in Mr. Callan's case he wer

THURSDAY, OCTOBER

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licitor, Notary Public. Solicitor for Omemee and No. 1 Harvey. the Home Bank of Canada, repre- drawings were done by the different surance Co., of Waterloo : Federal class. Life Assurance Co., of Hamilton, Empire Accident and Surety Co., | Bank, opposite Post Office.

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TENDERS

until 12 o'clock of the first day of chene with lace overdress and car- back twice for the motorist to stop, the morning in his car. I also saw Mr. R. A. Callan in the box. On October, 1912, for the stock in ried a handsome shower bouquet of but the motor never stopped. As an auto returning in the evening, trade and book debts of the estate white carnations of J. W. Anderson, of Wilberforce, general merchant, insolvent. These dainty lunch was served, after which stricken Mrs. Isaac's jumped out and consist of hardware \$399.19, gro- the happy pair left on the evening as she fell the motor whizzed by. ceries \$448.38, dry goods \$1,699.53, train for Toronto. The bride's tra- Mrs. Isaac was injured, but the wall papers \$40.09, toys, notions, veling costume was a blue tailor- motorist did not stop. Mrs. Isaac etc., \$200.17, boots and shoes made suit with large white beaver had suffered and is still suffering \$388.25 and drugs \$134.62, and hat. On their return they will re- pain as a result of the accident. book debts \$1,779.41. Tenders will side in Fenelon Falls. be for the stock separately and book debts separately. Arrangements can be made to lease store. The highest or no tender necessarily accepted. Dated at Lindsay this 16th day of September. I. E. Weldon, assignee.

Conscience keeps almost; as many men straight as does the fear of being found out.

WANTED

Men or women to look over their hens or chickens and see if they haven't any to spare. If they have they can deliver them to our poultry depot. 40, Queen Street, East Ward. or leave their order at A. Applebaum's Store, where a horse and waggon will call for any est prices. Don't delay. Do highest prices.

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nothing so rapidly restores health and vigor as SCOTT'S EMULSION. It is the essence of natural bodynourishment, so medically perfect that nature immediately appropri-ASSOCIATE CORONER FOR THE ates and distributes it to every organ, every tissue-feeding, nourishing and restoring them to normal activity.

SCOTT'S EMULSION is not patent medicine, but is nature's body-nourishment with Eurative, upbuilding properties and without a drop of drug or alcohol. It contains superior cod liver oil, the hypophosphites of lime and soda with glycerine, and is so delicately Mr. G. H. Watson, K.C., Toronto, emulsified that it enters the system for the plaintiffs; Barristers R. J without digestive effort-builds, McLaughlin, K.C., and A. M. Fultones and sustains.

After croup, whooping cough, Stinson, for the defendant. measles and other child ailments it

Art Exhidit at

The exhibit of art by the different Money to loan on terms to suit a very interesting feature this year. schools at the present time, is that the children are required to draw pictures as described to them from STEWART & O'CONNOR, Barristers | some of the masterpieces of the great writers. The course of drawings shown by the collegiate occuof its art. Garden seeds were prepared and classified among the exhibits; also pencil, crayon and water color work.

The country schools had a room for their exhibits, which consisted of water color work of scenes, fruits, flowers and some pencil work. Some fine exhibits of work were shown by LEIGH R. KNIGHT, Barrister, So- No. 3 Laxton, No. 7, Mariposa.

senting Waterloo Mutual Fire In- grades from primary to entrance Mr. Wilkinson, of the Toronto Nor-

mal school, gave three interesting of London, Ont., Office over Home lectures on constructive work, which were much appreciated by all.

HYMENEAL

SPRAGUE-JOHNSTON.

A quiet wedding was solemnized a the home of Mr. and Mrs. Geo. Harnesday, October 23rd, when their Stinson. Woodville office open eldest daughter, Neta, was united in marriage to Mr. Arthur John Sprague, of Belleville, the Rev. C. H. Marsh officiating.

Mr. and Mrs. Sprague left on the G.T.R. for Belleville, where they will spend a few days before leaving for their home in Edmonton, Alta. QUIBELL-LITTLETON

of interest. Company or 'private nelon Falls.' The happy couple, who of Nov. 28, on what is known as funds. I am always ready to buy were unattended, entered the prettily the Rosedale road." good mortgages. I. E. WELDON, arranged parlor to the sweet notes | Counsel stated that there were solicitor, etc., Milne Block, Lindsay of Lohengrin march, skilfully played trees on both sides of the road by Miss Martha Quibell. Rev. John where the accident occurred. The Bedford, pastor of the Methodist horse bolted, and on looking back church, performed the ceremony. Mrs. Isaac saw the motor coming Rosedale, about a mile and three-The bride fooked very pretty in a after them. Mr. Isaac could hardly quarters from Mr. Isaac's place. Sealed tenders will be received up handsome dress of cream crepe de control the horse, and he shouted saw Mr. Callan passing through in

Her Husband-" The census officials state that the average family consists of four and a fraction persons. How do you account for the frac-

His Wife-" Oh, that is the hus Col. Roosevelt's condition is un

Dr. Chase's Ointment will relieve you at once and as certainly cure 70% 60c. a box; all dealers, or Edmanson, Bates & Co., Limited. Toronto. Sample box free if you mention this baper and enclose 2c. stamp to pay postage.

Good buildings. Also 100 acre farm shape. Can plough this fall. Apply

95 Bunter-st. West

Plaintiffs Awarded Damages In Case of Isaac Vs. Callan -Costs Will be High

At 5.30 o'clock Tuesday atternoon to the east and my wife jumped ou the jury on the case of Isaac vs. fore or after the accident." Damages, Thos. Isaac\$150.00 Damages, Mrs. Isaac\$650.00

The costs in the case will be considerable, owing to the fact that two trials have been held, both entailing large expense. | Barristers Thosa Stewart, of Stewart & O'Connor, and ton, of McLaughlin, Peel, Fulton &

At the opening of the fall assizes is nature's ally in restoring health, at the court house Monday afternoon ed in with you she would have been After grippe or pneumonia it the case of Isaac vs. Callan was the perfectly safe, wouldn't she?" Ogthodonia. Crown and bridge imparts strength and health, and first on the slate to come before a work. The successful extraction of for colds, coughs, sore, tight chests jury, and a long, wearisome case it teeth under gas (Vitalized air) and and throat troubles SCOTT'S proved to be. In all 13 witnesses EMULSION gives the greatest relief were examined by the barrisers for minister, and about five minutes the plaintiff, taking up exactly six fore the accident occurred. I recog-Scott & Bowne, Toronto, Ontario 12-59 hours. At 7 o'clock the first wit- nized the two seated in the front." ness for the defence was summoned, after which the case was adjourned nation you said you couldn't recog-Much of the evidence submitted was same witnesses at the former trial passed Mr. Callan's auto before." several months ago.

> It will be remembered that the case Mrs. Thos. Isaac, the next witness, is one in which the plaintiffs (Mr. when sworn said in part: "I saw road two right couldn't pass on a miles an hour." Thos. Isaac and his wife) are suing an auto pass down the road in the Mr. R. A. Callan for Pamages chused morning, but do not know whether 15 feet high. Some time after the special recollection what speed in an accident on the Fenelon-Rose- it was Mr. Callan's or not. I was dale road, which the plaintiffs allege born and raised in that neighborwas caused by their horse becoming hood, and knew the road well. frightened at the defendant's auto- heard no noise or warning, but mobile. The accident occurred on turning around I saw the auto compied first place. The Lindsav pub- November 28, 1910, on what is ing, and said, here it is. I jumplic schools each had a room devoted claimed to be a very narrow piece of ed and fell on my left side, and the entirely to itself for the exhibition road, the plaintiffs claiming that auto passed me just as I was down. they had to take to the ditch to get My husband shouted twice." out of the road of the auto coming | Referring to the result of the acci up behind them, and that becoming dent and her injuries the witness frightened at. the actions of the stated that she never fully recovered, frightened animal, Mrs. Isaac jumped was nervous and could not sleep. out. She either broke her leg in To Mr. McLaughlin witness stated the fall getting out so hurriedly, or that until the night of the accident was struck by the auto. The fact she was not afraid of the horse. 'I

remains that she was seriously in- fell on my left side, but my right leg jured and maimed for life. The de- was the one broken. I do not know fendant and his party claim no whether the auto struck me or not. knowledge whatever of having passed Mr. Isaac's rig, claiming that their since you were here before?" horses up into the bushes, as they walking around." never saw a sign of him. Mrs. Isaac claims \$2,000 damages and a woman of 60 years."

Mr. Isaac \$1,000. At the last hearing of the case the! case was dismissed, so that the hear- | Falls, was the next witness suming Monday was an appeal. , Jus- moned. On the night of the acci tice Clute presided, with Messrs. dent he was returning from a visit Thos. Stewart, Lindsay, and Mr. G. when he met Mr. and Mrs. Isaac H. Watson, K.C., of Toronto, for the driving home. "Mr. Isaac spoke to plaintiff, and Messret R. J. Mc- me and I replied. I also saw an die Johnston, Francis-st., on Wed- Laughlin, K.C., and A. M. Fulton automobile on the road two minutes

for the defendant. reckless, careless or negligent. It horse. The auto stopped. was also stated, according to law, that in the case of an accident, the motorist must give his name to the Mr. Thos. Stewart, and stated that party injured, and in case of acci- she was with her father on the night dent the owner of the auto must in question and passed an auto after prove that the accident or injury passing Mr. Isaac's rig. A quiet wedding took place at the was not caused through any neglihome of Mr. and Mrs. George Little- gence on his part. The accident When sworn Mrs. McFarlane in THE UNDERSIGNED is prepared to ton on Thursday, Oct. 17, when referred to occurred when Mr. and part said she lived on the Rosedale loan money on farm, town and vil- their youngest daughter Pearl was Mrs. Isaac were on their way home road, and stated that while visiting

> The expense entailed has been enormous. The defendant flatly denies party on the road.

everything-never even saw the Isaac MR. ISAAC. Mr. Thos. Isaac was the first witsides of the road were within three him to another doctor, which I did, and am not a fast driver, and was going bottle, and gave it to my little boy, and without using the emergency brake about 5 or 6 miles an hour. My was so pleased with the result that I wife saw the auto coming, and I bought another one, and by the time he turned and saw it also, and yelled had finished it he had no cough. He is now fat and strong, and I would not be days after; but did not think it pos-Farms To Rent for the motorist to stop. There are without a bottle in the house on any sible to have been my car. I re-Possession on the 1st March, trict, those of Mr. Callan and Mr. 1913, first-class 200 acre tarm, west Ham. When I turned the car was half of lot 2, con. 13, and east half between 200 and 300 feet away. The quantity, and receive the high- of lot 2, con. 10, North Monaghan. horn did not blow, and I shouted "stop." I looked back again and it right now, and secure the in the Township of Smith, with the auto was still coming, so I sure preventative if taken in time, and is it was a mistake my car struck no good buildings and in first-class shouted hard again. I saw at once that something had to be done, as

to a state of

on the west side. I met Mr. Bed ford in his rig. There was no warnng from the auto at any time

To Mr. McLaughlin Mr. Isaac stated that the bushes referred to were cut down this spring and the roa has been gravelled since the accident. "If the eyes of the party were on the road at all they could easily see our mig. I have good hearing, but I could not hear the noise of the auto. There was no enmity between Mr. Callan, and never had any business dealings

Mr. McLaughlin-"If she had stay-Witness-Perhaps, but there was from the rig to the house.

great danger and she took a chance. It was about dusk when I met the Mr. McLaughlin-"On your exami-

till 9.30 o'clock Tuesday morning. nize which one sat on the right side. Witners-"I have met other autos a rehash of evidence given by the cn the road, but in daylight. I never

"You have improved quite a bit lights were burning brightly and that Witness-"I am still unwell, and the plaintiff must have driven his have a good deal of difficulty in

"Yes, but you are pretty well for

REY, JOHN BEDFORD. Rev. John Bedford, of Fenelon later. The lights were glaring. , Continuing his address Mr. Watson did not know whose auto passed, as said in part : "A man must not be I had plenty to do looking after my

> MISS BEDFORD. Miss Bedford was then examined by

MRS. McFARLANE. lage property, at very lowest rates united to Mr. Arthur Quibell of Fe- ftom Fenelon Falls, on the evening a neighbor she noticed Mr. Callahan going by in his auto between 5.30 and 6 o'clock.

she did not hear the auto. MISS VIOLA McINTOSH.

Miss McIntosh stated she lived at the auto approached Mr. Isaac turn- but I could not recognize who was counsel, Mr. McBaughlin, K.C.: "On At the close of the ceremony a ea the horse to one side and terror- in the car, but it was before six the morning of the accident I mo-

LEFT A NASTY, DRY COUGH.

Mrs. A. Mainwright, St. Mary's, Ont., ness examined, and in part said : "I writes:-"I feel it my duty to write and saw Mr. Callan and his party going tell you the good your Dr. Wood's Nordown the road in the morning. I way Pine Syrup did for my little boy. left Fenelon Falls on the way home He had whooping cough, which left him about five o'clock, the Horse being with a nasty, dry hard cough. I took one that the women were not afraid him to several doctors; but they did him to drive. I have driven the horse no good, and I could see my little lad for 14 years. The trees on both failing day by day. I was advised to take feet of the wheel tracks on the road. I was telling a neighbour about it, and The defendant was quite familiar she told me to get a bottle of Dr. Wood's with the road. When the auto ap- Norway Pine Syrup, and give it to him and returned to house. Going at scene of the murder, and also of the proached the horse began to bolt. I regularly. She then got to tell me how 15 miles an hour and with four in fear in Ellis' mind aroused by the ed nurse." about 5 or 6 miles an hour. My was so pleased with the result that I

It is, as a rule, more of a child's trouble but also affects adults. Dr. Wood's Norway Pine Syrup i

it was coming at 20 miles an hour.

A little drizzle of rain and snow was price 25 and 50 cents. Peterberestill kept coming I turned the horse Co. Limited, Toronto, Ont.

MR. ARTHUR HAM. To Mr. Watson Mr. Ham stated he

o'clock.

out on the day of the accident. To Mr. McLaughlin the witness swamp it was fairly dark. At dusk daughter is corroborative the swamp he slowed down to about on the inside of the car, so that I pass over that road that nice 7 miles an hour. If there was no could not read the speedometer, but if Mrs. Isaac was struck obstruction the lights of an auto a driver can tell by the spark and could be seen for fully a quarter of gas about how fast the car is travel-

To Mr. Watson Mr. Ham stated by an auto driver when passing through this swamp, as the road was somewhat rough and narrow. RUFUS ISAAC.

When sworn witness stated he say Mr. Callan going south in his auto was rough. on the day of the accident, and also saw an Eutomobile returning in the evening about 10 minutes to six o'clock. On the arrival home at o'clock he helped to carry his mother

PRESCILLA ISAAC. Witness told of her mother's illness the accident she was in excellent Nothing was noticed of the Isaac off the road before the auto roun health and could do lots of work, rig. while now she could do very little. GEORGE ISAAC.

Witness, a:brother of the plaintiff. trot. The trees were perhaps 10 or accident witness met Mr. Callan and the latter asked how Mrs. Thos. Isaac's was, and invited him to ride To Mr. McLaughling witness stated that the road was bad.

DR. JOHNSON. Dr. Henry John on, of Fenelon turn?" Falls, stated he was called on to attend Mrs. Isaac on the night of the accident. "I found Mrs. Isaac apparently suffering much pain. I examined the injured leg, and on measuring it found it to be 3 inches shorter than the other. Dr. Graham was called in, and we made a fur ther examination, and found the leg broke in the hip. The patient covers after such a break, but the limb remains always maimed. patient remained in bed for some 10 weeks. The pain very often kept her from sleep at nights, and her nervous condition was very poor. She will car," not recover any more than at present, and at present she has not free use of her limb. The swamp road over than on an ordinary road. Two or three days after the accident Mr. Callan called at my office and enquired as to the extent of Mrs. Isaac's injuries. He said at the time that he did not see Mr. or Mrs.

To Mr. McLaughlin the witness stated that the broken bone is now well knitted, but there is a stiffness in the joint. There was no appearance of the patient having been struck by an auto.

ROBERT MILLER. The witness was at a threshing at

Mr. Mason's house on the day of the accident, and on returning home met an automobile about a mile north of Rosedale.

RICHARD WEBSTER.

On being sworn Mr. Webster stated that he was at Fenelon Falls on the day of the accident, leaving the vil-To Mr. McLaughlin witness said lage after Mr. Isaac. On the way home an automobile passed him. H did not recognize the occupants.

Court House, Oct. 22, 9.30 o'clock

-The case of Isaac vs. Callan was resumed this morning, the defendant being sworn he said in part to his tored from Coboconk to Lindsay and returned in the afternoon, leaving the Simpson House about 10 minutes to 4 o'clock. It is 25 miles from Lindsay to Coboconk, while the plaintiff lives between 7 and 8 miles from Coboconk. On the way home we saw one rig backed into a fence corner (Rev. Mr. Bedford's). We Doctors Could Do No Good. stopped and made enquiries, and as they were all right we continued. I was not driving any faster than 10 sible statement. or 12 miles an hour; the road was rough but frozen. The road is very go to Ottawa next week to internarrow, and I was driving very carefully and watching the road. I could Justice, with a view to having the see easily 300 feet ahead, and could have helped seeing a buggy rig referred to in the accident, if this is also the attitude of Mr. Justhere, was never visible. It was six tice Clute, who presided at the trial. o'clock exactly after I reached home, put car in garage, put lights out a doubt as to what happened at the was stated that the auto struck Mrs. Isaac. I came to the conclusion also a positive cure for any of the after person." To Mr. Watson the witness stated:

'I have travelled my car 30 miles an hour, but never went faster. never applied for a license as driver, but always ran my own car." To Justice Clute-"Going porth or this road through the swamp I could of any importance in this see straight ahead for 500 yards."

Continuing witness said: "As watch or clock, and as a far as I know my car was the only an automobile he naturally one going north on that road that his watch when motoring night. As we went through the dence of Mr. Callan, Mrs.

MR. JOS. McFARLANE. Mr. Jos. McFarlane was the first witness for the defence, and on being

ted that he cut down the trees along Mr. Bedford. the road in the winter of 1910-after Callan do? the accident. The road at the time

MR. JAS. E. JACKSON. Mr. Jas. E. Jackson, proprietor of at the road the hotel at Coboconk, was next of the accident the witness was with Mr. Callan, o cupying the front seat with Mr. Callan, "Naturally I through the swamp. Mr. and after the accident, whereas prior to was watching the roadway ahead. Isaac must have turned their

was a cloudy night, and the wind ing his own car is personally me shie'd was up and being wet was careful than somewhat blurred. However, with- person's car. Their solicitor said at the time of the accident was very out the headlights at that time of in letter, that Mrs. Isaac had narrow. In fact, too narrow in night it would have been possible to struck by the auto, but the d many places to allow rigs to pass. see. The lights were burning. We says that from the nature of the

> were traveling." To Justice Clute-'I have no re- ed. It has been shown that the

on that night." "Well, what would have been a buggy. reasonable thing to do before turn- and she accident was not caused by ing that bend to give a warning to any negligence on his part. Accord-

"Blow the horn, but there was no about to pass another; the party is occasion to do so, as you can see the buggy should make room for the across the turn." MRS. R. A. CALLAN.

The next witness, Mrs. Callan, wife out?" of the defendant, stated: "We arrived home about 10 minutes to 6 o'clock. I do not like fast driving, being nervous, and we were not driving fast that night. Except for one rig (the minister's) we did not meet or pask any other when going through the swamp." To Mr. Watson witness said: "I

could see everything in front of the

MISS CALLAN.

Miss Winnie Callan followed, and would require more care in driving the back seat but could see perfectly well, and could have seen any per- highway rightly belong. Highways son or vehicle on the road." Mr. Ryckman and Mr. T. C. Birchard also gave evidence of a some-

what minor nature. Court adjourned at 12.30 o'clock, to meet an hour later, when the lawyers delivered their addresses to the fendant's machine that caused this

Precisely at 1.30 o'clock court was what time he left Lindsay or Peterresumed, and Mr. R. J. McLaughlin, boro, but was it his K.C., addressed the jury. In part caused the injury to the horse and he said : "You are here to do what to Mr. and Mrs. Isaac. I think it is fair and right, to examine close- was. Mr. Callan should have taken ly and give a verdict fairly. Autos certain precautions-he should have are getting numerous, and are no blown the horn before rounding the doubt here to stay, and man must corner. There was shrubbery at exercise a reasonable and proper | both sides of the roadway. There care in driving motors. A man is has not been a bit of evidence gives not liable for damages except he is on the part of the defendant that is in the wrong. There must be some gave a warning note of any kind, breach of the law or some lack of yet the plaintiffs have sworn that no care, and the jury must find that Mr. notice of warning was given. After Callan has been guilty of some making the turn he keeps on at the wrong or improper conduct, and I same speed. There was a drizzing contend we have abundantly shown sleet and the glass that there has been no negligence on ered; no slacking of speed, no warr

MAY ESCAPE GALLOWS

ARTHUR A. ELLIS' LAWYER

PREPARING AN APPEAL.

Arthur A. Ellis, convicted of murder

at Lindsay, Ont., and now under sen-

tence of death, will escape the gal-

counsel for the prisoner, will appeal

the case on the ground that Ellis'

confession of the crime should have

been excluded at the trial, as being

induced by the earlier and inadmis-

Failing in this, Mr. Robinette wil

view Hon. C. J. Deherty, Minister of

sentence commuted to life imprison-

ment. Crown Prosecutor Meredith

is said to favor commutation, and

Commutation is urged in view of

lows. Mr. T. C. Robinette, K. (

Toronto News: It is possible that

examined by Mr. A. M. Fulton, sta- for he saw and stopped when To Mr. Watson witness said: "It car for six months, and a man de

To Mr. McLaughlin-"I have no looking back and seeing the lights collection whatever of any accident nervous, and Mr. Isaac told any person ahead and around of the ing to the statute it is the dut. auto to pass. Did this woman do a wise and prudent thing in jumping

THE CAN MR. WATSON.

Mr. G. H. Watson in part address. CAPITAL, \$15,000 ed the jury as follows: "The case MONI case for the plaintiff. A case with Issued by The Canadian Ba out any controversy in regard to the inexpensive method of remi essential points. These automobiles payable without charge at a are a standing out curse to life and Territory) and in the princip limb to citizens who use the public the following rates: highways. The motor is not an \$5 and under . outlaw, but neither is the driver or Over 5 and not ex owner of the 10 " * .30 and also to the people to whom the REMIT should be made by means of or are not made for men who rush ORDERS. Issued without delay across the country at the rate of 50 Lindsay Branch, I claim in this

(1) That insurance on only when you suffe 2) That land insured b

you increased cash I 3) That the premium p is returned in extra

ceni. per year. (4) That cement tile, m perfect land insuran

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CHAMPION

Write us for catalogues if your dealer does

Little Girl-"Are you the trained

Home Dying

Even Bolesion

Dyers cantegue

That's because I wis

ONE DYE TOWALL KINDS OF AG

Nurse-"Yes, dear, I am the train

warning that threat had been ma

against him by Porter.

Mr. Callan's part. I do not think ing whatever, at 12 miles an hour.

the recollection of the witnesses is Is this persistent with ordinary care

Whooping cough generally begins as a ceived a letter from Stewart & Common cold, accompanied with coughing and a slight discharge from the nose. It is, as a rule, more of a child's trouble.

It is, as a rule, more of a child's trouble. Victor Gramophone records and needles. No coupons or other fake propositions to give the Piano-buying public. We sell reputable and honestly made instruments at prices as low as consistent with the high grade quality of the goods we sell, and give terms of payment when requir-

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land. Special attention to st ery and diseases of women and children. Telephone 61.

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A mule may be all right as a ing animal, but he doesn't look i When a lawyer gets busy works with a will he is almost s to break it.