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enough sleep and could not eat. I had

got good results and I now feel better | at abduction. In connection with her than I have felt for years and I am gaining in weight. I can gladly recommend to charges of a most startling nature it to all women."-Mrs. GEORGE W. plaintiff had made regarding the SEROLD, 1611 West 4th Street, Wilming. | management of the orphanage prior

Backache and bearing down pains are danger signals which every woman

BASIL-SPRATT CASE BEFORE SUPREME COURT

The Plaintiff In the Witness Box-Makes Startling Charges Regarding the Conduct of St. Mary'sof-the-Lake Orphanage—The Opposing Counsel Clash on Several Points.

Features of the Case. Letters read showing that Sister be guilty of the acts charged. Mary Basil had complained to Arch-Francis Regis and made charges of a most sensational nature, regarding the management of the St-Marys-ofthe-Lake orphanage. Sister Basil declared that these

charges were never investigated.

one item alone there had been a great waste of money, in that a steam factory in every way, had been pulled out and another system installed, to give work to a nephew of the Mother Superior; that children were some-

times put to sleep on hard wood

floors, and many other charges.

Sister Basil declared that her letter of protest to Rome was sent as It was like having a back door way bishop was cut short, as His Grace result of her charges not being in- of admitting evidence. Statements had another appointment. The intervestigated. Her letter was mailed on had been made as to what Father Sept. 13th, 1916, and that the at- Mea said to the chauffeur. The lattempt at abduction was made on the ter was not a party in the action, and night following the sending of her he strongly objected. Father Mea

Plaintiff also told the story of the therefore strongly objected. Then assault made on her, and the at-again, the conversation of Constable tempt to take her off to an insane Naylon over the telephone asylum in Montreal. She said she brought in. This had nothing to do told the sisters and Constable John with the charge of assault. Com-Naylon, that she was not insane, and plaint was made as to some things pleaded with them not to take her which occurred at Belleville. The away. Under oath, she swore that people alleged to have taken part in Constable Naylon broke into her an assault there were not parties to Phelan acted on information of room, at 10 o'clock at night, when trial she was about to retire, and grab- The pleadings should be reformbing hold of her, gagged her when ed and directed against the party she screamed and that with the aschauffeur, was taken into an automobile. The proposed trip to the supposed that the police constable or railway station was interrupted by the appearance of Father Mea at the main entrance of the institution, just as the party was ready to drive off.

Plaintiff was on the stand for a couple of hours and her evidence had journed at 7 p.m. until 9,30 o'clock Wednesday morning.

Counsel for the defence moved for Plaintiff made these charges to the the striking out of certain para- Mother Superior verbally and subsegraphs in the statement of claim, quently repeated these charges to and there was quite a lengthy ar-gument over this, but his Lordship faction. waived his ruling on the point at this stage deciding that he would which she accused the Archbishop be guided by the evidence later on. of being under the influence of the Mr. McCarthy, for the defence, Mother Superior. She gave reastated that while the Roman Catholic sons for her belief that the Arch-

part in the acts as alleged. Mr. Tilley, for the plaintiff, stated of unsound mind, that this was the first time he had ever heard an application made to miss certain things from the records. The corporation, he held,

Opening of the Case. The action brought by Sister Mary Wilmington, Del.-"I was suffering Bastl, against Archbishop Spratt, et from a terrible backache and pains in | al. for \$29,000 damages for assault, my side, with hear- abduction, false arrest and imprisonwas very nervous. the Supreme Court of Ontario, pre-I was always tired, sided over by Hon. Mr. Justice Britnever could get opened at 3 o'clock, on Tuesday afternoon before a crowd of deeply interested spectators, a large portion of

Attired in her garb as a nun, the plaintiff, the first witness called, went read of Lydia E. cidedly modest manner, and showing Pinkham's Vegeta- not the least bit of emotion, told a and and decided to try it. I story of an assault and an attempt story, evidence was put in pointing away from the institution and place

ches and pains by taking Lydia E. Pink- K.C., and W. N. Tilley, K.C., of Toham's Vegetable Compound, that good ronto, appeared for the plaintiff, and taste good, but work badly; ferment stomach—distress just vanishes—old root and herb medicine. Thousands T. J. Rigney and Lally Mc. Into stubborn lumps and cause a sick, your stomach gets sweet, no gases, of women have testified to its virtues. | Carthy, K.C., of Toronto, for the de- sour, gassy stomach? Now, Mr. and no beiching, no eructations of undi For forty years it has been making fence. It was also announced that a Mrs. Dyspeptic, jot this down: Pape's gested food, your head clears and you

struck for the cast, this preliminary took but a few minutes. Following is a list of the twelve men, chosen to listen to the evidence and render

Cameron Hay, Pittsburgh; Wiliam Fisher, Portsmouth; Byron Gorion, Kingston; Edwin Lawson, Kingston; Thomas Power, Kingston; Angus Orr. Kingston; N. H. McLean, Pittsburgh; J. M. Blake, Loughboro; R. J. Bushell, Bath Road; A. E. Weller, Kingston; Philip Haffner, Kingston; Richard Baiden, Ports-

Asked for Investigation Following the swearing in of the jury, Mr. Tilley addressed the memof the diocese of Kingston could not bers, giving a review of the statement of claim. He remarked at the Mr. Tilley remarked that counsel bishop Spratt and Mother Mary for the plaintiff was present to try opening that, in this action, parties the issues that were raised. Every- were being tried who very seldom thing in the statement of claim came to court. He referred to the would be material as the evidence vow taken by the Sisters of Charity. and said that each member of the Mr. McCarthy claimed that cer- order was under the direction and tain statements would be embarrass- control of a Mother Superior and the ing and prejudice the trial. There Archbishop. The Mother Superior were in all nine defendants. Some was elected by members of the or-Plaintiff declared that among other of the evidence would be applicable der. This did not mean an individthings, that the children at the or- to some of the defendants, and not ual vote, but a system such as would phanage were being treated like lit- to others. The corporation could not be explained. The Mother Superior tle animals; that at times the treat- take part in the acts for the reason was elected every three years. Prior ment was nothing more than brutal; that it was a land-owning corpora- to 1913, the Mother Superior of the that they were not even kept clean; tion. While it had the power to hold order was Sister Gabriel, whose evithat on some occasions they were land and mortgages it had no power dence would later on be read to the put to bed with nothing but a crust to act as had been complained of. fury, and who at present was conof bread to eat; that there was mis- Mr. Tilley said this was the first nected with one of the branch homes management of internal affairs; that time he had heard of an application in western Canada. In 1913 Sister thousands of dollars were squander- made to alter a record. If granted, Mary Frances Regis was elected for ed, while the Sisters lived in luxury it would mean depriving the oppor- three years. In 1916 she came up Freshand Fit on the money that was the property of the poor; that there was no regard for the truth on the part of some graphs he claimed should be struck the community to make a report on out. In letters parties had been the institution. It was also the duty mentioned who were not parties in of each member to state frankly any this action. For instance, com- charges of improper management. heating plant which had been satis- plaint was made about the election of Prior to the election of 1916 when a Mother Superior. The court had Sister Frances Regis came up for renothing to do with reports sent to election. Sister Basil felt that certhe Mother Superior. It was not for tain things should be brought to this court to determine just what the attention of the Mother Superior. rules and regulations should be set This was in April of the year 1916. out for an institution of this kind. She put the matter fairly before the Certain charges had been made Mother Superior, and asked for an against the Mother Superior about investigation, stating that she would Further, Sister Basil declared that management, but these could not be gladly apologize if conditions did not under the constitution, she was call- disposed of in court. It was not for exist as she reported them. But no ed upon to make such a report on the court to say whether the Mother investigation was held. Archbishop the condition of affairs, and that on Superior was guilty or not. Certain Spratt visited the orphanage as was one occasion the Archbishop appealed alleged admissions had been record- his custom to make such visits. On to her not to write to Rome saying ed. If there were irregularities they this particular occasion it was his that he would do something for her. should be dealt with by Rome. The first visit in four years. It was his Plaintiff replied that she was not court should simply try the charges duty to see every member of the seeking an office, but simply wanted of assault. Many of the paragraphs order and hear directly and verto do her duty, and desired things in the statement of claim were re- bally, any complaints or charges the to be conducted as they should be corded events, leading up to the members might have to make. Sischarge of assault, and were irreve- ter Basil had an interview with the lent. If allowed to remain, it ap- Archbishop, and gave him an outpeared to him as if evidence was beline of what she thought should be ing secured in an improper manner. done. Her audience with the Arch-

> her interview was cut short. Then followed the sending of report to Rome, on the conditions existing at the orphanage by Sister A medical certificate was necessary to have Sister Basil admitted to an insane asylum. Dr. Daniel twenty-five years ago. He wrote a letter, but not one that would warrant action, but at the best, would act as a cloak. Sister Basil was sponsible for the damages? This had known to everyone as a person who was not insane. Dr. Phelan was not been specified. It could not be used as the "go between," and ara doctor on the case would have anyranged for the attendance of a police constable. He called for John Naylon, a member of the Roman Catholic church, to assist the sisters in

Next day Sister Basil had another in-

terview with the Archbishop, and set

forth her charges. This time the

Archbishop was annoyed and again

Mr. Tilley said that the case of the the job of removing Sister Basil. plaintiff, as shown by the pleadings, Continuing in his address, Mr. Tilwas that she, a member of the comley told of steps taken to remove munity, was entitled and in duty Sister Basil from the orphanage at bound, to make certain a report on 10 o'clock on the night of Sept. 14th, 1916. The attempt at abduction was what she believed to be improper made the night following the mailconditions exisiting in the order. ing of the letter to Rome by Sister

Sister Basil was about to retire, Then she made a written report in show that he was a police constable, an extraordinary man, tramp, or gentleman. Sister Basil was scantily Episcopal Corporation of the Diocese bishop was under the influence of the her bed, and as the door opened she of Kingston empowered the corpor- Mother Superior. This reflected on stepped behind it in terror and called ation to hold land and mortgages, it the Archbishop and the Mother Su- out "tramps." The man then grabhad no power to do an act complain- perior and a conspiracy to deprive bed hold of her, and placed her on ed of. In all, there were nine defen- the plaintiff from exercising all her the bed. Later on some of the Sisdants, and a good deal of the state- rights and privileges as a member of ters came in, and when she was dressment of claim would be both embar- the community was planned when an ed in old clothes and preparations rassing and prejudicial. Parts attempt was made to abduct her made for taking her off in an autoof the claim would be applicable to This was done for the purpose of be- mobile to the railway station, to some, and not to others. The corpor- litting her charges and so she would board a train for Montreal, where ation of the diocese could not take not be listened to as a sensible per- she would be placed in an asylum. son, but regarded as being a person Sister Basil declared her right to see Father Mea. Under the laws of the Continuing, Mr. Filley stated that order she had a perfect right to do the plaintiff had for twenty-nine this, as Father Mea was her conyears been a member of the order, fessor and she had a right to see and as a result would be left penni- him when she so desired. She was less. He could not see how one sin- told that if she remained quiet, she gle allegation could be struck out. The would be allowed to see Father Mea

defence had been put in, there had before she was taken away. heen an examination on both sides Mr. Tilley told of the stop in the and evidence had been taken on both proceedings when Father Mea apsides by the commission. He felt that peared on the scene, and in con

objection was being taken simply be- clusion said: cause the facts of the case had been | "The plaintiff is a woman fortystated too elaborately. After all had six years of age, and outside of this been said on the matter from both institution, she has no means of sides, the judge said he would not support. She has spent twenty-nine do anything at this stage, but would years in this work, doing good and ton, at the City Hall. The case was be governed by the evidence as it developing her religious life. As an outcome of the conditions, it is enand under the circumstances there is The selection of a jury was then nothing left for her to do but to roceeded with, but owing to the bring her case before a civil court."

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The Jury Selected.

fact that a special jury had been

was proceeded with.

was not a party in the action, and he

sued for damages. And who was re-

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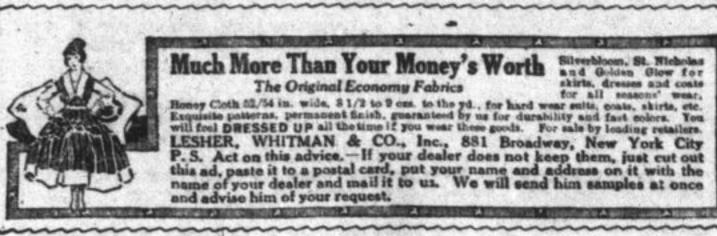
It was also announced that a bispecial advice in the struck for the bispecial jury had been struck for the special jury had been struck for the bispecial jury had been struck for the special jury had been struck for the bispecial jury had been struck for the special jury had been struck for the special jury had been struck for the special jury had been struck for the bispecial jury had been struck for the special jury had been struck for the special jury had been struck for the bispecial jury the Roman Cathelic Corporation eat your favorite foods without fear. disorder.

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