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CANNOT HIRE SHIP AT BOTTOM OF SEA.

Privy Council Decides Contract Necessarily Ceased When Vessel Foundered

On February 11 the Judicial Committee of the Privy Council gave its decision in a somewhat novel case arising in Newfoundland, that of Bowring Brothers vs. Mumm. The action was brought by the respondent to recover two months' charter-money of the steamship *Algerine* which had been paid to the appellant company by mistake and in ignorance that the ship which he had chartered from them had been totally lost before the beginning of the period in respect of which the money was paid. The respondent alleged that by a letter of June 10, 1912, from the appellants to his agent, he chartered from them the *Algerine* for \$1,400 a month and paid one month down and left with the Royal Bank of Canada at St. John's, Newfoundland, two post-dated cheques for \$1,400 each for the subsequent two months' hire to be paid to the company month by month on their respective dates. The vessel was totally lost on July 16. There was no means, at the time, of communicating the loss either to the bank or to the company, and the cheques for \$1,400 each were passed over to the company on July 17 and August 17. He claimed that the contract of hire ceased on the day of the loss of the ship, and the action was instituted to recover the \$2,800 paid in these circumstances.

The company by their defence admitted that they had received the two sums of \$1,400 each, but contended that the plaintiff had hired the ship for three months, and that the charter was to last for at least that period. They further contended that the money paid had been duly paid as agreed, and not by mistake, and that the contract of hire did not cease on the day of the loss of the ship, but continued until the expiration of the three months.

On these facts the Chief Justice and Mr. Justice Emerson, of Newfoundland held that the contract between the parties was based upon the assumption and was subject to the implied condition that the ship should continue to exist, that when the ship was lost the consideration for the contract entirely failed, and that the moneys which had been deposited under the charter had been paid to the appellants in ignorance of the loss of the ship, and were recoverable. Mr. Jus-

Justice Johnson dissented, and was of the opinion that the contract was one entire indivisible contract of charter for three months certain, in consideration of an ascertained sum; that the loss of the ship in no way affected the appellants' vested right in such sum, and that the moneys sued for, being part of such ascertained sum, were irrecoverable. From this judgment the present appeal was instituted.

Lord Atkinson, in giving their Lordships' judgment, said that the only question in dispute was whether the vessel was chartered month by month or for a definite period of three months. The court below had decided that it was a monthly hiring, and as the appellants had not been able to convince their Lordships that that decision was wrong, they felt themselves bound to advise His Majesty that the appeal should be dismissed with costs.

Police Ended Little Romance

Prevented Fake Titanic Victim From Marrying a Rich Montreal Girl. How it Happened.

Toronto, March 6.—A few weeks after the *Titanic* was sunk in mid-ocean a man named Abraham Crownstein arrived in Toronto and posed as a penniless victim of the wreck. During his stay in the city he succeeded in fleeing the kind-hearted residents out of hundreds of dollars. Since that date nothing has been heard of his whereabouts.

Moved Up Again
After an absence of almost two years from publicity a man named Abraham Crownstein has loomed up in Montreal. He was brought before the public attention yesterday when word of his arrest in Ottawa was received in that city following an unsuccessful attempt to marry a Montreal girl, whom he courted, wooed and won within the short time of one week.

Crownstein, it is alleged, claimed that he was a wealthy resident of Saskatchewan and that he was a guest of the Windsor Hotel. To prove his assertion he gave his bride-to-be a cheque for \$1,000, drawn on the Montreal City and District Savings Bank. In the note which he sent with the cheque he asked her to meet him in Ottawa.

Got Suspicious
The suspicions of the girl's father were aroused by this unusual mode of

procedure, and he proceeded to investigate the financial standing of his proposed son-in-law. The result was that it was found there was no account in the bank to meet the cheque and that the man had never stayed at the Windsor Hotel. Following this it was learned that Crownstein had been arrested in Ottawa on a charge of raising a cheque from \$50 to \$2,000.

The Crownstein who appeared in Toronto shortly after the *Titanic* disaster was branded as a fakir. He was a man of many aliases, and succeeded in victimizing a number of his compatriots in this city out of large sums of money on the strength of his story. This was to the effect that he had been stranded on an iceberg for two days following the wreck, and that when he was upon the verge of succumbing to exposure and hunger he was taken off by a collapsible life-raft. When he was exposed he fled the city.

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Write and tell us about it. 'Tis only fair to give all a chance of enjoying the joke, even at your expense, although nobody will ever guess your identity, if you wish it kept secret.

Make your story as short as possible.

LIVING IN 1870.

Some men are only a habit. New ideas hurt some minds as new shoes hurt some feet. Why suggest to these folk that modern methods would help them? The most conservative office man cannot fail to grasp the benefit of reforming a faulty filing outfit by such an economical and effective system as is afforded by the Globe-Wernicke Co. in the safeguard equipment, introduced by them to the trade. Mr. Percie Johnson has this method ready for demonstration in his office and will be glad to send you the catalogue "Filing and Finding" that will be sure to interest you.

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Our **NANSEN CAPS** will give all the protection that is needed from a cap. Warm, light, covering the whole face, if necessary, it is acknowledged to be the most suitable cap for sealers.

We have secured a special line of samples, worth \$1.00 each, which we are selling for 65 cents.

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Clumsy Claude

The Groceries Were Lost But the Dog Was Saved

Drawn by C. W. Kahles

