

# MORLEY IS NOT TO QUIT THE CABINET

### His Intentions Were Announced to House of Lords on Tuesday.

[By Special Wire to The Courier] LONDON, April 1.—Viscount Morley of Blackburn, lord president of the council, yesterday abandoned his intention of resigning from the cabinet intimated in the House of Lords yesterday.

The cabinet met yesterday and the strongest pressure was brought to bear on Lord Morley not to add to the difficulties of his colleagues by giving up his office.

When the House of Lords met later in the day, Lord Morley announced to the members that he had not quit the cabinet.

Viscount Morley said: "If Colonel Seely's first resignation had been accepted by Premier Asquith mine would have followed, I having been a party to his irregularity in adding the two peccant paragraphs to the cabinet document."

Lord Morley contended that Col. Seely's second resignation was independent of what had occurred between himself and the then Secretary of War and was for the purpose of disposing of all appearance of the minister having made a bargain with the military officers.

The Lord president of the council reiterated his belief that the spirit of the two paragraphs added to the memorandum sent to Brigadier-General Gough was not at all alien to the view of the government. The vital fact so far as his action was concerned, he stated, was that when he saw the paragraphs he had not seen General Gough's letter, so he was quite unaware that there had been any attempt to dictate terms or that the letter was in reply to General Gough's request for assurances.

Sir Edward Speaks

Sir Edward Grey, the Foreign Secretary, who spoke on behalf of the government said ministers were not prepared to make any concession beyond the six years exclusion of the Ulster counties from the operation of the bill offered by Premier Asquith.

The country, he said, must settle the question at the end of that time. Meanwhile the question of Ulster could not arise until after a general election, but if there was sporadic outbreaks in that province force must be used, said Sir Edward, and if an attempt is made to set up a provisional government and defy the imperial parliament the army must be called upon.

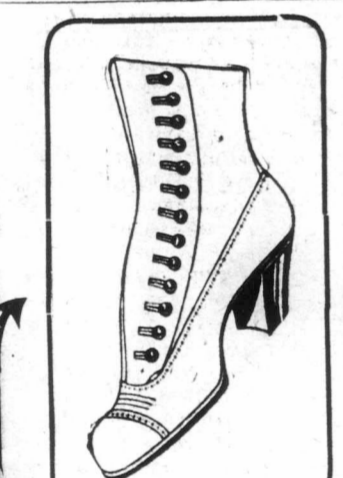
Sir Edward Grey added that if there had been a general election last week it would have been upon a much graver issue than home rule. If the army took active sides in politics, the country would have faced a graver problem than it had faced in the last three centuries.

The Foreign Secretary said that if there was any question raised of government by parliament without interference, he himself took a stand as firm as that of any labor member.

Sir Edward suggested the resumption of conversations between party leaders in order to see whether the lines of a settlement could not be reached on the basis of establishing a federal system for the whole country before the end of the six years named by the government in its offer to Ulster.

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# DAMAGE ACTION IN NOW SETTLED

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Hazel Miller, the younger daughter cross-examined by W. S. Brewster, said her sister had made clothes out of cloth belonging to the institution. She knew that if she ran away that she was liable to have her hair cut and also liable to solitary confinement. Four of them had agreed to run away. When they were brought back after the escape, she was taken to the sick room and her sister and the others were put into solitary confinement. Meals had been sent up to her. She had not a word to say against Mr. Ashton, who had never struck them. She remembered she had seen some worms in some oatmeal, which had been served to them. The only time she had seen bad meat served was to a companion some months ago. Answering Mr. Kelly, she said that a strap produced, was used upon the hands, but was not the whip which was used for birching. She had never seen anyone birched, when questioned by Mr. Brewster, she had only heard of it.

Betraying signs of nervousness the elder sister, Ruth, gave evidence. She remembered the day in question, August 7th. They ran away from school at noon because they objected to the food. They were again found and brought back at midnight the same day and she was put into a dungeon or solitary cell and there confined until she was taken downstairs and had her hair cut short. She was put upon the black list and during that time she was not allowed to speak to any girls and they had to march around in rings while the other girls played. She then prepared for another escape, but this was discovered and she was ordered to be birched. She was undressed and lain upon a bed where Miss Wetherall gave her thirteen strokes, although she was only told to give twelve, upon her bare skin. The lash used was in her opinion a small horsewhip and when the birching was over, she was told to dress and nothing was done to soothe her wounds, which pained so that she could not sit down. She was then told to go about her ordinary duties. Her body was black and blue and was seen in this condition by Edith Isaacs. Her hair was below her ears before it was cut off short. She also had complained of the food.

Cross-examined by W. S. Brewster she knew it was wrong to run away from school. She also knew the penalties for such an offence. It was two years ago since she had seen any worms in the porridge. It was part of their education to learn cooking, and the food which had been complained of was cooked by pupils. Mr. A. Nelles Ashton had always treated her well, and he was not present when she was birched. Miss Wetherall gave her one for herself when she birched her and she had not said to anyone that the whipping had not hurt her. She admitted that she had tried to open the press to obtain clothes. She admitted making her statement that she had not been hurt when she was not impaired by the whipping. She had not complained because while they were on the black list they were not allowed to speak, she said in answer to Mr. Kelly.

Edith Isaac, an Indian girl, one of the party who made the escape from school, was then put into the box. She had been sent to the sick room upon their return to the school and she thought the others were put into solitary confinement. She saw Ruth just after the whipping and she had only a cotton chemise on at that time. The strap produced was not the one used to do the birching.

Emma Isaac's, another participant of the escapade, in the box said she was sent to the sick room. She had seen the worms in the oatmeal and was put on the black list after the escape. In answer to Mr. Brewster, she said it was a long time since she had seen the worms and she did not complain or think much about it at the time.

George Jones was called by Mr. Kelly to give evidence upon the question of the whip, but his testimony upon that point was objected to as there was no connection proved between the whip he saw and the whip used upon the girls. He knew that a whip was used in the institution, but further questions under this head were not allowed by the judge.

Answering Mr. Brewster he said he knew nothing of the girls escape and subsequent treatment. He had only seen worms in the porridge once. TWO SESSIONS.—Miss Wetherall, Helen Clinch, a young Indian girl, 20 years, said she had attended the school from 1904 until 1912. She had never seen anything wrong with the food nor did she think the discipline too rigid.

Supt. Ashton.

The statement of Mr. A. Nelles Ashton to the Government Commission, said he took full responsibility in answer to the charge. In the box he said he succeeded his father in the management of the school, which was run under a charter obtained in 1866 by a company formed in Old England. The funds were supplied by government grant and a subsidy from England. There was not a cent of Indian money put into the school and the strength of 120 was always kept up. Major Gordon Smith was the monthly inspector. The present building was built in 1904 and the cell was then constructed and the Govern-

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ment department knew of the cell and it was a recognized thing and had never been objected to. Mr. Kelly regarded to a history of the school, but as His Lordship thought the rules were to be dealt with he overruled the objection.

With regard to this particular runaway, Ruth ran away the first time at the end of July, 1913. Her second attempt was on August 7th, when they were brought back under his instructions. He ordered Ruth Miller twenty-four hours confinement and also Emma Isaacs. He did not change his orders but did not know how they were carried out. Describing the cell, he said it was five feet long, five feet wide and about six feet high; it was built on the top floor and was fastened by a hatch door, which opened a good space by pressure of the foot. There was a good system of ventilation. It was an unwritten law of the school that absconders have their hair cut. It was a method of identification, and all pupils and their parents knew of it. He did not remember giving any orders for the cutting of the hair of these pupils. The girls giving trouble had been ordered to have a whipping and this he told Miss Wetherall to do. He did not state any number of lashes and he was not aware that the girls were whipped upon their bare skin. He had given orders when he took over the school that a whip then used was not to be used by any official. He discharged the four girls together, as Mr. Miller had asked for the discharge of his daughter Ruth. It was not possible to get Miss Wetherall to give evidence as she was now married and living in the Northwest. He had only known of worms in the oatmeal twice and on both occasions the complaint was immediately remedied. Girls did the cooking as part of their education, taking a course of two weeks. The bread was occasionally burnt, owing to the use of natural gas.

Answering Mr. Kelly, he said the school was run as far as possible under Ontario rules and conditions. Extracts of the evidence of Mr. Ashton to the government inspector were repeated to him by Mr. Kelly, who said the evidence did not appear as some as his testimony to the commission. He was asked if there had not been time before the trial to get the evidence of Miss Wetherall on commission. He admitted there perhaps was.

"Aren't you trying to dodge today?"

"No, I am not," he answered.

"Don't you think that such a punishment for that offence was too severe?"

"I do not."

"As an educated man you do not think stripping and lashing too severe a punishment?"

Upon the resumption a juryman was somewhat late and Judge Kelly remarked that he thought he gave his notice quite distinctly. Continuing the Miller case where it had been left off, the next witness was called. She was Ada Maracle, who said she noticed on the day of the whipping that Miss Wetherall passed with a strap in her hand it was not a whip. Cross-examined the girl was even stronger on all the minor details of the incident. She said the raw-hide had not been used. She knew because she knew. She was not present at all the whippings, but she was sure the whip had never been used during her experience. The girls talked among themselves and she had never heard about it.

Sarah Gill knew nothing of the whip but she had seen the strap often. Cross-examined she said no change in the mode of life which had existed had taken place. She did not know about bed whipping, but they did get strapped when they deserved it. She had got just such a whipping as Ruth Miller but this was administered with the strap. She was not strapped when stripped.

Girl Faints.

Just then the witness put her hand to her face and her cross-examiner noticed that she was beginning to faint. Officer Kerr was at hand and rendered first aid to the fainting girl.

Other Evidence

Ethel Jamieson had seen the strap on the day of the whipping, but had not seen the whip. She had not talked over the matter with anyone, although she had mentioned seeing the strap to one of her companions. She thought it was her duty to help the school out, and although she had not been the actual whipping, she was prepared to swear the whippings were always done with the strap. She knew because she had never seen the rawhide and had no idea of where it was kept, although Mr. Ashton himself had said it was kept in the office.

Nora Howard was called but not questioned, as she did not know a great deal about the affair.

Ethel Lockridge had had her hair cut for running away, but she was not further punished.

Alice Spake testified similarly. Her sister Eliza also had her hair cut close, and it had grown until now it was past her waist.

T. Ryan testified that the oats bought by the institute were of the best quality. He remembered that during last year one lot of oatmeal was returned because of worms. He said under general conditions worms would get into oatmeal. He would not warrant that even under the best conditions worms would not get into oatmeal.

Edith Isaacs was then called. She was one of the girls who ran away. She was called by Mr. Kelly, but Mr. Brewster objected to her evidence

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being taken, as she had already given testimony, and she was called to give a denial of defendant's story, with regard to the stripes given to the girl Ruth Miller. She, however, said she was with Ruth Miller during the whole of the afternoon of the whipping. They both were together, being on the black list.

Helen Clinch, recalled, said she had seen the rawhide used before the time of Principal Ashton's time.

Address of Counsel.

The last witness was examined at nine o'clock, and Mr. W. S. Brewster addressed the jury as briefly as he could, considering the time of night.

The action was damages on the grounds of four complaints, that of the food, that of the solitary confinement, that of cutting the hair and of the whipping. A brief history of the institution following, and counsel urged them to consider their decision thoroughly and well before putting their judgment before that of the men who had established the institution. These men knew what discipline was necessary in such a school, and it was not for them to upset their rules which had been found to be the best possible, by finding a verdict against the defendant. A master of the fact, the evidence followed, and particular stress was laid upon their own particular standpoint, but this was not evidence. This case was unique. The basis was that defendant had improperly treated the children. He was impressed with the brightness of the children who gave evidence. A parent had a right to chastise his child. There was in this school some kind of unwritten rules, but the schools of this description had no right to administer punishment and as a penal institution, they had a right to inflict a moderate punishment, and it was a question of what degree of punishment they could go without exceeding that limit. The action was taken against Mr. Ashton and not against the school. There was no right to cut the hair from the head of either girl. The damage had been done, and the fact that it had grown again did not ameliorate the fact that the damage was done. With regard to the confinement, that was an act necessary, apart from the other punishment for the atonement of the offence. Peculiar evidence had been given with regard to the strokes inflicted upon the girls' back. Evidence differed. Mr. Ashton had said punishment was always moderate. Ruth had said she received more than 12 strokes, while other girls had said only six were given. There was a further charge of the food, which was said

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to be unwholesome. Was it a happening in spite of good care or was it carelessness. It was for the jury to decide. Defendant admitted all responsibility, and he had ordered the whipping. They must have to not only make up their minds whether Mr. Ashton was liable, but if he was found liable they would have to decide the damage. It was for them to decide the damages. If they found defendant liable, he would ask the jury to separate the charges in order to eliminate further troubles. He would ask them to state damages on each particular charge. They retired at 11.15 to consider their verdict, and three quarters of an hour after midnight returned, having agreed upon their verdict.

The Verdict

They found defendant not guilty of assault with regard to the hair-cutting, and he was dismissed on that charge. Upon the charge of assault by confinement, he was found guilty and damages were assessed at \$100 by the jury. Defendant was found not guilty upon the charge of assault by confining the younger daughter, Hazel, to the sick room for three days. For the assault of August 20, that of whipping the elder daughter upon her bare back he was assessed \$300.00 damages, and the charge of impure food was dismissed. The damages were awarded by the jury, and no order as to costs was made.

Summing up, Judge Kelly reminded the jury of their oath. He added that quite a properly counsel were allowed to give their story from their own particular standpoint, but this was not evidence. This case was unique. The basis was that defendant had improperly treated the children. He was impressed with the brightness of the children who gave evidence. A parent had a right to chastise his child. There was in this school some kind of unwritten rules, but the schools of this description had no right to administer punishment and as a penal institution, they had a right to inflict a moderate punishment, and it was a question of what degree of punishment they could go without exceeding that limit. The action was taken against Mr. Ashton and not against the school. There was no right to cut the hair from the head of either girl. The damage had been done, and the fact that it had grown again did not ameliorate the fact that the damage was done. With regard to the confinement, that was an act necessary, apart from the other punishment for the atonement of the offence. Peculiar evidence had been given with regard to the strokes inflicted upon the girls' back. Evidence differed. Mr. Ashton had said punishment was always moderate. Ruth had said she received more than 12 strokes, while other girls had said only six were given. There was a further charge of the food, which was said

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Wireless Aids In Search For Missing Boy

[By Special Wire to The Courier] NEW YORK, March 31.—The wireless station at Seagate, the Brooklyn navy yard, and the Bush terminal in South Brooklyn got in touch yesterday with all the big ships a fleet which the could reach in an effort to find some trace of two young men, Thos. Jordan, 19 years old and Clarence Brown, 22, who left the New York Canoe Club on Gravesend Bay, an noon Sunday in an eighteen foot canoe. Last night reports came back that no trace of the canoe had been found.

A search of all the waters in that region by friends of the young men met no success, and it was decided to ask the wireless stations to enlist steamship in the hunt.

John Coombs, of the Village of Maple, Vaughan Township, County of York, died yesterday at the age of 83 years. He was born in Hampshire, England, and had resided in Vaughan Township 64 years.

A concave projecting screen for motion pictures has been patented by a Chicago inventor to prevent distortion no matter from what angle they are viewed.

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Advertisement for Wyeth's Sage and Sulphur Hair Remedy, featuring a coupon and contact information for T. George Bowles.

Advertisement for 'The Book of the Hour' by Frederick Starr, published by the University of Chicago, with a coupon for a \$3.50 edition.

# OTTAWA'S TROUBLE NOT YET SETTLED

The Provincial Government May Step in and Order a Pure Water Supply.

[By Special Wire to The Courier] TORONTO, Ont., March 23.—Ottawa's water difficulties are by no means settled by the passing of the by-law yesterday in favor of the Currie or Ottawa River scheme. The provincial board of health will now take a hand and there is a strong probability of the people of Ottawa having the 31-Mile Lake scheme forced upon them despite the result of the plebiscite. In a statement made this morning Hon. W. J. Hanna, provincial secretary, said that the ruling of the Provincial Board of Health, which was accepted by the government and that if the board decided that the 31-Mile Lake scheme was the one most suited to the needs of the people, then the scheme would be put into operation and the people of Ottawa would not be given an opportunity of deciding the issue again.

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