

PATENTS
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King Street West, Toronto, Ont.

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SEASON'S NEWEST SUITINGS.
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BEST VALUE IN CITY.
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Best's
Saturday Special
With each purchase
of twenty-five cents or
over we will give Free
one bottle Witch Hazel
Cream. Only 300 bottles,
so shop early.
Wedds Grape Salts
cleanse the system. 50
cents.
Wine of Cod Liver Oil
an ideal spring tonic,
40, 50, 75c, \$1.00.
BEST'S
The Satisfactory Drug Store
Sunday Hours, 1.30 to 5.00;
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KRYPTOK.
FAR VISION.
NEAR VISION.
glasses are the genuine "in-
visible" bifocals. The "near"
and "far" lenses are one solid
glass. No "lines," no cement.
Kryptok are the "real thing"
in bifocals.

WHY NOT HAVE THE
BEST FROM
KEELEY Jr., Optometrist.
We Strive for Perfection.
11 Hours Above the Opera House



One of Jenkins'
New Models for
Spring
PRINCIPALLY STYLE
PERFECT FIT
EXCLUSIVE PAT.
TERMS AND UNEQU-
VALLED TAILOR-
ING.
E. P. JENKINS'
CLOTHING CO.

CLAIM FOR DAMAGES
JUDGMENT RESERVED IN CASE
OF MRS. ANNIE ELMER

Who Entered Suit Against City of
Kingston and W. J. Crothers—De-
cision Was Given in Case of Sale
of Property.

At 11.30 o'clock, on Thursday
night, evidence in the case of Mrs.
Annie Elmer, against the corporation
of the city of Kingston and William
J. Crothers, was concluded before Mr.
Justice Sutherland, and judgment
was reserved.

In this case Mrs. Elmer sued for
damages for injuries she received on
the night of Feb. 1st, 1913, when in
order to seek protection from a run-
away horse while walking along Clergy
street, near Earl, she rushed on to
the lawn of Mr. Crothers. In so
doing she ran into a barbed wire
fence and suffered serious injuries.

G. M. Macdonnell, K.C., appeared
on behalf of Mrs. Elmer; J. A. Whit-
ing, K.C., for Mr. Crothers, while
D. A. Givens, the city solicitor, looked
after the interests of the city.

The finishing of this case marked
the close of the spring assizes.

Story of Plaintiff
The plaintiff, Mrs. Elmer, was first
called by G. M. Macdonnell. She told
of meeting with an accident on Feb.
1st, 1913. With her daughter she
was walking along Clergy street to-
wards the south. When near Chal-
lers church a runaway horse came
along, and witness ran on to W. J.
Crothers' lawn. Mr. Crothers' house
is situated at the corner of Earl
and Clergy streets. Witness said
she ran against a barbed wire fence
on Mr. Crothers' lawn. Her daughter
ran in a different direction, but
afterwards came to her rescue. She
had quite a time in releasing the
witness from the fence as her skirts
were entangled in the wires. When
released she was removed to her home
and attended by a doctor. Her face
and arms were badly injured. Wit-
ness was engaged as a dress-maker.

Minister Intervened
The injuries she received were a great
drawback to her in her work. She
figured her financial loss at \$5 per
week. About ten or twelve weeks after
the accident, witness said that Rev. T. W.
Neal, at that time pastor of Syden-
ham Street Methodist church, came to
see her. Mr. Neal introduced himself,
and said that he had been sent by Mr.
Crothers, to make a settlement for the
injuries she had received. Mr. Neal
made an offer of \$100, stating that he
believed that this would reimburse her
for her loss. Witness did not think it
worth her while to take this amount,
and told Mr. Neal so. Witness de-
clined the offer, and Mr. Neal left her
home. About ten minutes later he
returned with Mr. Crothers. The latter
then made an offer to give her \$10
per week, for twelve weeks, and she
accepted. When accepting witness did
not think that her arm would give her
so much trouble. Mr. Crothers also
agreed to pay her doctor's bills.

A copy of the agreement made be-
tween Mrs. Elmer and Mr. Crothers
was produced. Witness said it had
been made out by her daughter. Wit-
ness was not sure, but she thought
that Mr. Neal had dictated the word-
ing of the agreement to her daughter.
The next day, Mr. Crothers sent a
cheque to the witness. Some person
told her not to cash the cheque, and
she did not cash it, but handed it
over to her solicitor, Mr. Macdonnell.
Under cross-examination by Mr.
Whiting witness said when running she
did not see the barbed wire. Before
the accident she was able to make \$10
per week. Witness was in bed for
about a week, and was under the doc-
tor's treatment for two weeks, the
doctor visiting her every other day.
Witness was out of the doctor's care
about ten weeks before Mr. Neal called
to seek a settlement. Witness be-
came rather dissatisfied in July, owing
to the fact that her arm did not
improve, and in September called to
see her solicitor, Mr. Macdonnell.

Daughters Testified
Florence Elmer, daughter of the
previous witness, said she was with
her mother the night of the acci-
dent. The accident occurred about
9.55 o'clock. When the runaway
horse came along witness and her
mother separated. Witness told of
trying to extricate her mother from
the barbed wire fence.
The start which was worn on the
night of the accident by Mrs. Elmer
and which was badly torn, was ex-
hibited to the court. Witness said
that while she was assisting her mother
a young man named Thomas
McKenzie came along and helped her.
When her mother was released she
found that she had lost the use of her
right arm. Later it was found to
be dislocated and was set by a

doctor the night the accident occur-
red.
Miss Lena Elmer, another daughter
of the plaintiff, gave evidence. She
told of her mother's injuries. Wit-
ness recalled the visit of Rev. Mr.
Neal. Her mother did not consider
that the offer of \$100 for a settle-
ment was sufficient. Her mother con-
sented to see Mr. Crothers. The las-
ter agreed to pay \$10 a week, for
twelve weeks; also to pay the doc-
tor's bill, which amounted in all to
\$150. Witness said her mother could
not raise her hand to her head and
that she could only do about one-
half the work she was in a position
to do before the accident.

Thomas McKenzie, who was walk-
ing along Clergy street, told of help-
ing Mrs. Elmer to get clear of the
wire fence.
Dr. I. G. Bogart, who attended
Mrs. Elmer, said he found her very
nervous. Her face was bleeding, and
he found that one arm had been dis-
located. He told about the patient
being put under the X-ray treatment
at the general hospital. Two weeks
witness examined Mrs. Elmer and
found that she had not the free use
of her arm. The patient had been
under X-ray treatment three days
to see if she could not get free use
of her arm, but with no success.
Witness feared that her condition
would not change for the better.

Mr. Macdonnell submitted a copy of
a city by-law which forbids the use
of a barbed wire fence on a lawn,
and then announced that the case for
the plaintiff had been closed.

Dr. Gordon W. Mylks said he ex-
amined Mrs. Elmer at the request of
Mr. Crothers. Her arms, were quite



SIR CHARLES HERBERT TUPPEL,
B.A.T.
Sir Charles has just published a
book of reminiscences of his political
career. Coming as it does from the
pen of the only remaining father of
independence, it possesses great in-
terest, and will be a valuable addition
to Canadian literature. Prof. W. L.
Grant has written for the Whig an
appreciation of this book, which will
be published to-morrow on the Book
Review page.

stiff but she complained of no pain.
For ordinary purposes of using the
arm she would have no difficulty.
He did not disagree with Dr. Bogart.
When one pressed the arm
up, to pass the level of the shoulder,
the patient suffered pain.
Howard Dick, engineer, at present
assisting City Engineer McClelland,
gave evidence concerning the street
lines at the scene of the accident.
Mrs. Elmer was recalled by Mr.
Macdonnell, and asked about her pre-
sent condition. She said her arm
fired much easier now than before the
accident, and that she suffered much
pain.

This concluded the evidence in the
case.
The defendant, Mr. Crothers, was
not called upon to give evidence. Rev.
T. W. Neal was present at the court
proceedings, ready to be called on,
but was not asked to testify.
After argument had been heard
on both sides his lordship stated he
would reserve judgment. Mr. Mac-
donnell claimed that a city by-law
had been violated in the placing of
barbed wire on the lawn. Mr. Givens
contended that the accident had oc-
curred off the highway and the city
was not responsible. Mr. Whiting
drew attention to the fact that Mrs.
Elmer had already decided on terms
of an agreement for settlement.

Real Estate Case
"On the defendant, W. D. Carmich-
ael, paying to the plaintiff, John A.
McFarlane, within two weeks from this
date the sum of \$1,000, paid by him
on the alleged agreement, with interest
from May 31st, 1913, and \$25 for dam-
ages, and his costs of the suit, this
action is dismissed, and in default
(Continued on Page 5.)

THE ADMIRALTY COURT
HEARD CASE OF J. A. McFAR-
LANE vs. FALLON

For \$685 Damages for Loss of Hay
and Sinking of Pyke's Scow by
Collision With a Mud Scow.

The session of the admiralty court
opened at the court house on Thurs-
day evening, at eight o'clock, with
Justice Hodgins presiding. It had
been expected that the court would
have opened on Tuesday afternoon,
but Francis King, who was acting in
charge of the cases, also had a case before
the spring assizes which was not com-
pleted until evening.

The case of John A. Macfarlane,
grain and feed merchant, vs. Fallon
Bros., contractors, for damages
amounting to \$685, was the first on
the docket. Francis King, who was
appearing on behalf of Mr. Macfarlane,
raised objection to any evidence on
behalf of the defence being taken on
the grounds that T. J. Rigney, who
was acting for the defendants, had
failed to file certain necessary papers.

The judge allowed the evidence on
behalf of the defence to be given un-
der protest, with a possibility of it
being thrown out at a later date.
Only two witnesses for the defence
had been heard before an adjournment
was made until 9.30 o'clock on Friday
morning.

Mr. Macfarlane is seeking damages
for the loss of forty tons of hay,
which he claimed was lost as a result
of the mud scow, owned by Fallon
Bros., plugging a hole in the scow
Hay Boy while she was tied at the
C.P.R. wharf on November 10th, and
sinking the scow Hay Boy with the
full cargo. He claims damages
amounting to \$300 for the loss of the
hay, and \$385 to cover the damage
done to the scow, which is owned by
Grant Pyke, of Kingston, formerly of
Wolfe Island.

Mr. Macfarlane was the first wit-
ness called. He told of engaging the
scow Hay Boy to carry the hay from
Wolfe Island to Kingston.
Forty tons valued at \$650 had been
loaded on the scow. When the scow
arrived at the C.P.R. wharf on Nov.
9th it was tied next to the mud scow
owned by Fallon Bros. The hay was
to have been shipped on Monday
morning following the accident. A-
bout two o'clock on Monday morn-
ing, Nov. 10th, Mr. Macfarlane was
called to the wharf. When he ar-
rived he found that the scow owned
by Fallon Bros. had broken loose and
was banging a hole in the end of
Hay Boy. Seeing the great danger
he immediately went to his brother's
home for the purpose of getting
ropes. When he arrived back he and
his brother were in the act of plac-
ing the ropes on the Hay Boy when
she sank to the bottom, carrying
her full cargo. The following Mon-
day morning he was able to recover
about \$100 worth of hay, which was
floating around the harbor, but the
rest was a total loss. It cost \$40
to haul the hay out of the water,
which would mean that he was a
loser to the extent of \$500. The scow
belonging to Fallon Bros. drifted for a
while and later went to pieces.

Cross-examined by Mr. Rigney,
Mr. Macfarlane stated that the wa-
ter was about eight feet deep when
the scow sank. The weather was
blowing at the time; 404 bales were
lost.
Grant Pyke, the owner of the scow,
stated that he did not know whether
or not Fallon Bros. owned the
scow but he had towed it for them
on a number of occasions. He fig-
ured his damage at \$185. The hole
in the scow had not yet been fixed.

E. H. Pense, engineer in charge of
the construction of the new canal-
way across the Cataract river, evi-
denced that the scow which did the
damage to the Hay Boy was the property
of the public works department of the
dominion of Canada, but was in the
hands of Fallon Bros. He had asked
Mr. Fallon to make some repairs to
the scow and then return it to
where he got it, but this was not
done.
Capt. F. H. Mitchell, who was in
charge of the schooner Katie Eccles,
which was tied at the wharf the
night of the accident, testified that
he got up at twelve o'clock that
night and he noticed that the mud
scow had broken loose and was
banging on the Hay Boy. He tele-
phoned Mr. Macfarlane of the state
of affairs and he came down to the
wharf. He claimed that he had
made an inspection of the Hay Boy,
which was tied up at Anglin's Bay,
and would say that it would cost at
least \$50 to fix the hole in her stern.

ONTARIO FARMERS
Want a Thousand Men to Help Them
In the Spring

Toronto, March 27.—With the open-
ing of spring the cry comes from On-
tario's rural parts for help. "We have
positions for 1,000 men amongst the
farmers right now," said officials at
the Canadian immigration offices yes-
terday, "and more inquiries are being
received each day."
The immigration traffic is getting
heavy, and during the next month
thousands will be poured into Can-
ada. The man who will be most
sought for is the man who will go to
this farm. "Can he handle a team of
horses?" is the only demand made by
Ontario farmers, who feel the "hired
man" problem keenly.

Special trains are already coming
to the Union station from the sea-
ports bearing the newcomers. People
from northern Europe are preferred
by farmers, as they generally have
some knowledge of rural life. On Mon-
day the largest number of the season
is expected.



CAPT. E. C. BARRETT,
of Harpersfield, who will assume
command of the 5th Kingston Battery,
I. C. A.

will of the late Miss Catherine Mc-
Caig, of Oshawa, Scotland, which, after
making moderate bequests to church
and charity, enjoins upon the trust-
ees as a first charge the erection of
twelve bronze statues of herself, her
parents, her brothers and her sisters,
including a dead baby, at a cost of
\$2,000 yearly.

A deceased brother, John Stuart
McCaig, banker, gave similar instruc-
tions in his will ten years ago, but
the sister, who has just died, avoided
the carrying out of the conditions.
The executors of the will propose
taking legal steps to modify its
whimsical instructions.

OFFERED TO HIS SCAPEGOAT
The Times Has a Story of Paget's
Self-Sacrifice
London, March 27.—The Dublin
correspondent of the Times states on
the authority of one who was present
at the war office conference, that af-
ter General Gough had carried his
point Col. Seely asked: "What are
we to do now for the sake of the
army?"
General Paget replied: "You may
make a scapegoat of me."

Another Dublin despatch says that
Col. Seely hotly attacked Lord Rob-
erts in the presence of General
Gough and the other officers, ex-
claiming: "It is all your fault. You
are entirely to blame."
Growth of the Navies
London Daily Chronicle.
The opening of the twentieth cen-
tury has been marked above all other
periods in the world's history by
swiftness of change. With unparal-
leled rapidity every sort and kind of
activity has made increase, and this
is as true of science and of social
institutions as it is of trade and in-
dustry. Unfortunately the arma-
ments of the nation have shared in
the general advance, and it is as-
tonishing to find that there are now
six foreign countries that spend upon
their navies nearly as much as, or
even more than, we did as recently
as 1894. In that year our navy cost
only \$14,000,000, an advance of only
\$4,000,000 upon 1874. Now Japan
spends \$10,000,000 and Italy \$11,
000,000, while Germany spends \$23,
000,000, and France \$21,000,000.

PROBS.
North-east winds, local showers.
Saturday north-east winds and
colder.

Beautiful
Easter
Millinery

Our Millinery has always enjoy-
ed the reputation of being of un-
usual merit and this season there
is absolutely no comparison that
can be drawn to illustrate in words
the superiority of the style, char-
acter and quality of this showing. The prices, too,
are extremely modest.



New Suits

A number of very smart styles have just arriv-
ed from New York—individuality and value—from
\$12.50 to \$16.50, \$17.50 to \$25.00; others up to \$45.

With a deposit any of our new spring coats or
suits will be laid aside until wanted.

We cordially invite your early inspection.

Special "Ad." To-morrow.

High Grade Dinner Sets

Of the very finest quality, pretty pat-
terns, artistic shapes and designs
Open stock sets running from \$60.00
to \$250.00.

Let us show you samples.

ROBERTSON'S, LIMITED

Electric Chain
Showers & Brackets

See our outfit for an eight room house at \$18.00.
Dainty and chaste.
Special prices for home wiring this week.
Come and see.

H. W. NEWMAN Electric Co.
Phone 441 and 1376. 72 Princess Street

When in
DOUBT

Remember, you can always depend upon secur-
ing shoe satisfaction here. Our spring styles are in-
comparable in style, price and durability.
Remember, we have the most up-to-date repair
plant in the city.

Phone 1246
JOHNSTON THE PRACTICAL SHOE-MAN
70 BROCK ST.

Everybody Has Two Brains
Centres Of Nervous Energy

Enormous Amount of Blood Consumed in Supplying
Nerve Force to Mind and
Body.

Everybody has two brains, one to
think with and the other to control
the workings of the heart, lungs,
stomach and other vital organs. This
mechanical brain is situated low
down at the back of the head and is
the great centre of the nervous sys-
tem which, through its ramification
of branches, reaches every part of
the human body.
Any lack of nervous energy is soon
apparent in disorders of the bodily
organs. Weakness of the nerves
which control the digestive fluids
means indigestion and similarly other
derangements arise.
Dr. Chase's Nerve Food has fully
established its reputation as a means
of restoring vitality to the nervous
system and thoroughly curing such
ailments as sleeplessness, irritability,
nervous headache and indigestion,
partial paralysis and locomotor atax-
is.

The Fortunate Mr. V.

There is a theatrical magnate in
New York who is up on the needs
of the three business men but a B.
H. his shirt on general education. In
his office they were discussing the
prevalent hard times—theatrical and
otherwise.
"Well," he said, "there's one guy
in this town that I envy. He's
busy all the time. Everywhere I go
I see people using his machines."
"Who's that?" inquired one of the
company.
"Why, this-guy Vaccum, that makes
all them patent cleaners."
The Hudson Bay company's store,
Fort William was completely destroy-
ed by fire; loss two hundred thou-
sand dollars.
Suffragettes make wild scenes with
bombs in London.
Some people would cry over spilled
milk even if they don't like milk in
any form.