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WINS DAMAGE CASE AGAINST THE CITY

Anderson Bros., Ltd., Given Judgment Over Flooding of Their Cellar.

Judgment was rendered in favor of the plaintiff in the case of Anderson Bros. Ltd. vs. the Corporation of the City of Kingston when it came before Mr. Justice Logie at the fall assizes of the Supreme Court of Ontario on Wednesday afternoon. Mr. A. B. Cunningham acted for the plaintiffs and Mr. T. J. Rigney for the defendants.

The plaintiffs proved that in July, 1925, again on August 5th, 1925, and several times this summer the cellar of their store on Princess street at Division had been flooded with water because the sewer backed up and the water came in through the sewer trap in the floor of the cellar. They also called Mr. George C. Wright, a civil engineer of this city, to testify as to the condition of the main sewer into which the private sewer of Anderson Bros. Ltd. empties. Mr. Wright said that the main sewer was of antiquated construction and had been doing service for many years. Owing to the fact that the part of the city which it serves has built up to a great extent during the last twenty-five years, it is now inadequate and it was because of this that the water backed up into Anderson Bros. cellar.

The defense submitted was that no negligence had been shown. Mr. Rigney contended that up until the night of August 5th, 1925, the city had never been notified that the sewer was not discharging its function properly and he also called evidence to show that the amount of rain that fell on the night of August 5th, 1925, and the morning of August 6th was an unprecedented amount. The city, he contended, had made all possible provision as far as they had any knowledge to work on.

His Lordship in summing up dismissed Mr. Rigney's contention that the city had taken all precautions as far as their knowledge went because, he said, the city should have taken notice of its own growth and provided for the same. The plaintiff had produced evidence to show that the sewer was not adequate and when the city engineer had been called in defense he had not denied this. The amount of damages was left to the local master.

PASTOR IS INDUCTED AT AMHERST ISLAND

Rev. J. V. Laughland of Scotland Has Taken Over This Charge.

Rev. J. Vint Laughland, recently from Scotland, was inducted into the charge of St. Andrew's Presbyterian Church, Amherst Island on Tuesday afternoon. Rev. R. Simpson, of Stirling, newly appointed moderator of the Kingston Presbytery presided and inducted the new minister. Rev. R. G. Stewart, of St. Andrew's Belleville, conducted the service and preached. Rev. Mr. Craig of Dumfriesville, clerk of Presbytery narrated the steps leading up to the call and addressed the congregation. Rev. Mr. Simpson addressed the people, and also indulged in reminiscences saying that in the past fifty years he had been present at all inductions at St. Andrew's Amherst Island except one. There was a large congregation present.

PICTON

Picton, Sept. 22.—On Saturday afternoon Mrs. H. B. Bristol received in honor of her nephew's wife, Mrs. Gordon Nichol, at her beautiful home, "Inglehurst." The bride, who received with the hostess, wore her wedding gown of ivory georgette over pink with silver lace and a corsage of ophelia roses, valley lily and maiden hair fern. Mrs. Bristol wore a beautiful gown of grey georgette and carried pink roses, while Mrs. Nichol, mother of the groom, wore black lace over silk crepe and carried pink roses. Gladioli in the living-room and mauve asters and yellow dahlias were used for decoration in the dining-room. Mrs. C. Hart and Mrs. Dwight directed the guests to the dining-room, where Mrs. Currie and Mrs. R. Davidson presided at the tea table. The room was assisted by Misses G. Tobey, Bernice Woods, Hilda Rolston, Naomi McDonald, Jean Nichol, Mrs. Lindley Colman, Mrs. Gordon Walsley and Mrs. Herbert Sneyd.

In connection with their annual fall opening, the A. Bristol & Son store held their fashion parade on Thursday evening, when all the newest styles were displayed on living models. The show rooms had been artistically decorated and pretty shaded lights, with seats in every available nook, gave a most inviting welcome to the patrons. Those who acted as models were Misses Loreta Bond, Katherine Tobey, Jean Nichol, Althea Steinhilber and Mrs. Clarence Ruster. Mr. H. J. Williams sang several songs during the evening, accompanied on the piano by J. Battenberg.

Miss Amanda Sprague returned to Belleville Saturday after a visit with Dr. and Mrs. Whitman.

Albert Caskey, Miss Helen Caskey and Miss Anna Way motored down from Madoc Tuesday for the funeral of the late Mrs. J. P. Blakely.

Mrs. W. T. Harris of Madoc was a guest on Tuesday of Mr. and Mrs. H. S. Miller.

Ray Carman has returned to his home in Toronto after a visit with friends in town and county.

Mrs. Brook Kingston, Toronto, is the guest of her daughter, Mrs. Gilmore, and other friends in town.

Frank Spencer and Miss Spencer of Foxboro, were in attendance at the funeral of Mrs. Blakely on Tuesday. Cyril Minkner of the Standard Bank staff, Cobourg, is home on a two weeks' vacation.

DRAPERIES **RUGS**

New Arrivals at Shaw's

Coatings that are pleasingly different

Our new range of Coatings for Fall is now complete and ready for your inspection. The materials include all pure wool Blanket Cloth, Bolivia Cloth, Velours, Chinchilla, Airedale, Marvella, Charmelaine, etc., in all the popular, plain shades and fancy, plaid effects. The prices range from \$1.39 per yard up to \$3.75 yard.

Shaw's Irish Linens

Offer you a wide range of beautiful Linens at prices that are unbeatable. The new pure Linen Cloth and Napkins to match are here in such attractive designs as the Willow Tree pattern, Peacock or Pheasant designs, Boule Period, Louis Period, Queen of the May, also pretty conventional scroll and floral designs, in all sizes and at reasonable prices.

New Cluny Linen Lace Pieces specially priced. Wonderful values in Madeira Linen pieces.

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Parisian Shop
322 BROCK STREET

SPORT

Local Junior Team is Out

Defeated by Toronto McCormicks in Third Game Yesterday at Oshawa 7-2.

(Special to The Daily British Whig.) Oshawa, Sept. 23.—After hurling invincible ball for six frames, Jamieson, pitching for Kingston weakened in the seventh and by walking three men in a row, together with a couple of errors by his team-mates, allowed his opponents six runs enabling McCormicks to win from Kingston here yesterday 7 to 2. McCormicks will now meet Guelph in a semi-final home and home series to decide who shall meet Constion of the Nickel Belt League in the final for the Ontario title.

For the six frames the handful of fans who attended saw one of the best games of ball played on a local diamond this season. Until the break came it was a brilliant pitcher's duel between Jamieson and O'Neill with the Limestone threatening on several occasions to break into the scoring column. The crash came unexpectedly because the Eastern Ontario champions were displaying a fine brand of ball in the field. Up to the seventh the only counter of the game was registered by McCormicks in the third when Braithwaite hit to centre field, the ball going over Gray's head. Braithwaite scored on the hit which should only have gone for a double.

In the seventh Flake, the first batter up hit safely and then Jamieson walked three batters in a row forcing in a run. O'Neill singled and two more runners crossed the plate. An error by Connolly and another by Penneck together with a single by Baker added another trio of counters. Practically all of McCormicks' tallies were unearned. The bright features of the game were contributed by Kingston who made two fast double-plays, one of which was a sensational effort by Stone. Stone spared a high line drive over first with his gloved hand and then fell on the bag to catch a runner who had taken a lead off. Stone handled an almost impossible play perfectly.

O'Neill for McCormicks was consistent throughout although there were plenty of Kingston runners on the paths, no fewer than ten being left stranded. The Toronto hurler fanned fourteen men and only allowed one charity. Up to the time that Jamieson weakened the Kingston moundman had held McCormicks to six scattered hits and had not issued a base on balls. Had not Jamieson weakened and his team turned in an errorless game the Limestone would have undoubtedly emerged victorious when they counted twice in their half of the ninth. Kingston's two runs were the result of a walk to Albertson who batted for

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New Hats, New Shirts, New Ties

Let us supply your Fall-hung needs.

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McCORMICKS.

	AB	RH	PO	A	E
Gilchrist, ss	4	1	0	0	0
Baker, 3b	4	0	2	0	1
Marko, rf	4	0	0	1	0
Barton, 1b	4	0	0	7	0
Flake, c	4	1	2	1	0
Nichol, cf	3	1	3	1	0
Higgins, 3b	3	1	0	2	1
Braithwaite, lf	2	2	1	0	0
O'Neill, p	3	1	2	0	1
	31	7	10	27	4

KINGSTON.

	AB	RH	PO	A	E
Vince, rf	5	1	2	0	0
S. Gibson, lf	5	0	1	0	0
Penneck, c	5	0	1	7	1
Boyd, 2b	4	0	1	4	1
Jamieson, p	4	0	1	0	0
Connolly, 3b	4	0	0	3	1
Gray, cf	4	0	1	2	0
N. Gibson, ss	4	0	0	3	4
Stone, 1b	3	0	0	0	0
Albertson	0	1	0	0	0
	38	2	7	24	9

Albertson batted for Stone in the ninth.

Score by innings:

Kingston 00000003—2
McCormicks 00200000—7

Summary: Two-base hit, Braithwaite; sacrifice hit, Gilchrist; left on base, McCormick's three; Kingston ten; bases on balls, off O'Neill 1, off Jamieson 3; struck out, by O'Neill 14, by Jamieson 5; double plays, Stone unassisted, M. Gibson to Boyd; umpires, Orwin and Wright, Toronto.

Oscar Hett of Toronto is a Splendid Umpire

Oscar Hett, the Toronto umpire, who has officiated in three or four games this season in which the Kingston team was playing, has made a decided impression upon Kingston fans. Hett first came on the scene in the final Central Ontario League game at Belleville, later he was here when Goodyear played and he was also the chief official at yesterday's Kingston-Oshawa game.

Hett in his work in these games, showed that he understood his business down to a dot. He was strictly impartial, made no mistakes and best of all, he was the boss of the job. Hett is as good an umpire as has ever donned a mask and pad in

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\$2,500—Double cement block.
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This section of the province. His work in yesterday's game was certainly splendid but the same cannot be said for "Babe" Sheppard, who made at least two very bad slips that might have meant something. However, Sheppard must have thought he was right or he never would have called them as he did.

See Also Pages 8 and 9.

Caught Largo Bass.
While fishing in the Little Rideau lake recently A. Wiseman, of Smith's Falls, formerly of Brockville, landed a 7 1-2-pound bass of the large mouth variety. This is believed to be the largest bass caught in the Rideau lakes this year.

Judgment Reserved.

Mr. Justice Logie at the Fall Assizes being held here, on Wednesday afternoon reserved judgment in the case of Globe & Rogers Fire Insurance Company against John Trudell. The barns belonging to John Trudell were burned several months ago and it was claimed they were set on fire from sparks from some of the county road machinery.

The Globe & Rogers Fire Insurance held the policy on the property destroyed and they paid Mr. Trudell's claim. Then jointly the insurance company and Mr. Trudell entered a suit against the county. Out of the amount of damages asked for in this claim the fire insurance company was to be reimbursed for the money paid to Mr. Trudell. Before the action came to court however, Mr. Trudell compromised without the consent of the Globe & Rogers Company for a less sum than that stated in the claim. The company is now suing Mr. Trudell for \$340, the amount which they claim they lost by his compromise. Cunningham and Smith acted for the plaintiffs and Rigney and Hickey for the defendant.

Rural School Fair Prizes.

There seems to be some misunderstanding concerning the final line-up of the county schools at the Kingston Industrial Exhibition. Eleven schools competed, and three of them, Wolfe Island, No. 4, Glenburgh and Joyceville, No. 8, tied for first honors in order to treat all fairly, the judges decided to total the first, second and third prize money and divide it equally among these three schools. Then Battersea, No. 6, came second obtaining fourth prize money, and so on until the prize money had all been distributed.

Has Local Interest.

A last week issue of Toronto Saturday Night carried an interesting resume of the history of the late Princess Salm-Salm, wife of the late Prince Salm-Salm, the younger son of a distinguished German house, who was a Canadian Eastern township girl, Eliza Joy by name, who won fame on the American stage under the name of Agnes Le-Cleron before her marriage at Washington in 1863. This article is of interest to Kingstonians as the Princess was the aunt of Col. F. S. S. Johnson, who for many years has been United States Consul in this city.

LANSDOWNE

Lansdowne, Sept. 22.—The Women's Missionary Auxillary of Grove United Church is to hold an open meeting on Wednesday evening, Sept. 29th in the church. Mrs. J. O'Neill, president of the Kingston Presbytery, will give an address. She will also conduct a questionnaire.

Miss Cochran, Auburn, N.Y., is a guest of Mrs. J. B. Cochran, Rev. Cecil and Mrs. Winter are visiting in Belleville and vicinity. Mr. and Mrs. Davis, Ottawa, are guests of Mr. and Mrs. George W. Steacy. Miss Georgina Humphrey left on Monday to attend Normal in Ottawa. Mr. Motherhill, of Oshawa, and Mr. William Thompson, of Rideau River, are here for the fair.

Miss Irene Patience left on Saturday to attend Normal school at North Bay. Basil McKay has gone to Ottawa to attend Normal school.

John H. Donevan was very successful in his exhibits of white Leghorns at Kingston fair. Out of sixteen entries he took fifteen prizes, 5 firsts, 3 seconds and 3 thirds.

Mrs. Lennox Franklyn and daughter returned to Winnipeg on Thursday. The initiation for the high school which was held in the Stewart House took place on Thursday and a pleasant time was spent.

Rev. J. O. Baron and Mr. E. R. Bradley attended the Presbytery held in Sydenham street, United Church, Kingston, on Tuesday, Sept. 21st.

Charles Cory, who was placed under arrest some weeks ago at Belleville and charged with fraud and later allowed out on bail, was re-arrested by Officers McCoy and Nugent of the Provincial police, Saturday last, for alleged forgery, and will face his trial at Madoc Friday. Cory is connected with the Belleville Milling Company and it is through the selling of stock in that concern that the case arose.

James O. Arnold, prominent horse breeder and importer, is dead at his home in Granville, aged 54 years.

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3 tins Campbell's Soup 35c.

P. & G. Soap, Surprise, Somme, Naphtha 5 bars 25c.

Canadian Sardines (Extra fine) 5 tins 25c.

Peko Blend TEA—Excellent quality—5 pounds for \$2.70

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