

THE UNION ADVOCATE A WEEKLY NEWSPAPER

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R. A. N. JARVIS, Manager.

THURSDAY AUGUST 23, 1917

Plaintiff's Are Awarded Damages

(Continued from page 6)

Dr. Joseph Hayes, the family physician of the plaintiffs, had examined Mrs. Patterson on the day of the accident...

Edgar Vye, the veterinarian, examined the mare before and after the accident...

Charles Sargeant, the veterinarian, examined the mare before and after the accident...

Vaughan Long, the veterinarian, examined the mare before and after the accident...

Lawrence Coughlan, the veterinarian, examined the mare before and after the accident...

James MacFarlane, the veterinarian, examined the mare before and after the accident...

Mr. Patterson, one of the plaintiffs, said he paid \$125 for the mare...

When witness jumped out he was against iron work of lower side of the bridge, with room to get one's feet in.

When horse came down on the car he slid off the upriver side.

When horse reared he was diagonally placed with head pointing the least bit up river.

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swung out and was struck or nearly struck by auto. Witness had asked defendant to settle...

Mrs. Patterson recalled, said she had lost a brand new coat, dress and hat in the accident worth \$23...

Father Salndon, of Burnt Church was returning from Chelmsford Sept. 4, and crossed bridge to Newcastle...

Wm. Ross, masons worker of Chatham, was with defendant, on right of front seat...

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A.—Almost, not quite. When witness started to run after the horse, he (witness) had to run round the back of the car...

A.—I think it would. Witness said he heard a scream, didn't know from whom or where...

A.—Yes. Q.—How far did car carry the horse?

A.—About three or four feet, I imagine. Q.—Had wagon upset by the time the horse broke clear of car?

A.—It upset when car was moving. Horse had kind of swerved with feet in air, when I jumped. The swerve and the rearing were all one motion.

Adjudged till 10 a. m. Tuesday. Court resumed Tuesday morning, going on with the Patterson-Loggie case.

Following witnesses were called: Patrick Holt

Patrick Holt was in defendant's car. The collision was all over in a moment. When brakes were applied the car skidded straight ahead.

Carmen Niven, Mr. Niven automobile mechanic, had repaired defendant's car after the accident.

Lee J. Loggie, Defendant had bought his car in May, 1917, at McFarlane's corner...

Loggie's car was a 1917, passed driver's head, and was in the front of the car...

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Dick horse. He heard screams from the Patterson wagon. To Judge: Rear wheel of Dick wagon had been broken by his car.

Dr. F. C. McGrath had made first examination of Mrs. Patterson's injuries, had found a wound on or near the knee and had advised her to report to him again.

H. H. Carvell of Chatham had bought plaintiff's mare, and did not consider her worth less because of the accident.

Gordon Patterson who was in defendant's car in back seat, knew very little of the cause of the accident.

Mrs. Patterson recalled said that on and before Sept. 4th a sign was up on the bridge against fast driving.

Mr. Patterson recalled gave evidence as to sign being on bridge.

Mr. Davidson put in plaintiff's claims for damages which exclusive of Mr. Patterson's claim for damages for loss of his wife's society and help and Mrs. Patterson's claim for damages for loss of health, etc., totalled some \$260.00.

Mr. Davidson also read some particulars of the somewhat similar case of Duffy vs Read and Albert County case decided last year for the plaintiff, and also the motor vehicle law which puts a speed limit of six miles an hour for motors on bridges on which horses must walk.

Hon. Mr. Murray argued that the plaintiff, Mrs. Patterson had herself been negligent on the bridge.

His Honor, in charging the Jury, said that in this particular case he saw no evidence of contributory negligence of the part of the plaintiff.

This case contained practically two actions: one by Hazen W. Patterson for damages to horse and wagon, etc., and also for loss of society and services of his wife and another claim by Mrs. Patterson for injuries to her health, shock and injuries to her clothing.

Too fast driving of car might be taken into consideration by the Jury. The speed limit on the bridge in question is six miles an hour.

The speed limit appeared to have been violated by the defendant, according to his own evidence as well as that of others, and this should be taken into account. A defendant would not be liable for an accident that could not have been foreseen, but where accident might have been foreseen, a failure to take proper precaution renders a defendant liable.

In criminal law it is an offense to omit to use reasonable precaution against accident. Much more care and precaution were required from the driver of an automobile than from that of an ordinary horse and wagon.

It is the duty of a driver to bring to a stop a horse and wagon if he is in doubt as to whether he can safely pass. The duty of a driver is not to pass a horse and wagon if he is in doubt as to whether he can safely pass.

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ton, will be present. A mass meeting will be held in the evening. All meetings public. N. S. PARTY VISITS NEWCASTLE A party in two autos, consisting of Dr. and Mrs. M. A. B. Smith, Miss Mary Prescott and Miss Florence Clements, of Halifax, in one car and Mr. and Mrs. Walter Allison of

Labor Conditions Following The War ONE of the most serious problems which Canada must meet at the close of the war is the re-employment of our surplus labor. The National Congress of Labor met at Baltimore, Md. on the 15th of July...

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