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BYNG OPENS PICTON FAIR

R.C.H.A. Band And R.M.C. Riding Detail Are Among the Attractions.

(Special to The Whig)
Picton, Sept. 21.—The annual fair of the Prince Edward Agricultural Society was officially opened at 2 o'clock this afternoon by His Excellency the governor-general, Lord Byng of Vimy. The vice-regal party arrived at the station at 1.30 p.m. and was met by a large gathering of people. A parade was formed and His Excellency was escorted to the fair grounds. The parade was in the following order: Band of the R. C. H. A., Prince Edward Veterans, "C" company, Hastings and Prince Edward Regiment, school cadets and Girl Guides, governor-general and party, members of Prince Edward County Council and Picton Town Council, agricultural society representatives and Captain Bray and detail from the riding establishment of Royal Military College.

At the grounds addresses of welcome from the Prince Edward County Council and Picton town council were read by Mayor Newman. The fair, which opened Tuesday, was officially declared open by His Excellency.

The town is gaily decorated and all along the line of march flags and bunting were in prominence. The governor-general was expected to arrive this morning, but the word was received that he would not arrive until 1.30. The rain fell heavily in the morning, but towards noon the sun shone out and made the afternoon's programme a success.

BOTH SHIPS ARE BLAMED FOR THEIR COLLISION

Three Parts Fault Attributed to Maplehurst, One Part to Margaret Hackett.

Montreal, Sept. 21.—Judgment was given in the Admiralty Court by Justice MacLennan holding both vessels to blame for the collision which occurred early in the morning of July 16th, 1920 in Lake St. Peter between the lake steamer Maplehurst, belonging to the Canada Steamship Lines, and the steam tug Margaret Hackett, belonging to the George Hall Coal Company.

The owners of the Margaret Hackett sued the Canada Steamship Lines for \$58,000 for the loss of the tug, and against the Steamship Lines sued the George Hall Company for \$6,000 damages done to the Maplehurst's tow, the barge Brookdale.

The court found that both ships were at fault, and attributed three-quarters of the blame for the collision to the Maplehurst and one-quarter to the Margaret Hackett.

Between three and four o'clock in the morning of the date named the Maplehurst was going down the river with the Brookdale in tow. In Lake St. Peter she met the Margaret Hackett, which had the barge Gladys H. in tow. The Margaret Hackett passed the Maplehurst without observing her tow. Seeing the light of the barge Brookdale, and thinking she was a sailing ship, the Margaret Hackett attempted to take a course between the two. She struck the tow cable, swung into the Maplehurst's tow, and was so badly damaged by the collision that she sank.

The main issue, as submitted to Mr. Justice MacLennan, with whom Captain J. O. Grey sat as assessor, was whether the Maplehurst carried the extra light on her mast the law exacts when a steamer has a vessel in tow.

The evidence was to the effect that such extra light was carried. It was admitted this light was not an electric light like the others the ship displayed. It consisted of a lantern rigged up to the mast in an old vegetable box.

The lookout of the Margaret Hackett declared that no light which would indicate that the Maplehurst had a tow was visible as the Margaret Hackett approached.

A Breach of Regulations.
Mr. Justice MacLennan, in delivering judgment, pointed out the importance of observance of the regulations concerning lights, particularly in the navigation of the narrow and crowded waterway between Montreal and Quebec. Departure from these regulations was only justified by necessity. Non-observance was prima-facie negligence. The court found that the Maplehurst did not have the towing lights required by the regulation. The men in charge of the tug saw the bright electric light on the Maplehurst's mast, but not the second light—the one burning in the coal oil lantern rigged up in a vegetable box; it was so dim, and, the judge said, in such a position that it was no notice to the tug that the Maplehurst had a barge in tow.

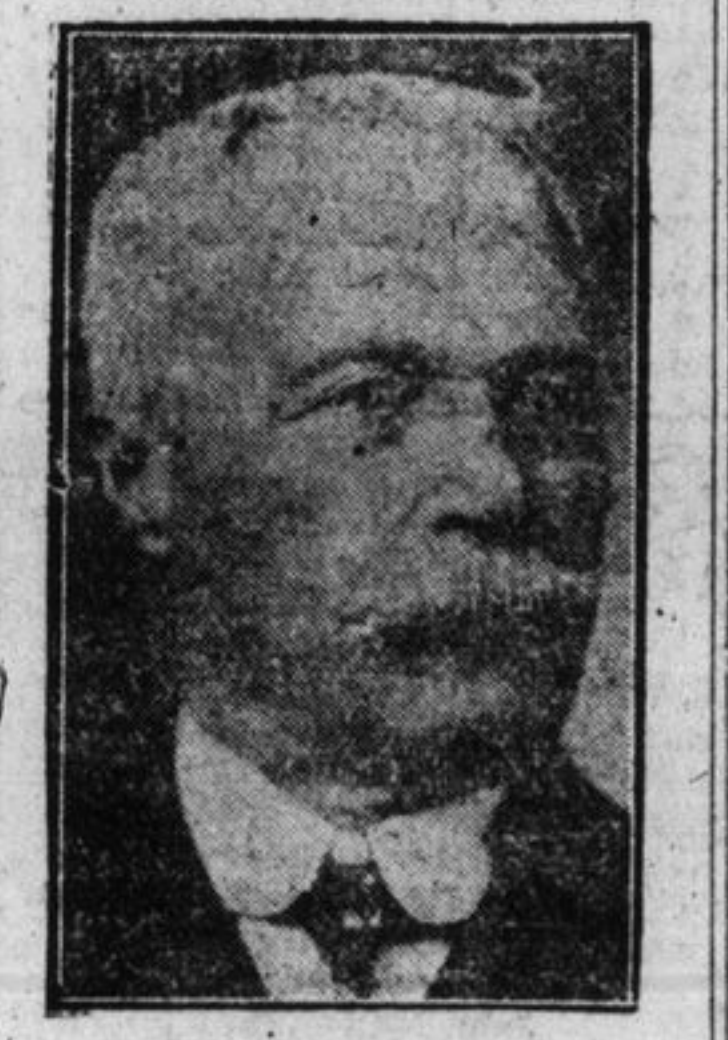
Proof of the breach of regulations cast the burden upon the infringing vessel to establish that the breach did not cause or contribute to the collision. The evidence, the judge said, was conclusive that if the lights of the Maplehurst had indicated she had a vessel behind her in tow, the tug Margaret Hackett had ample water and room to pass her, in which case no collision would have occurred. The court's conclusion was that the absence of the regulation towing lights on the Maplehurst primarily

led to the collision.

The Tug's Responsibility.
On the other hand, the question was asked whether the mate of the tug Margaret Hackett was free from blame, and should her owners be held liable in whole or part for the damage sustained by the barge Brookdale? When the mate of the Margaret Hackett saw the green light of the Brookdale (the Maplehurst's tow) he concluded she was a vessel under sail, and manoeuvred his own course accordingly. Judge MacLennan said his assessor advised him that the mate was justified in this manoeuvre, but evidently failed to take into consideration his own tow and its great length. The assessor further advised that the mate of the Margaret Hackett was guilty of a breach of the regulations in attempting to cross ahead of another vessel, although there was justification for this, and that he was guilty of a grievous error of judgment when he believed that his tow, considering its length, could cross the bow of the supposed sailing vessel. The mate must be held to blame for his error of judgment and for failure at the last moment to have starboarded, which, in the assessor's opinion, would have averted the collision. He was wrong in attempting to cross ahead of the tow when he should have kept out of the way, and his owners, Judge MacLennan decided, must be held responsible in proportion to the degree in which their mate was at fault for breach of Article 20 and 22, and which contributed to the collision.

Maplehurst More to Blame.
In the court's opinion the Maplehurst was very much more to blame for the collision than the Margaret Hackett. The fault, therefore, was proportioned—three-quarters of the liability to the Maplehurst and one-quarter to the Margaret Hackett.

Judgments on demand and cross-demand were accordingly entered as follows: Judgment in favor of the George Hall Coal Company against the steamer Maplehurst and her bail for three-quarters of the damages to the tug Margaret Hackett and costs; and judgment in favor of the Canada Steamship Lines against the tug Margaret Hackett and her bail for one-quarter of the damages to the barge Brookdale, and costs, with a reference to the district registrar (Mr. Walker), assisted by merchants as assessors to determine the damages due in each case.



JOSEPH A. RICHARDSON
For more than thirty years district passenger agent of the Wabash Railway with headquarters in Toronto, who died on Monday.

The kiddies believe in taking in the fair the first day. Tuesday the grounds were filled with youngsters and they had the time of their lives, especially in the main building, where they went the rounds and collected all the souvenirs they could get.

John Alexander, who has spent three months with his mother in England, is sailing for Kingston on Saturday to resume work in the Odd Fellows Relief office.

Rev. W. J. Gratton, St. John's church, Pittsburgh township, has been appointed to the parish of Ameliasburg and will commence his new duties on October 1st.

Seckel peers at Carnovsky's.

HANSON, CROZIER & EDGAR PRINTERS

MARKET SQUARE, KINGSTON.

BORN.
GALLAGHER—To Mr. and Mrs. W. J. Gallagher, 102 Pine Street, on Tuesday, Sept. 20th, 1921, a daughter (full name).

DIED.
KNAPP—In Barrie, on September 21st, 1921, Elizabeth Barry, beloved wife of Henry James Knapp, aged 71 years. Funeral from her late residence, Barrie, on Friday afternoon, Sept. 24th, 10 o'clock, to Calvary Cemetery. (Toronto Knapp).
(Toronto Knapp).

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Suits of richest new materials, distinctive models — in all the latest colors.

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New and effective styles — beautifully embroidered.
Colors: Flesh, Sand, Navy. Sizes 34 to 42.
Note Price \$4.75.

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36 inches wide.
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