

VERDICT FOR PLAINTIFFS IN DAMAGE SUIT

Defendant, J. W. Everett of Marysville, Ordered To Pay \$495.60 Damages As a Result of Car Collision.

A verdict in favor of the plaintiffs was returned this morning by the jury in the civil case of Warren Merritt and James Robins vs. J. William Everett of Marysville in the York Circuit Court. As a result of a car collision at the corner of Bridge Street and the highway road in Marysville on the 19th of October last, the defendant has been ordered to pay \$495.60 damages, \$150., of which goes to Merritt for damage to his truck, and \$345.60 to Robbins for injuries sustained in the crash. Proportionate costs is to be paid to each of the plaintiffs.

The case, which was the only civil case on the May docket of the court and which was started on May 5th, was continued yesterday with the hearing of further evidence. This morning the Judge, Hon. Mr. Justice LeBlanc, charged the jury which then retired to deliberate forty five minutes and bring in the verdict favorable to the plaintiffs.

C. R. Hawkins was attorney for the plaintiffs and P. J. Hughes, K. C., was attorney for the defendant.

Defendant's Negligence

The jury, in giving their verdict, decided that it was negligence on the part of the defendant that first caused the accident, that there was no contribution of negligence on the part of the plaintiffs and that the defendant had the last chance to avoid the accident.

The evidence taken yesterday afternoon was on behalf of the defendant, the plaintiffs' case having been finished in the forenoon. The court was adjourned sine die this morning.

CITY AFFAIRS

No Mail Tomorrow

His Honor the Lieutenant-Governor having proclaimed tomorrow Loyalist Day a public holiday, the Daily Mail will not be published.

Fisherman Fined

At Bafney's River, Pictou County, N. S., a few days ago, a man who caught three fish by angling, described as "slink salmon" had the same seized by the Fishery Warden. The man was hailed to court, convicted and fined.

Winds Are Abated

Heavy northwest winds which have prevailed for several days abated somewhat today in this vicinity. All of Eastern North America has suffered by fires in the wake of the terrific winds, not even the little Hamlet of Marysville escaping. Warmer weather is predicted for the immediate future.

Dances Enjoyed

Dances were held at the Experimental Farm and the Royal Ball rooms in York street last evening, crowds attending both affairs. Walter McGinn and his orchestra performed at the Experimental Farm. Novelties featured the program at the Royal Ball Rooms.

Egg Laying Contest

After having lost the leadership in the New Brunswick egg laying contest for one week by a few points, the White Leghorns pen of birds owned by Arthur Pringle, of Stanley, again moved up to first place last week. The pen produced 65 eggs which scored 75.9 points. This gives this pen a total of 1326 eggs and 1498.2 points. Harry Bedford has second place with 1381 eggs and 1416.5 points.

A New Fisherman

Jack Russell, sporting camp proprietor of Ludlow, Northumberland County and Mrs. Russell, are receiving congratulations on the arrival at their fishing lodge on the 15th of a husky, eight pounder—not a salmon, but a bouncing baby boy. The little chap has been given the name of John Muir Russell and promises to thrive on it. Friends will be glad to learn that Mrs. Russell and child are doing well.

JUDGMENT LATER IN MONCTON DIVORCE CASE

Defended Divorce Action Concluded After Three and Half Days of Evidence—Judge Reserves Decision.

After three and one half days of taking evidence the defended divorce case of Sutton Harvey Steeves vs. Maggie Steeves, parties of Moncton, was concluded this morning, when the attorneys, W. E. McMonagle and D. Allison MacKay for the defendant and J. B. McNair for the plaintiff, briefly addressed his Lordship, Hon. Mr. Justice Grimmer, with some observations on points of evidence. Judgment was reserved to be given at a later date.

The case was the only defended one on the May Docket and was commenced last Thursday morning. The case for the plaintiff was concluded Friday noon and the defense commenced and was concluded this morning following the adjournment Friday until yesterday. There being no other case on the docket, the court was adjourned sine die this morning.

The plaintiff, Sutton Steeves, is suing for divorce on grounds of adultery and the defendant has a cross claim entered for judicial separation on grounds of cruelty. Two co-respondents were named by the plaintiff, Angus MacDonald, and Joseph B. Steeves, both of Moncton, and both of them in giving evidence on behalf of the defendant flatly denied having any illegal relations with the defendant. Evidence given by plaintiff's witnesses was contrary to that and Mr. McMonagle, in reviewing the case for the defense, points out that it must have been a case of mistaken identity on the part of the plaintiff's witnesses, or, their whole story was a fabrication.

Mr. McNair, in reviewing his case, thought the matter of mistaken identity could be dismissed and he brought forth arguments to refute the contention of fabrication.

In passing remarks on the case, His Lordship pointed out that he was fully aware of the responsibility that rested with him and would meet out justice to the best of his ability. It is the first defended divorce case that he has had to contend with.

"A most unfortunate situation has developed", he continued, "as a result of this marriage between the plaintiff and defendant. I am not satisfied at the present moment that the plaintiff has fully proved what is set out in the libel and I am going to take time to consider the evidence. I am satisfied that the condition of affairs between the husband and wife is a disgrace to anyone and the man who will raise his hand with a stick to strike his wife is not entitled to much consideration and will not get it when he comes before me."

PRIME MINISTER GETS HIS DEGREE IN ABSENTIA

Rt. Hon. R. B. Bennett Unable to Be Present at U. N. B. Exercises--The Encaenial Senate Considers Hatheway Fund.

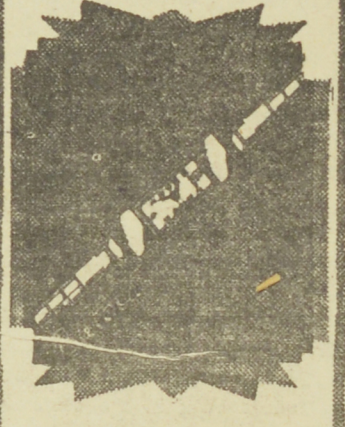
The encaenial meeting of the University of New Brunswick Senate was held this morning in the education offices of the Parliament buildings. Business was brief, there being few matters considered outside the recommendation and approval of the conferring of degrees in course and others at the U. N. B. closing on Friday afternoon.

Through telephone communication it is learned that Rt. Hon. R. B. Bennett, prime minister of Canada, will not be able to attend the encaenia. His degree of LL.D. will conferred in absentia.

The R. H. Hatheway collection given by the heirs of the late R. H. Hatheway to the U. N. B. several months ago, will be catalogued in full this (Continued on page 5)

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