

AN OPEN SWITCH CAUSE OF CRASH

This is General Opinion of Those Who Testified at Inquest Into Deaths of Megarity and Irvine — Verdict Likely Tonight.

The inquest into the death of William M. Megarity, driver, and Fletcher L. Irvine, baggage-master on the Hampton suburban train, was conducted last evening in the county court rooms by Coroner F. L. Kenner, but on account of the number of witnesses to be examined, it will be continued this evening when the jury will give its verdict. There were thirteen witnesses examined and the general opinion seemed to be that the cause of the accident was the fact that the switch had been left open onto the west main line with the result that a shunting train projected over the main line and was side-swiped by the engine of the incoming suburban. According to most of the witnesses, it is a brakeman's duty to look after the switches, although there was no evidence to show which brakeman of the four trains, which had been running in that vicinity near the time of the accident, was responsible for the particular switch that had been left open.

The first witness called was L. R. Ross, terminal agent, who was merely asked to identify certain plans of the yard around the scene of the accident and to testify as to the time-table and standard rules of the C. N. R. Lawrence O'Neil, foreman of the suburban train, the next witness, said his train had left Hampton on time, that William Megarity was the only person in the engine cab with him and that on leaving Torriburn the train was about four minutes late. He had been a fireman for about seven years. He could not say what speed the train was going when it left Coldbrook. The driver had blown the whistle when approaching the crossing and the only other signal he remembered seeing was something in front of the stop signal. After the signal was given he jumped from the left side. The driver had put on the brakes before the witness saw the signal. When the witness recovered his senses after jumping Megarity was caught between the engine and engine and he himself was about a car and a half from the wreck. He thought the tender of the shunting train was projecting about three feet over the main line. His train had the right of road over the shunter. When asked by W. M. Ryan, appearing for the attorney-general on behalf of the crown, he said that Megarity had put on the brakes and told him to jump. There was no station agent up at Coldbrook at that hour.

W. H. McBride, fireman of the shunting engine on the morning of the accident, said that Fireman Morris had got into the cab of his engine to go into the yard, and that when approaching the switch, he heard Morris say something about the switch being wrong, so he jumped out of the cab and ran towards the switch onto the west main line as it was pointing to the main line when it should have been on the straight track. He was unable to get the keeper of the switch out. It was the brakeman's duty to see that the switch was closed. He had heard Driver Arthur Milne blow his whistle once, but he did not hear the suburban blow. Questioned by Mr. Ryan, he said the shunting engine was moving slowly towards the west main line when he got off. The fact that the switch was open caused the tender to project over the west main line and in his opinion caused the accident.

A. P. O'Brien, brakeman, said that it was his duty to look after the switches and to look after the coupling of cars. He was about ten cars from the shunting engine when he saw that the switch was turned wrong and he gave the signal for the train to stop. It was the duty of all hands to look after the switches but particularly the duty of the brakeman. One train had come in at 6:40 and another, a freight, had left the yard about 6 o'clock. He thought that the freight was the last to leave the yard and the switch in question. In his opinion the position of the switch caused the accident.

Frank W. Morris, fireman, said that he was on the left side of the suburban, standing on the track when the accident occurred. He had signalled for the train to stop as he saw that the switch was wrong. He was about thirty cars away from the scene when he gave the signal. He had said, "The points of the switch are wrong." But the brakeman, the engineer of the shunter. He added that Driver Milne had acted very promptly and he thought that the position of the switch had caused the accident.

W. J. McGourty, yard foreman, said

that he was about 1,000 feet away at the time and could give no direct evidence. R. C. Lawlor, yardman, was called but said he did not see the accident. He did not see anybody get off the freight which left at 6:05 to attend to the switch. Conductor Reuben L. Hunter, of the suburban train, said the train was nearly on time when coming into the yard. He had received no order except a clearance order at Hampton which meant that there was nothing to interfere with his train.

B. H. Green, said he was in the baggage car at the time of the accident. Irvine was lying on the floor when he saw him after the impact. He thought the brakes were working well on the suburban.

William E. Sterling said he was also in the baggage car and had run to find a nurse who pronounced Mr. Irvine dead when he examined him.

R. K. Steeves, driver of a work train, said that he was near the scene, but he was not able to say what caused the accident. On being questioned by Mr. Ryan, however, he eventually admitted that the cause was probably the position of the switch. He said it was the duty of the brakeman and the whole crew to look after the switches over which they were running.

John R. Cornier, conductor of a work train, said he saw the suburban in the accident but could not see the shunter. He said it was primarily the conductor's duty to see that the switches were in proper order. W. Steeves, brakeman, also gave evidence.

The coroner then on account of the length of the hour and the fact that a number of witnesses were yet to be examined, postponed the enquiry until this evening at 8 o'clock.

There were a large number present to listen to the proceedings, among whom was W. R. Devine, district superintendent of the C. N. R.

N. B. BOY SCOUTS BRANCH FORMED

A. C. Skelton, Commissioner, and S. E. Elkin, N. B. Provincial President.

With Dr. James W. Robertson, chief commissioner of Boy Scouts in Canada, presiding, a provincial branch of the Boy Scouts' Association for New Brunswick was formally organized at Scout headquarters yesterday afternoon. The formation of provincial branches was authorized in a resolution passed at the annual meeting in Ottawa which also confirmed, ratified and approved all that had been done by those who were acting as a provincial council.

In the constitution of the new provincial association the patron, commissioner, president and assistant provincial commissioner are to be appointed annually by the chief Scout, His Excellency, the Duke of Devonshire, on the recommendation of the provincial council. The other officers who are to be elected annually by the provincial council. The election of officers resulted as follows:

Lieutenant-Governor William Pugsley, patron; A. C. Skelton, commissioner; Hon. W. H. Thorne, honorary president; S. E. Elkin, M.P., president; H. O. Prudden, assistant provincial commissioner; R. D. Paterson, J. P. Atherton and J. T. Tophill, vice-presidents; F. W. Hewitt, secretary; E. H. Turnbull, treasurer; R. Ingletton, Colonel F. V. Wedderburn, Rev. H. A. Cody, Rev. J. G. McInnis, M. Beidinger, Thomas Simpson, F. W. Daniel, J. A. Tilton, C. H. Peters, J. H. Kimball, W. P. Jones, P. B. W. Bell, F. L. McCafferty, Chief Justice McKeown, W. S. Allison, H. V. McKinnon, F. B. Ellis, Dr. H. S. Bridges, T. H. Estabrook, H. P. Roblin, son, F. P. Starr, Dean Gandy, Dr. Murray MacLaren, F. M. Thompson, Rev. D. H. Lovett and S. G. Olive.

PRESENTED WITH PIPES

Members of the Proceadro Club, one of the club members at Grand Bay, last evening, in honor of Donald G. Smith, who is soon to leave this city. Mr. Smith has been for some time with the Ford Motor Works but has severe his connection with that concern and will go to Windsor (Ont.), to enter business with his father. Last evening, the president of the club, W. Edgar Campbell, on behalf of fellow members, presented Mr. Smith with a handsome case of pipes, suitably engraved. Mr. Smith, although taken by surprise, thanked the donors in a suitable manner. Following the presentation a programme of music was enjoyed, David Hamon, of Grand Bay, contributing several numbers. Refreshments were served and the gathering broke up at an early hour this morning, the party returning to the city by automobile.

IMPERIAL CONTINUES LITERARY PICTURES

"The White Dove" of William J. Locke, Another Splendidly Picturized Novel—H. B. Warner, Noted English Star, in Leading Role.

"The White Dove," to be seen at the Imperial Theatre again today is one of the most important pictures of the year. Founded upon the famous novel of the same name by William J. Locke, the celebrated English writer, it furnishes H. B. Warner the means of rising to the greatest heights of his career.

The broad appealing element which is in "The White Dove" alone would make it a surpassing picture. But added to this is one of the most unusual and daring themes, unusual plot construction, and cleverness of action.

"The White Dove" has been declared by literary critics to be the best work of William J. Locke, an Englishman, whose novels have won such a wide success in America that all his writings are being published here simultaneously with their British appearance. He is the author of "The Beloved Vagabond," "Stella Maris," "Septimus" and half a dozen other books which have been enjoyed by the American public.

Henry King who directed "The White Dove" attained in this picture a marvelous English atmosphere. From the scene where the initial crisis is precipitated—a small English town—throughout until Dr. Sylvester Lanyon causes the arrest of his half-brother, Roderick, in an English railway coach, the backgrounds are true to the British type.

A truly remarkable cast is seen in support of Mr. Warner. Opposite him is Claire Adams in the part of Ella Derries, the girl whom he marries for his second wife. Ruth Kenick has a peculiar part in the picture, that of his first wife, appearing not in life but as a vision, portraying the former Mrs. Lanyon as her husband remembers her. The "theory" of the picture is that Mr. Greenwood who gives a remarkable character picture of Ebenezer Usher, the elderly man who has strange hold upon the father of Dr. Lanyon.

Virginia Lee Corbin, one of the best child actresses in the world, plays the part of Dr. Lanyon from whom he turns when the question of his wife's fidelity arises.

In addition to this splendid British story the Imperial has an interesting picture of a small English town, the Fox Weekly and the comic cullings of "The Literary Digest" in "Topics of the Day." The orchestra was usual in splendid form and the large attendance in spite of the weather indicated the annual attraction of the programme. Tomorrow Fox Beach's stirring northern tale, so well known to book-lovers, "The Silver Horde," will be the remarkable Goldenwyn feature. This is another of the Imperial's literary photo-plays, the highest class of pictorial entertainment.

SUMMER SCHOOL AT SACKVILLE

Sackville, Aug. 2.—The summer school of methods for Sunday school workers which has been in session here during last week closes tomorrow evening when an interesting programme will be given including presentation of diplomas and certificates.

Perhaps the most pleasing and laughter making feature of recreation programme was "a funny" period. Four groups participated, the prize being won by Prince Edward Island who presented a dramatic picture entitled "Reminiscences of 1920" representing what would likely be happening in lives of present class members twenty years hence. Nova Scotia group presented four scenes depicting four syllables of word "recreation." N. B. I. West, St. John River, representing a negro wedding and N. B. 2, "East St. John River" outdoor department of hospital.

A very pleasing feature of Saturday night's exercises was demonstration of initiation ceremony to be held in connection with programme for C. G. I. T. and Tuxis boys.

Quiet Sunday. After spending Sunday quietly attending various church services the students and faculty gathered in college parlor Sunday evening and enjoyed hour of sacred music. This morning studies were started again in real earnest as tomorrow evening diplomas and certificates are to be awarded.

This evening Dr. and Mrs. Wigle were at home to the summer school students and faculty, a very pleasing time being spent in social chat.

A. M. Gregg, of St. John, left today to attend the training camp for Y. M. C. A. workers at Lake Couchiching (Ont.) and Rev. F. M. Milligan, of Sydney (N. S.), left for New Campbellton (C. B.), to attend Christian workers' conference. Dr. King also leaves for New Campbellton tomorrow.

EXPLANATION OF RETURNED MEN'S INSURANCE ACT

An explanation of the returned soldiers' insurance act, passed at the last session of the parliament at Ottawa, was given by Captain C. E. Sanford at a special meeting of the Great War Veterans' Association held in their assembly hall, Wellington Row, last night. The address was most interesting to all and a standing vote of thanks was tendered to the speaker at the close, and a unanimous motion passed to have the address printed for the benefit of the other members of the association who might not be familiar with its text.

Under this act, the speaker explained, any member of the Canadian forces, irrespective of service, can be insured by the Dominion of Canada, without examination for any amount from \$500 to \$5,000, provided at the time of insuring he is a resident of Canada. The widow of the returned soldier who died after discharge from service, and the widow of a returned soldier dying before September 1, 1921, are both eligible and the insurance is paid only in the case of death or of total disability.

The cash payment on the death of the insured may not exceed one-fifth the amount of the insurance and the remainder is converted into an annuity for the beneficiary for a period of five,

ten, fifteen or twenty years at the option of the insured.

The speaker took the example of a veteran who insured at the age of thirty-five, for the amount of \$5,000. At death the beneficiary would receive \$1,000 in cash and a life annuity of \$240; or an annuity guaranteed for five years of \$228; for ten years, of \$245; for fifteen years, of \$259, or twenty years of \$273, and payable thereafter until the death of the beneficiary. Another plan calls for the payment of \$1,000 cash on the death of the insured and an annuity of five years of \$800, or ten years of \$894, or fifteen years of \$960, or twenty years of \$994. The insurance is primarily for the benefit of the wife and children of the insured and may be directed to the future wife or future wife and children of the insured. The premium rate ranges from \$124 a month for life insurance at twenty-five years, to \$616 for a ten years policy at fifty-five years of age. The insurance is unassignable and cannot be attached by creditors. The scheme is supplementary to the Pension Act.

The act comes into force on September 11 this year, and applications will be received for two years following that date, when the right to insure is withdrawn.

MISS BINNEY A SUCCESS

Last night saw the first presentation at the Unique Theatre of "Erstwhile Susan," in which Constance Binney makes her initial appearance as a Real star. The picture is notable for dramatic suspense and strong heart interest. Interspersed through the main theme are touches of quaint comedy. The scenario combines the most striking incidents of the play which was Mrs. Fiske's starring vehicle two years ago. In the role of Barnabette, the sassy heroine of the story, Constance Binney has created a screen characterization that insures her success. "Erstwhile Susan" is the story of a modern Cinderella. The heroine is Barnabette Dreary, the only daughter of Barnaby, a stern, brutal farmer of the Pennsylvania-Dutch colony of Reinhardt. Left motherless at a very early age, Barnabette has known neither love nor laughter; her time is too occupied with serving her father and her two loutish brothers. Later, however, Barnaby marries again, and it is the stepmother who helps the girl blossom into glorious, beautiful young womanhood.

Army of Beggars.

London, Aug. 3.—There are today 250,000 professional begging letter writers, city.

said the Duke of Northumberland at a meeting of the London Mendicity Society.

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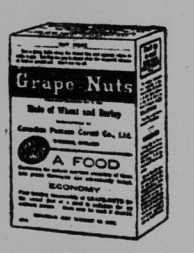
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