

THE ADVANCE.

VOL. XII., NO. 3.

DUTTON, ONT., MARCH 15, 1900.

WHOLE No. 571

CANADIAN PACIFIC Settlers' One-Way Excursions

To Manitoba and Canadian North-West will leave Toronto every TUESDAY during March and April. Passengers travelling without Live Stock should take the train leaving Toronto at 2 p.m. Passengers travelling with Live Stock should take the train leaving Toronto at 9 p.m. Colonist Sleeper will be attached to each train. For full particulars and copy of "Settlers' Guide" apply to any Canadian Pacific Agent, or to A. H. NOTMAN, Ass't. Gen'l. Pass. Agent, 1 King St. East, Toronto. JAS. PGOL, Agent, Dutton.

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Car-Load No. 9 and 12 Galvanized Wire

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Pure White CASTILE SOAP
We have put on sale again our Brand of Pure White Castile Soap, known as SAVAR'S. Once Tried Always Used. ONLY 25 CENTS A BAR.

Nyal's Little Liver Pills.
Small. Safe. Active. 50 Doses, 25c.
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P.S.—We make a specialty of compounding Condition Powders. Pure Drugs at right prices.

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A Splendid All-Wool Tweed, well made and trimmed, for \$11 50
A Special Line of Black Worsted Serge, usually sold for \$18, for 16 00
Fancy Worsted Suits, that you very often pay from \$20 to \$22, for 18 00
If there is anything in the Tailoring Line that you want which we do not have in stock, we will do our best to get it for you.
New Spring Fashion Plates arrived a few days ago.
Cutting done Free of Charge when goods are bought at this store.
Give us a call.

THE FALL ASSIZES. The Jury Disagree in the Libel Case Against the Journal—A Breach of Promise Case.

The spring assizes for the county of Elgin opened at the court house, St. Thomas, Monday, with Justice MacMahon presiding.

His Lordship addressed the grand jury on the nature of their duties. He expressed his pleasure at the lightness of the criminal docket, there being only one case down for trial. He congratulated the county on its handsome new court house.

Parker vs. G. T. R. was an action for damages for injuries received by plaintiff by being struck by a train at Tilsoburg. The jury awarded \$300 damages.

Mrs. Eva Milne, of Alymer, was arraigned on three charges of larceny. Numerous thefts were committed in Alymer by Maggie, the 12 year-old daughter of the prisoner. A search was made, and the stolen goods were found on the prisoner's premises. At the fall assizes four true bills were returned against Mrs. Milne for larceny, and she was tried before Justice Rose and acquitted by the jury. The prisoner's daughter swore that she stole all the articles herself without the knowledge of the mother.

The jury brought in a verdict of not guilty of stealing, but guilty of receiving stolen goods, knowing them to have been stolen. She was sentenced to three years in Kingston penitentiary.

Walker vs. Broadfoot was an action for \$5,000 damages for breach of promise of marriage, brought by Alice Walker, of St. Thomas, against Wm. Broadfoot, a farmer of Tuckersmith ship, w. H. Barcum, of Dutton, appears for the plaintiff, and G. W. Searoth, for the defendant.

The plaintiff in her evidence said she became engaged to the defendant in January, 1898. He put his arm around her, kissed her and asked her to be his wife. She consented and has ever since been ready to marry defendant any time he was, but he grew cold and before this action was entered married another. On several occasions the defendant referred to their intended marriage when her mother was present. She and the defendant had agreed to destroy all their letters, but she kept copies of all her own, and did not destroy letters from him after a certain period, when she noticed he was growing chilly. Mr. Barnum put in and read to the jury a number of letters with mild expressions of affection.

The defendant in his evidence denied all the charges made by Miss Walker.

The jury awarded the plaintiff \$500 damages.

THURSDAY. Cusack vs. Brierley, was an action for damages for alleged libel brought by Henry Cusack, of Dutton, against the publisher of the St. Thomas Journal. The article complained of is as follows:

HANK WAS POOR
BUT HE COULD AFFORD TO PAY MR. CROTHERS \$10 FOR THE PROTEST.

A good story has leaked out in regard to the methods adopted to arouse the enthusiasm of the faithful and secure subscriptions for the protest fund in West Elgin. At the meeting in question Mr. Hank Cusack got right up in meeting and announced that he was a poor man with little money, but that he could afford to subscribe \$10 for such a cause. Thereupon he handed Mr. T. W. Crothers a \$10 bill. It was leaked out that it was all a piece of acting rehearsed before the meeting, and that Mr. Crothers loaned the ten-dollar bill which figured in the act.

Afterwards on learning that the facts were found to be not as stated the paper made an explanation and published a retraction.

Crothers & Price appeared for the plaintiff; M. Wilson, Q.C., of Chatham, and J. M. Glenn, Q.C., appeared for the defendant.

The jury was composed of Henry W. York, South Dorchester; D. B. Roy, Springfield; Thos. N. H. Bayham; Hugh McPhail, Dorchester; Silas Wilson, South Dorchester; Wm. Hunter, Danwich; G. A. Boughner, St. Thomas; Edward G. A. Boughner, St. Thomas; Edward G. A. Boughner, St. Thomas; John McBain, Yorkmouth; John Curtis, Southwold; Amos A. Middleton, Bayham, and Lewis Hutchinson, Malandine.

The first witness called was Clyde Dunbar, a student in Crothers & Price's office, who produced a paper purchased in the Journal office containing the alleged libel.

Henry Cusack said he attended the meeting in Dutton, which was held for the purpose of collecting for a protest and carrying it out. He did not know who spoke, but Mr. Crothers and others were speaking about money and he went up and threw \$10 on the platform for the protest. He had never been asked by anybody to contribute to the fund, but did so voluntarily. The money he contributed was his own. He contributed the money to the fund because he paid \$15 a year taxes and had an interest in the welfare of the county. He was jested about the article and hurt him amongst the farmers he dealt with. From the circumstances he thought the article meant that he was

defrauding his Conservative friends to get money for Mr. Crothers.

On cross-examination, he said he was not a strong Conservative, but an independent, and voted the other way for eight years while in the Northwest. The \$10 he gave was his own.

E. A. Hugill, clerk of the municipality of Aldborough, attended the annual meeting of the Conservative Association at Dutton. When officers were elected it was decided to file a petition and an appeal was made for funds to carry it out. The firm of Crothers & Price afterwards filed the petition.

To Mr. Wilson he said what he meant was that that the money would be paid Mr. Crothers for his services.

This was the case for the plaintiff. Mr. Wilson claimed that no case had been made out against the defendant, who was a business man in Montreal, and had not been served with a notice of this action, and besides the notice which was served in the Journal office did not comply with the terms of the statute, as it did not specify the statements complained of in order that the defendant might know on enquiry whether they are true or not. The statute requires there should be a personal service on the defendant, or some grown person in his place of business, which is in Montreal.

His Lordship held that the service of the notice of action was a sufficient one.

A number of points of law were argued, His Lordship stating that he did not desire to make a precedent, and that it would be better to argue the points in Toronto. The decision being arrived at it was decided to put in no defence but give the case to the jury.

The jury after being out two and a half hours were unable to agree, and were discharged.

Strongman vs. Lewis was an action for \$1,000 damages for slander. The jury returned a verdict of \$150 for the plaintiff.

H. S. EXAMINATIONS.

Following are the results of recent examinations in the High School:

FORM IV.—Latin.
A. McKerracher 57, F. McKerracher (x), G. C. Leitch 48, W. B. Pearce (x), W. B. Graham (x).

FORM III.—Euclid.
Martha Duncanson 70, Mary Duncanson 95, Flora Kerr 64, Amy McGugan 81, Katie L. McKillop 88, Flora McMillan 71, Maggie McNeil 90, Fannie Newton 68, Effie McMillan 47, Alberta Stidwell 70, Adele Thompson 71, Hannah Hollingshead 95, A. S. Backus (x), M. G. Dooley 89, W. D. Gow 73, L. B. Graham 57, M. R. Graham 70, W. L. James (x), F. A. Keilior 89, S. C. Kirkland 53, D. A. McArthur 62, W. H. McLaws 81, R. G. Smith 50, W. A. Smith 49.

FORM II.—Literature.
Lizzie Cusack 53, I. Campbell 65, A. Campbell 68, A. Graham 87, L. Graham 82, Ella James 69, Ella Forsyth 76, E. Kerr 55, M. March 46, M. McMillan 48, H. McMillan 54, B. McMillan 45, B. McCall 49, J. McTavish 66, M. McKillop 64, J. Roach 34, N. White 50, L. Willey 85, A. Clark 46, S. Carruthers 61, G. Cascadon 70, A. Dahl 50, D. J. Galbraith 52, D. Gow 38, A. Hertel 41, A. Kerr 53, A. Leitch 51, R. Gilbert 53, R. McPherson 51, E. McKee 51, J. McKellar 53, A. Gray 57.

FORM I.—Botany.
M. Carruthers 100, A. Crehan 70, N. Dahl 50, E. Fletcher 98, M. Leitch 100, G. March 100, E. Smith 100, E. Urtin 92, P. Woodbridge 100, B. Roach 91, B. Axford 86, J. D. Eaton 64, G. Campbell 58, J. F. Eaton 60, T. Jordan 42, D. F. Porter 38, G. R. Robb 91.

(x) below 33 1/2.
(a) absent.

Public School Examinations.

Class IV.—Arithmetic.—Total 125.—J. Graham 125, J. E. Backus 125, J. Duncanson 125, M. Hodder 125, L. Morrison 125, G. Nelson 105, D. McKellar 105, R. Hollingshead 103, E. Hockin 100, Z. Thompson 95, A. Cavers 100, H. Hertel 90, H. Hockin 85, E. Hodder 85, L. Wilkie 85, B. Pool 67, L. White 67, C. Campbell 60, W. Patterson 58, M. Smith 50, G. Peck 48, G. Cavanagh (x), W. Mitton (x), D. Riddell (a).

Class III.—Arithmetic.—Total 100.—O. T. Kerr 75, E. Waite 66, B. Kerr 63, E. Branchflower 68, G. Lumley 54, H. Waite 50, M. Howell 48, C. Urtin 48, P. Dowsell 40, C. Hicks 38, M. Smith 38, N. Urtin (x), J. Riddell (a), L. Phelps (a).

(a) absent, (x) less than one third.

Thin, Watery Blood.

When the blood is thin and watery, the nerves are actually starved and nervous exhaustion and prostration soon follow. Feed the nerves with Dr. A. W. Chase's Nerve Food and you will impart to them the new life and a vigor of perfect health. Face cut and fac-simile signature of Dr. A. W. Chase on every box of the genuine.

Winnipeg Hebrews have subscribed \$200 to the Patriotic Fund.