

DAVIES CASE IN HANDS OF JURY

All Evidence Taken Yesterday and Address to Court Held for Today.

(Continued From Page 1.)

emphasis on the point that if there was provocation a charge of murder might be reduced to manslaughter, but the prosecution must be sufficient to show that the person charged was deprived of self-control.

Home Training Good.

The crown proceeded to prove its case relying on the witness heard the indictment and the statement made by the accused to Inspector of Detectives Kennedy on the night of the shooting.

For the defence, H. H. Dewart, K.C., called the girl's brother-in-law, Edward Fairchild, who told of her complaint to him on the Sunday that Mr. Massey had kissed her twice and that she was afraid of him. He had, he said, advised her to go back to her home, but she had refused to do so. He also described her home life before coming from England and declared that her home training had been of the best.

Dr. A. J. Harrington was the next witness and he swore to the virgin condition of the accused, as ascertained by himself and another physician. Carrie Davies was then called to the stand, and under the guidance of Mr. Dewart, she told her story. She said she was 18 years old and had been born in Bedfordshire, coming to Canada from Aldershot, where she had been in service in the British army, who had seen service in South Africa and had been discharged, leaving her mother to support six of a family including herself, the youngest being three and a half years old.

She entered Mrs. Massey's service as soon as she came out and from her wages of \$14 she had paid back to her sister, Mrs. Fairchild, her passage money amounting to \$45. After that she sent money home to her mother regularly, sometimes \$10 and at other times \$5 of her mother's salary. Her work being satisfactory, the Masseys had raised her wages to \$15 a month and later to \$16.

Party in House.

On Friday night before the shooting she said there was a party in the house, to which Mr. Massey had invited about a dozen of his friends. She ordered, cooked the dinner and served it. Liquors were served, of which all partook, and she said that they went home about 12 o'clock, giving three cheers for Mr. Massey as they were leaving.

Mr. Massey thanked her for her work. On Saturday there was no

A POSITIVE CURE FOR RHEUMATISM

Hundreds of People Have Found "Fruit-a-tives" Their Only Help.

READ THIS LETTER

Superintendent of Sunday School in Toronto Tells How He Cured Himself of Chronic Rheumatism After Suffering for Years.

55 DOVERCOURT ROAD, Oct. 1, 1913.

"For a long time, I have thought of writing you regarding what I term a most remarkable cure effected by your remedy 'Fruit-a-tives' in my hands. I have spent a lot of money without any good results. I have taken 'Fruit-a-tives' for 13 months now, and am pleased to tell you that I am cured. All the enlargement has not left my hands and perhaps never will, but the soreness is all gone and I can do any kind of work. I have gained 35 pounds in 13 months."

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Rheumatism is no longer the dreaded disease it once was. Rheumatism is no longer one of the "incurable diseases." "Fruit-a-tives" has proved its marvelous powers over Rheumatism, Sciatica, Lumbago—in fact, over all such diseases which arise from some derangement of stomach, bowels, kidneys or skin.

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thing unusual, but on Sunday at 1.30 after dinner, Mr. Massey came down in his bathrobe, drank her again and offered her a shaglock ring made of pearls. It was too big for her and he suggested that she take it to Eator's and have it made smaller.

Then he talked to her about the party and the conduct of one lady guest and himself, which he asked her if she had noticed. He asked her if she heard any kissing going on and if she had not to tell Mary Rooney, a friend of hers in service at another house. Then he caught her by the hands and kissed her twice, saying that he liked little girls. He was trembling and very much excited, and she struggled and broke away from him, going to the kitchen.

She heard him turn the water on in the bathroom and then he called to her to come upstairs to make his bed. In the bedroom he took out some of Mrs. Massey's clothing and asked her how she would like to wear it. He approached her again, but she struggled away from him to her own room, where she dressed herself behind the locked door, going from the house to the home of her sister-in-law on Morley avenue.

Was Not Home.

Massey was not home when she got back that night. On Monday morning she prepared his breakfast and called him and then she hid in the cellar until she heard him leave by the front door. All day, she said, she was frightened and unable to work, because she was afraid of what might happen. He was a man who meant to do what he said.

That evening when the newsboy came to the door enquiring for Mr. Massey, she looked out when the boy said: "He's coming up the road." "I guess it was then I lost control of myself," she said, "and I thought of what he was going to do. I was thinking of him doing me harm. I thought of defending myself, and I went for the revolver that was hanging in the little boy's room."

She had no thought of getting it before that nor had she ever used it before.

"So you went upstairs," continued Mr. Dewart.

"Yes, and I took the revolver and six cartridges. It held five, and the other one I took to my bedroom. I put them in the revolver as I was going downstairs, thinking all the time that he would do me harm."

"Then what happened?"

"I got two steps down. The door opened and I fired."

"Yes."

"Then I turned and ran and I was pulling the trigger all the time, but the revolver did not seem to work."

She said she remembered firing again on the doorstep, thinking all the time that "he would do me harm" until some one called "stop it" and she came to her senses. Then she ran up to her room, but she did not realize that she had shot Mr. Massey until she heard someone in the police station say that he was dead.

Mr. DuVernet cross-examined the girl on parts of her story, eliciting the statement that she had gone back to the Massey house after her brother-in-law's warning because Mrs. Massey had told her she would be home and it was her duty to be there when she arrived.

The girl's attitude on the stand was quite frank. She did not seek to evade any of the questions and showed no hesitation. During an interval, in which the jury was absent from the room, she laughed and chatted with her custodians, a Salvation Army woman and a police matron.

Mr. Dewart and Mr. DuVernet will address the jury this morning and Chief Justice Macdougall will sum up, after which the decision will be in the jury's hands.

YONGE STREET BUILDING.

Can Be Leased for Long Term on Very Reasonable Terms.

"We will dispose of the whole stock within a month," said a director of the Semi-Ready Company. "The whole building at 143 Yonge street will be vacant and we will lease it on very reasonable terms to a good tenant." "One merchant has promised to buy the whole stock as soon as we reduce it to \$15,000, and we are reducing it all the more to attract this object quickly. Ten dollars will buy a suit, tailored as well as any custom tailor will make a like suit for \$25 in June—after this store is closed."

DETECTIVE LOCATED MAN THRU MIRROR

Memory for Faces Brought About Arrest of Edward Phillips.

AUSTRIAN RESERVIST

Man and Woman From Montreal Charged With Being Vagrants.

The memory for faces, possessed by members of the Toronto Detective Department, was put to a test yesterday when Detective Levitt arrested Edward Phillips, 331 West Richmond St. There was a warrant sworn out for his arrest by Fuddy Bros. in July, 1911.

While passing a store at the corner of Bay and Queen streets in the afternoon, the detective, who had figured in the Drendo murder, saw a reflection in a mirror in the store that brought back memories of when he served as an acting detective at the Court Street Police Station. When the man came to the street he recognized him as the man who was wanted on the warrant sworn out by Fuddy Bros.

Austrian Reservist.

When Detectives Taylor and Twigg arrested Danillo Kaprouse, 1833 Partinait street, Montreal, yesterday, on a charge of vagrancy they found in his pocket a card that identified him as being an Austrian reservist. With him was arrested Mrs. Nastalia Daniel, of the same address.

Altogether the two were arrested on the nominal charge of vagrancy. It is believed that Kaprouse ran away with the woman from Montreal. It is likely the reservist will be interned.

Fire in Parliament Buildings.

A small fire that was supposed to have been started by mice caused quite a volume of smoke at the parliament buildings shortly before seven o'clock last night. A waste paper basket and a quantity of paper was burned.

Lewis Hinfelard was arrested by Detective Armstrong on Adelaide St. yesterday afternoon on the request of the police of Galveston, Texas. He was charged with a \$4,000 bond in the American city where he was being held on a charge of theft.

Contrary to the usual course, Henry Lasher put up his wife's house and furniture as security for his bail of \$200. The bond was changed from his name to that of Mrs. Lasher. Now the crown has this house and its furnishings on its hands instead of the \$200. Crown Attorney Hughes stated yesterday that this is the first time he has known any person to put up real estate as security for bail in order to skip out.

For begging by handing around cards, Alfred Wilson was fined \$10 and costs or ninety days in jail by Magistrate Denison in the police court yesterday. He was examined by doctors in the medical health office and found to be suffering from a certain disease. He will be treated at the jail hospital.

David Dickson was sentenced to ninety days in jail on a charge of keeping a common gambling house. He was arrested at 133 Laplante avenue last week. A transfer to the jail farm will be requested, as he is suffering from tuberculosis.

Mrs. Sarah Pricilla was sentenced in the women's police court yesterday to fifteen days in jail by Magistrate Denison on a charge of stealing a diamond ring from the Robert Simpson Company. The ring was valued at \$100.

Herbert Smith and Morris Reason were sentenced to ninety days in jail yesterday on a charge of issuing forged milk tickets. They were employed by the Oakville Dairy.

George Smith was sentenced to thirty days in jail by Magistrate Denison yesterday on a charge of assaulting his wife.

EX-BACHELORS DINE FORMER COMPANION

The ex-bachelors of Parkdale gave a complimentary dinner to Joseph Boyd of Auckland, N.Z., a former member of the Carls-Rite last night.

The table decorations were indeed very elaborate and unique—a sunken garden in which played a real water fountain formed a charming setting. There were about twenty five present.

Mr. Boyd is here developing trade relations between New Zealand Australia and Canada in certain lines.

"Three Auld Scots"

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ADMIRAL Jellicoe, Commander of our North Sea Fleet, which has been fittingly characterized as "unsleeping and unchallenged"—the Fleet which guards the Heart of the Empire and maintains our mastery of the seas.

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BATHURST ST.:
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Mrs. Adams—No. 118. | DUNDAS STREET:
F. G. Nichol—No. 306.
R. J. Luck—No. 423.
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Frank Clarke—No. 343.
W. R. Hoar—N. 398. | BLOOR STREET WEST:
G. A. Murray—No. 1,388.
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RIGHT MERRY TIME AT BIRTHDAY PARTY

A right merry time was enjoyed last night when Master Oswald Wright, son of George A. Wright, proprietor of the Walker House, gave a dinner party to 42 school mates, in celebrating his tenth birthday.

The banquet hall at the Walker House was gallantly decorated. In the centre of the room, on a raised platform, around which the festive hour was arranged, was a replica of a novelty farm yard as originated by President Taft.

A splendid menu, headed by consommé alphabet, and a monster birthday cake with ten candles, delighted the little flock.

Mayor Church was an honored guest.

LECTURE ON DESIGN AT ART ASSOCIATION

J. W. Chester Gave Address Which Was Illustrated by Handsome Views.

At the Women's Art Association a lecture on "Design," by J. W. Chester of the staff of the Technical School, was of exceptional merit, the large colored sketches shown adding greatly to its interest.

FRANCE LOST TORPEDO BOAT DESTROYER, DAGUE

Canadian Press Despatch.

PARIS, Feb. 26.—An official announcement follows:

"The French torpedo boat destroyer Dague, while escorting a convoy with provisions for Montenegro, struck an Austrian mine off the port of Antivard (Montenegro) on February 24, and sank."

"Thirty-eight of the crew disappeared. The accident did not hinder finishing the work of provisioning and the return of the convoy."

"The French cruiser Desaix made a demonstration against Akabah (Arz) on Feb. 23. A landing party aided by the ship's cannon, dispersed and put to flight a small band of Turks occupying the village."

"The Dague was laid down in 1911. She was a vessel of 720 tons, 256 feet in length."

Coupon

Insert this coupon and 25c in any of the above stores, enclosing 2c extra for postage. If you will send us this coupon and 25c we will send you the first four spoons in the series, prepaid.

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