the Falkland Islands, with a general cargo, but there was no claim made nor any proceedings taken against me at that time.

It

It is strange that while I was in the Falkland Islands one month why was I not then arrested, and I could have proved myself innocent of the charge made against me, without having had to undergo the terrible suffering of 8½ months imprisonment in a filthy jail in Santiago.

5 | Again I was conveyed to the Falkland Islands, imprisoned and put on trial. On the 3rd January 1903 the trial took place and I was found not guilty and discharged. I appealed to the British Minister at Santiago but he told me he could do nothing as the affair laid between the Colonial Government and the Chilian. During the whole time of my imprisonment in Chili neither the British Government nor the Chilian contributed anything for my maintenance - all this expense having to be borne by myself.

When arrested I was not given even the opportunity of taking charge of my clothes, instruments, furniture of the house in which I resided at Punta Arenas (Sandy Point).

I lost, or was robbed of, the greatest part of the above articles, to the value of £200. My expenses for maintenance whilst in jail together with the charges of the lawyer amount to £300 stg. My wages for 10 months and percentage that I received from Messrs Brown and Blanchard of Punta Arenas amounted to £500, or about £50 a month, but during my forced detention for that period I got nothing. On account of my imprisonment in Chili I have suffered from bodily ailments, rheumatism, etc., from which I have not yet recovered nor probably ever shall.

I am only thirty-six years old, and have four children to work for, but through my bad state of health brought on by my unjust incarceration in a Chilian prison, which was brought about by Mr. Grey Wilson (Governor of the Falkland Islands).

My claim is for false imprisonment owing to the maladministration of the said Mr. Wilson of justice.

I claim £2500 sterling which I trust your Excellency, after due examination of the facts laid down by me, will be allowed to me.

I have, &c.,

(Sd.) CHARLES A. LANGE POOLE.

My address is:

Charles A. Lang Poole,
Punta Arenas (Sandy Point)
Straits of Magellan,
C H I L I.

Government House, Stanley

5 September, 1905.

Sir,

I have the honour to acknowledge your despatch No 85 of 26 July submitting a claim for compensation for alleged false imprisonment by Charles Poole, and beg to make the following report upon the several points mentioned by you.

- (1) Delay in grant of extradition
- (2) Delay in removing Poole after extradition had been granted.

1. On 26 November 1903 my predecessor applied to H.B.M. Minister in Santiago as to whether the Chilean Government would be prepared under certain circumstances to act upon the Treaty of 9 August, 1898. The Minister's reply of 5 December was not altogether assuring, and writing again on the 18th Mr Lowther stated, "The Supreme Court has decided that it cannot take up the extradition of Charles Poole without the presence in Santiago of the accused. x x x The Courts do not sit during the month of February. Considerable delay and much expense which falls upon your Colony will consequently be caused, and under the circumstances I should be glad to know whether you desire me to proceed in endeavouring to obtain the extradition of the accused".

2. On 12 December 1903 the British Minister was notified

The Right Honble

Alfred Lyttelton K.C

Ac

Ac

Ac

Secretary of State for the Colonies
Downing Street

notified by the Chilean authorities that the Supreme Court would, "dictate the order necessary to obtain the arrest of Charles Poole".

4. On 13 January 1904 my predecessor transmitted sworn copies of affidavits of witnesses in the alleged cattle stealing and a warrant for Poole's arrest, and continued:-

"4. Should you be of opinion that the expenses in connection with the extradition will exceed one hundred pounds I shall be glad to hear from you before final action is taken, and to receive an estimate of the probable expenses.

5. In view of the slender mail communication between this and Chile the officer to be sent from here could not reach Santiago until some time after the order for extradition was made".

6. On February 4th 1904 the British Minister in reply to Governor Grey-Wilson's despatch (para.4) wrote, "From enquiries I have made it does not appear likely that the expenses connected with the extradition of Charles Poole will exceed £100, although it is quite impossible to obtain an estimate. It may be found necessary to bring Charles Poole from Punta Arenas to Santiago. I am consequently proceeding with the request for extradition but the Courts are closed for the vacation and it is probable that no action will be taken for the present."

6. On 4 April the Minister for Foreign Affairs informed the British Minister that the Supreme Court had granted an order for the provisional arrest of Charles

Charles Poole. The despatch conveying this information was received in Stanley on 27 April.

7. On 21 April the British Minister reported that, "Charles Poole has now been placed under temporary arrest and brought to Santiago. x x x In order to proceed with the case it is necessary that I should make a demand in due form for the extradition x x x With the documents with which you furnished me I am not able to make the demand, but it is quite possible that they may not have reached me yet although sent, the last despatch I have received from you on the subject being dated January 13th. x x x Article XIV states that, 'if sufficient evidence for the extradition be not produced within two months from the date of an apprehension of the fugitive or within such further time as the State applied to, or the proper tribunal there shall direct, the fugitive shall be set at liberty'. x x x I shall consequently await the necessary documents before presenting the demand for extradition". This despatch reached Stanley on 25 May. (As already stated in paragraph 4 the documents applied for had been transmitted in the letter of 13 January 1904, and were afterwards considered sufficient for the purpose).

8. The next communication received by this Government was a brief despatch from the British Minister at Buenos Aires dated 8 October 1904 stating the bare fact that the extradition of Poole had been granted. This was received on the 26 October.

9. On 22 November despatches bearing date of 9th

9th and 15th October were received from the British Minister at Santiago, as also five telegrams bearing on the case, stating that Charles Poole would be despatched to Punta Arenas on the 18th instant to be handed over to the officer from this Government designated to receive him. On the following day-22 Novr- the Chief Constable proceeded to Punta Arenas and returned to Stanley with Poole on 3 December.

102.9

10. To summarize. In view of Article XIV of the Treaty this Government believed that extradition had not been granted, and the first intimation ~~which was received~~ to the contrary was contained in a short despatch from the British Minister at Buenos Aires dated 8 October which was received on the 26th. As the mail- steamer was leaving at once there was no time to despatch a Police Officer to Santiago-that being the place where it was understood from a previous despatch from the British Minister in Chile the prisoner would be handed over. The Chilian authorities are responsible for the delay in the grant of Poole's extradition, while the failure of communications explains why he was not removed immediately after extradition had been granted.

11. The period between 1 April when Mr Lowther's despatch of 2 March 1903 covering the verbal assurances of the Chilian Government was received (see para. 3 of my despatch No 101 of 29 December 1904) and 26 November 1903 when my predecessor wrote and formally applied to the British Minister for Poole's extradition was employed obtaining the evidence of the several

several witnesses who were working in distant and out-lying portions of the Colony.

Failure to arrest Poole during alleged visit to the Colony in February, 1904.

12. On the 24 February 1904 Charles Poole anchored at Fox Bay, West Falkland, in the schooner 'Rapida' of which he was the Master. Dr Born as Deputy Collector of Customs made the usual report to the Collector in Stanley and also stated, "I have reason to suspect that the said Master Charles Poole was concerned as Master of the 'Victorine' in the late seal poaching off the Jasons. He denies all knowledge of the 'Victorine' and I have ascertained that he has only been Master of his present ship during the last two months." I have spoken to Dr Born, now Colonial Surgeon, on this subject and he assures me that Poole led him to believe that he knew nothing of the 'Victorine' and had no connection with her whatsoever.

13. Dr Born's letter referred to above was received at headquarters on the 3 March, and I find the following minute on the subject by the late Colonial Secretary Mr Hart Bennett:—"On receipt of this letter the Governor and I at once endeavoured to arrange with the Falkland Island Company to send out a schooner in pursuit, and if possible to arrest Poole against whom a warrant is out. Captain Rowlands of the 'Fortuna' would willingly have gone but he was not well and his vessel required repair. The only other schooner available was the 'Fair Rosamond' but the Master-Captain Osborne was evidently so little keen on the job that it was decid-

ed

decided not to engage him. Nothing therefore could be done. Dr Born was instructed as to Poole's antecedents as to which he was evidently in ignorance.

14. A circular of which I attach a copy was sent out at the same time to all Managers of Stations and Captains of vessels authorizing the arrest of Poole without the production of the actual warrant. H.M.S 'Beagle' visited the Elephant and South Jasons on the 9 March but saw no sign of a schooner although the 'Rapida' had cleared for West Point and Carcass Islands before quitting Fox Bay. The British Vice-Consul was communicated with at the same time and information requested as to Poole's movements.

15. The foregoing seems to conclusively indicate that the Government did its best to arrest Poole, and that had he not purposely misled Dr Born who had no knowledge of his previous history he would very likely have been arrested at Fox Bay. You will observe that Poole did not bring his vessel to Stanley in February 1904.

16. The name of Charles Poole is unfortunately associated in this Colony with seal poaching, lawlessness, and crime. The attached Police record goes far to corroborate the above.

17. I observe that in his letter to you he states that, "During the whole time of my imprisonment in Chile neither the British Government nor the Chilian contributed anything for my maintenance-all this expense having to be borne by myself". In the British Minister's letter to the Governor of 9 October last he says,

closure h. 1

closure h. 2

says, "There are certain necessary expenses connected with this extradition which I propose to pay here. Further I found that the said Charles Poole having exhausted all his resources was fed in a manner quite unsuited to a British subject under an accusation, and I have consequently authorized certain payments of a moderate nature, to provide him with decent food, which I trust you will have no objection in meeting". Needless to say these were duly met.

13. Before the Minister of the Court at Santiago (Senor E. Foster Recobarren) Poole when under engagement to speak the truth stated that he was called Charles Poole Junior, that he did not wish to appear before the Court with a name to which he had no claim, for in reality he was not called Charles Poole but August Lange, son of Fernando Lange and Berta Iewald, both German subjects. That he was born in their house, Liebermühl, in the Kingdom of Prussia, that he was 38 years of age. When purchasing the schooner 'Allan Gardiner' some years previously Poole declared himself to be a British subject before the Registrar of Shipping in this Colony, and when on his trial before the Supreme Court he likewise claimed English nationality. Very little credence therefore can be attached to his statements.

I have the honour to be

Sir,

Your most obedient humble servant

W. A.
Governor

Encl. 2. 1 to despatch 2. 76 of 5 Sept. 03

The Office of the Colonial Secretary,
Stanley, Falkland Islands,

2nd April, 1904.

Sir,

I am directed by the Governor to inform you that on the 13th January last, a Warrant was issued by the Police Magistrate for the arrest of CHARLES POOLE, one time Master of the Schooner "ALLAN GARDNER" on the charge that about the month of February, 1902, at Centre Island, Port Salvador, he ~~did~~ feloniously did wilfully kill three animals—to wit cattle, the goods and chattels of ALEXANDER PITALLGA, with intent then feloniously to steal the carcasses of the said three animals so killed.

2. On the charge, any one may arrest POOLE without the production of the actual warrant and for this purpose the Governor authorises any Manager of a Station or the Captain of any Schooner, in terms of section 12 of Ordinance 3 of 1900, to make the arrest.

3. The Governor will give a reward of £20 to any person who shall effect POOLE'S arrest and deliver him to the authorities in Stanley.

I have the honour to be,

Sir,

Your obedient servant,
(Signed) W. HART-BENNETT,
Colonial Secretary.

Enclosure No 2 to despatch No 76 of 5 Sept 1905.

Poole's Police Court Record.

1896

- 20 Febry. Drunk and riotous. Fined 10/s.
do Resisting the Police. Fined 5s.

1897

- 20 May. Assaulting Antonio Adama. Fined 5s and
bound over in one surety of £25 to keep the
peace for six months.

1898

- 11 April. Packe V Poole. Trespass. Dismissed.
5 Sept. Stealing penguins, value 5s and trespass.
To pay 5/- damages.
7 Sept. Slaughtering a young bull within town of
Stanley. Convicted and cautioned.
22 Novr. Abusive language. Fined 5/s.
29 Novr. Unlawfully grazing a horse on Common. Fined 5s.

1899

- 27 Janry. Davis V Poole. Threatening and insulting
language. Fined 5/s and 5/s costs.

1900

- 11 April. Luchtenborg V Poole. Assault. Bound over
for six months in one surety of £10.
11 July. Unlawfully grazing a stallion on Common.
Fined 5s and 5/s costs.

1902.

- 3 Febry. Obscene and abusive language. Fined 5s & costs
24 Decr. Unlawfully killing 67 fur seals on the
Volunteer rocks. Defendant absent. from Col-
ony. Warrant issued.

John

[F32] 70a

*C.S. 219/05
Replied to by H.O. 96
17 Nov. 1905
W.A.*

FALKLAND ISLANDS

No. 57

DOWNING STREET,

25 October, 1905.

Sir,

I have the honour to acknowledge the receipt of your despatch No.76 of the 5th ultimo respecting the claim of Charles Poole for compensation in respect of the proceedings taken against him by the Government of the Falkland Islands in 1904 and to enclose for your information copy of a letter which I have now caused to be addressed to Poole on the subject.

to Mr. Poole. 25 Oct.

2. Even in the circumstances explained in your despatch, I hardly think that your predecessor was justified in leaving unanswered the despatch of the 21st of April 1904 from the British Minister in Chile. Whether the absence of a reply led the British Minister to postpone the demand for Poole's extradition, I cannot judge, not knowing the date on which he actually made the demand, and it is of course possible that he made it before a reply could have reached him from the Colony.

3. You state that the Chilian Government are responsible for the delay in the grant of extradition. I presume that you based this statement on information

as

GOVERNOR ALLARDYCE, C.M.G.

&c., &c., &c.

as to the extradition proceedings furnished by the
British Minister, and I shall be glad to have such
particulars as may be in your possession on this point.

I have the honour to be,

Sir,

Your most obedient,

humble servant

Alfred Lyttelton

Back. 57

70b

38969/1905

Downing Street,

25 October, 1905.

Sir,

I am directed by Mr. Secretary Lyttelton to acknowledge the receipt of your letter of the 22nd of June last and to state that after consulting the Governor of the Falkland Islands he is unable to entertain your application for compensation in respect of the proceedings taken against you by the Governor^{ment} of that Colony in 1904.

I am,

Sir,

Your obedient servant,

(sd) H. Johnston Cox

Mr. C. A. Lange Poole.

Government House, Stanley
27 November, 1905.

application for extradition.
On 25 October 1904, as reported in paragraph
of my despatch No 79 of 2 September last, Mr Lowther
despatch of 2 October was received, and this Government
was apprised of the fact that the extradition of Poole

Sir,
I have the honour to inform you in reply to your
despatch No 57 of 25 October that the formal demand
for the extradition of Charles Poole was made by the
British Minister to the Chilian authorities on or
about 28 April, 1904, vide copy of telegram enclosed.

2. This telegram did not reach my predecessor
till 25 May, being the same date on which Mr Lowther's
despatch of 21 April was received.

3. I think the explanation of the Minister's
telegram of 28 April is to be found in the fact that
between the 21 and 28 April he recognized that it was
unlikely that he would receive an answer to his des-
patch within two months, and feared that Article XIV
of the Treaty would apply. On the other hand he may
have been satisfied on further consideration that the
affidavits sent (as subsequently proved to be the
case) were sufficient under Article XII.

4. Governor Grey-Wilson doubtless felt after re-
ceiving the Minister's telegram of 28 April that all
that he could do was to await the result of the formal
application

The Right Honble

Alfred Lyttelton K.C

cc cc cc

Secretary of State for the Colonies
Downing Street

application for extradition.

5. On 26 October 1904, as reported in paragraph 8 of my despatch No 76 of 5 September last, Mr Lowthers' despatch of 8 October was received, and this Government was apprised of the fact that the extradition of Poole had been granted. As already stated the extradition was formally applied for on or about 23 April 1904; and it took somewhat over five months to obtain.

I have the honour to be

Sir,

Your most obedient humble servant

W. A.
Governor

Enclosure No I to despatch No 96 of 27 November, 1905.

Telegram

Santiago

28 April, 1904.

Inform Governor Falkland Islands from me
that extradition Charles Poole has been
formally asked for by me

Minister

sup

C.S. 161/06

[F32] 220a

A.
1

Falkland Islands.

No 30

Downing Street,

14 April 1906.

Sir,

I have the honour to transmit to you for your information,
with reference to your despatch No 96 of the 27th
November last, the papers noted in the subjoined schedule

I have the honour to be,

Sir,

Your most obedient, humble servant,

The Officer Administering

the Government of the

Falkland Islands.

ELGIN.

Date.	From	To	Subject.
1906	Mr A.S. Rankes (and enclosure)	Sir E. Grey.	Extradition of C. L. Poole.
16th March			

COPY
No.11

SANTIAGO

10th March 1906.

Sir,

On receipt of your despatch No. 1 of
January 22nd last as I had not arrived in Chile when
the correspondence respecting the Extradition of
Charles Lange Poole took place, I desired Mr. Kerr
to draw up a memorandum explaining as far as possible
the reasons of the long delay which occurred in this
matter.

A copy of this memorandum is enclosed herewith.

I have &c.,

(SD) ARTHUR S. RAIKES

THE RIGHT HONOURABLE
SIR EDWARD GREY, BART.

&c. &c. &c.

MORANDUM

On the 6th February 1904 Mr. Lowther enclosed the sworn copies of the affidavits and also the warrant for Poole's arrest, in answer to a request for the necessary papers by the Chilean Government in a note dated the 14th January. On the 4th April the Minister for Foreign Affairs enclosed a copy of the judgment of the Supreme Court in first instance, ordering the imprisonment of Poole, this was sent on to the Falkland Islands. On the 18th April the Minister for Foreign Affairs transmitted a communication in which the Supreme Court asked that formal plea for extradition should be made by H.M. Minister which plea was made in Mr. Lowther's note of April 28th.

On the 6th October the Minister for Foreign Affairs informed Mr. Lowther that the Supreme Court had definitely agreed to the extradition a copy of the sentence was enclosed, and he asked where and to whom Poole should be handed over. In answer to a private letter addressed by Mr. Lowther to the Under Secretary for Foreign Affairs, in which he complained of the delay in the matter, an answer was received from that Official, which stated that although the sentence ^{was} dated the 14th September, it was only received at the Ministry for Foreign Affairs on September 30th and that the said sentence for the purposes of copying consisted of 21 pages of closely written matter, that the copying had been delayed owing to the scarcity of employés in the department. He concluded by admitting that the final sentence of the Supreme Court had been delayed for a considerable time

time, but that there were good reasons for this.

The reasons alluded to are probably the arguments brought up by Poole's lawyer who endeavoured as a defence to create all sorts of difficulties from the commencement, as for example that he was not a British subject, but that his real name was Charles Lange, a German Subject etc.,

On October 9th Mr. Lowther wrote to the Chilean Government that the quickest means of communication with the Government of the Falkland Islands was by telegraph to Punta Arenas via Buenos Aires, but that the line was not at that moment working. He promised to acquaint the Governor as quickly as possible, and suggested that Poole should be sent to Punta Arenas as soon as might be convenient to the Chilean Government, there to await the arrival of the officers to whom he should be handed over. Poole was sent there on October 18th.

Santiago, 10th March 1906.

Captain Poole shot

on board the "Rapid"

During last week there was a rumour in the Colony that Captain Poole had been murdered by his crew, and though the rumour was in no way substantiated, the arrival of the cutter "Rapid" on Tuesday afternoon at 2 p. m. drew a very large crowd to the landing stage. The news was quickly ashore that there had been trouble in Santa Elena, and that Captain Poole had been shot by the pilot. The port authorities boarded the vessel and brought the pilot and two of the crew, who had been wounded, ashore where they were handed over to the police and marched off to prison. The larger portion of the crew deserted in Santa Elena, and it is doubtful whether the truth of the whole affair will ever come to light. According to the pilot's story Captain Poole was intoxicated and firing his revolver off indiscriminately. On being remonstrated with, the pilot alleges that he fired at him but fortunately missed aim. A hand-to-hand scuffle seems then to have ensued with plenty of revolver shooting thrown in so as to keep the ball rolling, and the final bout was between Poole and the pilot, if we are to believe the latter's story. Getting the worst of this struggle and feeling Poole's superior strength to be overpowering him and knowing that it was a fight to the death he drew his revolver and shot at Poole, who immediately fell overboard into the sea. Such is the story as it has been told. We comment not, but sympathise with the little children he has left behind in Punta Arenas, to whom he was father.

Viernes 4 de Diciembre de

MAG

Punta Arenas

Posesion efectiva

Punta Arenas, Diciembre primero de mil novecientos ocho. Vistos con el merito de estos antecedentes, concedes en

to ha lugar en derecho a dona Anne Margaret Alazzia viuda de Poole i a sus menores hijos Carlos, Elisabeth, Guillermo y Beatriz Poole y Alazzia, la posesion efectiva de la herencia quedada al fallecimiento de don Carlos Poole. Háganse las inscripciones prevenidas en el artículo 688 del Código Civil, publíquese este auto por cinco veces en un diario de la localidad y léjese por quince días en el lugar de Concepcion donde se otorga i déense los certificados que se solicitan.

Se asigna a esta causa el N.º 1590-Waldo Seguel.—Luis Renjifo, Conforme, Claudio Acuña C., Receptor suplente. Conforme Punta Arenas, Diciembre 1.º de mil novecientos ocho.

Jorje Matta
u. i. c.