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SUPREME COURT SITTINGS

Slander case First Taken Up—Settlement Made in Non-Jury Case.

The supreme court sittings of Ontario opened on Monday afternoon, with Justice Lennox on the bench. There are no criminal cases on the calendar and in his address to the grand jury, his lordship referred to this fact, stating that on the occasion of his last visit to Kingston, last fall, he had two very distressing cases, having reference to the two murder cases. The grand jury, after the brief address of his lordship, left to make an inspection of charitable institutions in the city receiving government grants.

William G. Hamilton was elected foreman of the grand jury and the other members are: Clarence Amey, Loberough township; James Agnew, Pittsburgh township; Herbert Buck, Kingston; T. G. Burke, Canano; G. J. C. Hanson, Kingston; Richard Judge, Hinchinbrook; Charles Redden, Portland; L. D. Sinclair, Barrie; M. J. Spoor, Wolfe Island; Edward Wortman, Kingston; William Toner, Kingston; Norman Abernethy, Kingston.

It was announced that a settlement had been made in one of the non-jury cases, and that another had been adjourned till the spring. The case in which a settlement was announced is that of Mary Ella Stinson, plaintiff, and Canadian Order of Chosen Friends, defendants. Plaintiff claimed \$1,000 insurance on the life of her late husband, William J. Stinson. A settlement was made for \$300 and costs.

The case put off till the spring is that of Hart-Bell Company, incorporated, plaintiffs, and F. Samwell and the Dominion Supply Company, defendants, an action for accident. A suit for slander.

The first case taken up was that of James C. Forrester, plaintiff, and Vicky Egan, defendant, in which the plaintiff claimed damages for slander. J. L. Whiting appeared for the plaintiff, and T. J. Rigney, for the defendant. When court rose at 6.30 p.m., all the evidence had been taken and addresses of counsel given to the jury. His lordship then had court adjourned till 9.30 Tuesday morning stating that he would deliver his charge to the jury then and hand the case over to the jury. The jury was then dismissed for the night, and warned not to discuss the case with any person.

The jury sworn in to hear the slander case was composed of the following: James Greenlee, Bedford; Charles S. Kirkpatrick, Kingston; Harry Jennings, Kingston; John W. Litton, Kingston; Andrew Craig, Kingston; Ernest E. Cain, Kingston; Alfred Maxam, Kingston; Oscar Lindsay, Loberough; Harry Brigland, Pittsburgh; William J. C. Harvey, city. The plaintiff, James C. Forrester, who carries on a business as farm implement agent, insurance agent and auctioneer, claimed that his business had suffered as a result of statements made about him by Vicky Egan, in the Merchants' Bank, at Westport, in May, 1918. It was alleged that in the presence of the manager of the bank and other members of the bank staff, the defendant had accused the plaintiff of stealing \$10 from her, and also accused him of signing her name to a note.

It was claimed the defendant had also made similar statements to one, Joseph Quinn. Frederick Bayley, manager of the Merchants' Bank, at Westport, told of having sent for the defendant to notify her about a note held against her by the plaintiff. The defendant claimed she had never signed the note, and that the plaintiff must have forged it. She also charged the plaintiff with stealing \$10 from a table in her home. The accusations, witness claimed, had been made by the plaintiff in the teller's cage, and in the presence of the teller, ledger-keeper, junior clerk, and the witness Lyall Hodgins, teller in the bank, told about the defendant saying she had not signed a note, and Joseph Jullit recalled the defendant had told him that the plaintiff had stolen \$10 off a table in her home, that he was a thief and a rogue, and that he had forged her name to a note. Mrs. Lucinda Brash, storekeeper at Fermoyle, testified to having heard the defendant make these accusations against the plaintiff in her store.

George W. Steele said he was in Mrs. Brash's store and heard these statements. Vicky Egan, the defendant, said she lived at Fermoyle, and could not read nor write. The plaintiff and a man named Whitmarsh came to her place. Plaintiff said he came to "buy her out." Witness said she was sick and did not want to be bothered. Plaintiff drew up an agreement for the sale of her farm for \$3,500 but witness did not sign. Witness did not remember telling Quinn or Mrs. Brash that the plaintiff had forged

her name to a note or stolen \$10 from her.

The plaintiff told about the proposed sale of the defendants farm for \$3,500 but she backed out of the sale. Defendant was let out of the bargain for \$50. Defendant gave witness \$10, and a note was drawn up for \$40, to be paid in three months. Defendant signed the note, and never complained until the note was due.

Mr. Whitmarsh, who was with the plaintiff, when the deal was made said the defendant agreed to pay \$50, when the deal was called off. A note was drawn up for \$40 and defendant touched the pen. A number of other witnesses also gave evidence.

At 10.45 a.m. Tuesday the jury brought in a verdict for the plaintiff for \$25 and costs.

MEETING OF CITY COUNCIL

Need of Retrenching—Mayor Tells of Extra Expenditures Next Year.

Mayor Nickle read to the city council at its special meeting Monday evening a statement showing the aldermen how that body stood financially. The Board of Works was in need of further appropriation to keep the streets clean for the balance of the autumn, but this could not be given, as the finance committee wanted to close the year without an overdraft. It was necessary that the committees keep within the amounts allotted them and when these amounts were expended they would have to close up shop. The mayor, in order to show the aldermen what next year's council would be up against financially, intimated that the taxes that would be derived from the largely increased assessments would all be required for additional expenditures that would have to be met as follows: Contingent hospital \$13,000; permanent pavement debentures \$7,000; the new public school \$10,000; Collegiate Institute teachers increases \$5,000; public library \$10,000; four new firemen as required for the new fire government act, \$5,000. Then there might be other additions as the money required to pay for mother's pensions.

"When people start in to raise a kick because the street cleaning has had to be abandoned, just tell them that if the council of 1920 is not careful there will be an overdraft which will have to be paid out of next year's taxes, and next year's rate may have to be increased over and above the rate of this year, not to speak of the increased assessed value of their properties on which they will have to pay," said the mayor, who asked the co-operation of the aldermen in keeping down this year's expenditures.

Finance Report.

These recommendations of the finance committee were adopted: That the following names be submitted for the mothers' allowance commission: Ald. C. J. Graham and Mrs. Eason as representatives of the council, and Miss May Chown, Miss I. Ronan, Mrs. R. B. Taylor and Capt. Fairfull.

That \$150 be granted to the Machine Gun corps to assist those families who lost heavily in the recent battles' fire.

That the request of the Board of Education for an additional grant of \$2,500 be not granted; that the request of the horticultural society for a grant of \$50 be not granted.

The recommendation of the health committee that the tender of E. Parades to repair the incinerator stack, damaged by lightning, for \$100 be accepted, was adopted.

The Bathing Pavilion. The parks committee made these recommendations which also were adopted: That the R.C.H.A. monument be erected near the corner of Barrie and King streets within the city park entrance; that the Richardson bathing pavilion be closed on the first of October.

The bathing house closing question brought Ald. Stroud to his feet for the purpose of remarking that this pavilion should be open on Sundays when many people would not bathe on other days desired to take a dip in the lake on the Sabbath.

Ald. Kent said that was a question that could be considered by next year's parks committee. He himself thought the place should be open on Sundays.

Ald. Armstrong would not hear to Sunday opening. "Sunday is supposed to be a sacred day, therefore let us try to keep it sacred," he declared.

Mayor Nickle favored opening the bathing pavilion on Sunday. He could see no more harm in people taking a bath off Macdonald park on Sunday than he could in people playing golf on that day.

The two industrial bylaws recently voted favorably upon by the people were given their third readings and put into effect. Another bylaw was passed for the construction of a concrete walk near the foot of Maitland street.

TWICE TOLD TALES

News of Kingston

TEN YEARS AGO. The city bankers are trying to organize a rugby team to meet the second team of R.M.C. and K.C.I. It is altogether likely that Mr. Walker of the Bank of Montreal, will coach the team if it materializes.

The lakes have been subject to heavy gales for the past week, playing havoc with the time made by the vessels plying in and out of this port. Queen's lower campus was crowded with rugby players yesterday afternoon. Things are lively around the college again.

Dr. W. G. Anglin has been working with the famous Mayo Brothers in the States an dis expected home on Wednesday.

The Sinn Fein has made an attack on the Redmonds in Ireland which is doing more good than harm to the "victims" cause.

Pilots are very scarce lately. Several vessels have been compelled to lay up at this port for hours while waiting for a guide down the river.

TWENTY-FIVE YEARS AGO. Ralph Hooper will represent Varsity at Queen's sports this fall. He is well-known in Kingston.

The freshmen class in Arts at the university numbers over 150 with many athletes in the crowd.

Brook street Methodist church held a married men's social last night at which the fathers of the congregation served refreshments in white aprons and paper hats.

N. C. Polson, Sr., returned home yesterday after a tour through England and France. His health has been much improved by the trip.

On October twenty-third the monument to Sir John A. McDonald in the City Park will be unveiled by Sir Mackenzie Bowell.

During the progress of the fire at McKee's livery this morning, Peter Devlin was severely kicked by a horse which he was trying to save from the flames.

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Ald Armstrong wanted to know if the floor of the fair grounds palace was to be oiled so as to keep down the dust. Mayor Nickle and Ald. Craig replied that the grounds had been let to the fair association, which would not doubt do the oiling if it thought it necessary. The city had granted \$2,000 for repairs to the grounds.

On motion of Ald. Clow, it was decided to water the roadways close to the fair grounds during this week should it be necessary.

In attendance at the meeting were Mayor Nickle and Aids. Armstrongs, T. B. Angrove, J. B. Angrove, Chown, Clow, Cohen, Couper, Craig, Graham, Kent, Patterson, Robertson, Steacy, Stroud and Twigg.

It May Be So. The Toronto Star refers to the recently published story to the effect that Brig-General Ross m'ry be the next conservative leader in the legislature and says that some day we may have another Ross government. There's many a true word, etc.

Mrs. E. Cartwright, the first lady magistrate for Barnet Petty Sessions Division, is a daughter of Alderman Pank, chairman of the bench, and she will consequently sit along with her father.

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