

CAPITOL TODAY MATINEE, 10c AND 20c. EVENING, 25c AND 42c.

Robert Montgomery

"Three Live Ghosts"

ALSO MURRAY-SYDNEY COMEDY

BRING "THE ANNICA!" This comedy classic is going to make you laugh till it hurts! A fun-tive Yankee lovable rookney and a klanappin kleptomaniac live in a merry adventure in London.

THE ALL TALKING LAUGH SENSATION OF THE YEAR

PRINCE TALKING PICTURE EDWARD

TOMORROW

Mat. 3.15 — 10c, 37c
Eve. 7 & 8.45 — 25c, 42c

LEILA HYAMS

AND

EDMUND LOWE

Just the kind of gay bubbling richly humorous story everybody likes, with Lowe the smooth husband and Leila Hyams the giddy and big wife. You'll roar with glee when you see it and chuckle for days afterward.

Tangle of love and tang of comedy — a wise and witty anti-dote for what ails marriage. They loved—but there was a golf between them not to mention the boy and the dog.

ALSO FORT TALKIES

PART TIME WIFE

accident by applying the brakes, if he had been travelling at a proper rate of speed.

The counsel remarked that the old habit of picking up pedestrians on the road has begun to die out with the introduction of the motor car, a most regrettable fact. A decision against Mr. Munn would discourage this old principle of hospitality. Here a man is asked to pay \$4,000 damages to his neighbor who happened to be in his car at the time of the accident.

Mr. J. J. Johnston, K. C., in his address to the jury for the Nicholson Oil Company Ltd., agreed with Mr. Stewart in his expressed sympathy for the injured.

The first thing that young Nicholson did was to examine the injured and saw that they were removed to the hospital, while Mr. Munn was clamoring for his damages. Mr. Munn was not thinking about the injured man, he was thinking about the damages. Mr. Johnston compared the actions of the parties to those of the Levite and the good Samaritan towards the man on the road between Jerusalem and Jericho.

Because the Nicholson Oil Co., has been eliminated from the case it does not necessarily follow that this defendant is not the guilty party. One of the curiosities of the case is that there has been no assertion from the counsel for Munn that the Nicholson Oil Co. Ltd is responsible. The elimination of E. M. Nicholson is not a matter of law. Mr. Johnston maintained that the Nicholson Oil Co. Ltd., was not the owner of the truck. If there is any responsibility, the burden is on the shoulders of E. M. Nicholson.

Bright Spots Today

(As reported by Red Rose travellers)

In a Store this morning the proprietor's son said:

"Dad, order some Red Rose Coffee. Customers won't take these other brands. All want Red Rose."

W. D. Brown, Traveller

Red Rose Tea "is good tea"

2 Choice Blends—Red Label and Orange Pekoe

The BEST Gray Hair Remedy is Home Made

To half pint of water add one ounce bay rum, a small box of Olex Compound and one-fourth ounce of glycerine. Any druggist can put this up or you can mix it at home at very little cost. Apply to the hair twice a week until the desired shade is obtained. It will gradually darken, freshen, fatten, and make itself and skin soft and smooth. It is not sticky or greasy and does not rub off.

Third Class Ocean Rates reduced to \$129

ROUND TRIP to GREAT BRITAIN

CONTINENTAL RATES PROPORTIONATELY REDUCED

Available for Eastbound Sailings from Halifax, Montreal or New York at following periods only

March 2 to April 30
or
Aug. 1 to Oct. 15

Return any time within TWO Years.

For full particulars, apply to The Cunard Steam Ship Co. Limited, Cor. George and Grenville Sts., Halifax or any steamship agency

"SAIL" CUNARD ANCHOR-DONALDSON

Miward's Liniment Heals wounds.

COUNSEL ADDRESS THE JURY

(Continued from Page 1)

that he did not blow the horn; that he stopped his car at an intersection, and defective eyesight. Answering the first claim, the horn, the burden of this proof must lie with Hawkins. His evidence amounts to this: that he did not hear the horn. What is the evidence of the two young men on the truck? They did not hear the horn and even if it did blow he might not hear it. So the evidence of the boys on the truck does not mean anything. The jury has the evidence of Munn and his daughter who said the horn was blown. This is evidence that is corroborated. Hawkins' mind was injured and for weeks he could remember nothing. He submitted there was no evidence to support the allegation that the horn was not blown. The jury has the evidence of the plaintiff that the car never stopped at the intersection. It slowed down to about 9 miles an hour. Munn, the defendant, also swears the same. The very fact that the plaintiff swears the car did not stop would be sufficient.

Regarding defective eyesight there was nothing to indicate defective eyesight. There was no evidence to show this. Mr. Munn swears positively there is nothing wrong with his eyesight. He has never had trouble with eyes and does not wear glasses. Those are the three things charged against us and I submit there is not a thing to show negligence, that there was not negligence of any kind and nothing he had done was improper or negligent in any way. We have another defence. The accident was not caused by our negligence but by the negligence of the motor truck. The motor car is a dangerous machine and more so when in the hands of a driver who is not careful. How fast was the truck going? One witness estimates the speed at 25 miles an hour. Another that it was going at a pretty fast clip. It was a machine they could not control at all. Mr. Saunders working in a field was attracted by the noise of the truck. He left his work and went over to the road where he says the truck was traveling rapidly. Mrs. Beaton gave evidence which must have impressed the jury. Mrs. Wheatley swore the truck was going "to the last notch." There is no question at all about the truck being responsible for the accident. It was not this boy's duty to drive the truck. Why did not Mr. Clark, the regular driver, take the truck down. If it had been driven by Mr. Clark, an expert driver, there would have been no accident. He would have stopped.

The truck struck the Buick and drove it for 25 feet. The weight that was behind that car even when brakes were applied drove the Buick that distance. It is alleged by the two boys on the truck that Munn came out on the wrong side of the road. Hawkins' evidence is that this is not correct. Mr. Munn and his little girl absolutely agree. They came out on the north side and were therefore observing the rules of the road. Counsel here explained by plan where collision occurred and produced plan drawn by Provincial Police Officer Jay. The question arises how far across the Malpeque Road was the Buick when struck. According to evidence of two witnesses the Buick car had gone across the middle of the Malpeque Road.

The repairs to the truck cost \$250. The truck should, according to statute have given the right of way to the Buick. The truck was not registered, and a car not registered is an outlaw on the road.

The counsel's defence stated that he proposed to show that the owners were not responsible for the driver. Mr. Stewart enunciated the doctrine of the Last Chance.

Munn entered the road at a moderate rate of speed, and was struck before he could get out of the way. Here the doctrine of the Last Chance comes in. The driver of the truck of a driver who is not careful. How had the last chance of preventing the

On July 5 Mr. Hawkins went out driving with his friend, Mr. Munn. They evidently had been friends. They had done a considerable amount of driving before and after the accident. They both had been engaged in the same class of business, illegal business. Mr. Hawkins had been brought before the court and fined for bootlegging. Mr. Munn had also been brought into court. Evidently the men are birds of a feather. They had been out to the North Shore together. That is where the vessels lie off.

Both went to the same lawyer. Mr. Munn goes first, and Mr. Hawkins afterwards. It has been shown that Mr. Munn came out on the intersection and stopped his car. He had been forbidden to drive a car on account of defective eyesight, a physical disability.

The counsel stated that the plaintiff Hawkins, and the defendant Munn, have been on friendly terms throughout the trial and have attempted to put the blame on the Nicholson Oil Co. Ltd. Mr. Johnston compared the three cornered fight to the duel recounted in the story "Midshipman Easy."

The man driving out of the side road onto the main thoroughfare must drive cautiously into the traffic stream. On the night in question the traffic would naturally be very heavy as there was a large political meeting to be held in Charlottetown. As both men were well-acquainted with the roads, both should know that from the Malpeque Road there is a blind entrance to the Royalty Road. According to the highway traffic act the driver of a car must proceed in a prudent and cautious manner, with due regard to traffic and all circumstances. Munn stopped to change his gear five or ten feet from the entrance, and after that he blew his horn. Is that proceeding in a prudent and cautious manner, the counsel asked. In placing the ground work of his case before his lawyer Mr. Hawkins stated that Munn was guilty of negligence for stopping his car on the intersection. In evidence he states that he did not know how Munn stalled his car, possibly in attempting to speed up.

Mr. Johnston maintained that the prime cause of the accident was the bringing of the car around the corner and its stopping on the intersection.

On Munn's car were seen two well defined marks made by the headlights. The marks were well defined showing that the car was stationary when it was struck by the other car.

There is nothing to prevent a truck from travelling thirty miles an hour. The government found it necessary to cut down the bushes from around that blind entrance, and place a stop sign on the Royalty Road. Not only did Munn stop the car but he cut the corner and came to the intersection on the wrong side of the road. The plan that Hawkins made of the position of the cars has disappeared Mr. Johnston stated.

Nothing was asked of the witness Elsie Munn relative to the question of negligence against Munn, as to whether Munn came out on the right side of the road or not. A truck travelling along the road making a great noise appears to be travelling at a much faster rate than it actually is. Distance as computed by witnesses also vary. Hawkins stated that when he first saw the truck it

FERTILIZER

QUALITY and SERVICE

Mr. Grower:—

Are you SURE you will have your Fertilizer when you need it so that you can plant when your ground is ready? We have a complete stock of Chemicals and Mixed Fertilizers for immediate delivery, or we will hold goods to be ground and shipped when you say the word.

The ISLAND FERTILIZER CO., Ltd.

CHARLOTTETOWN

"Island Goods for Island Growers"

3946-3-16-31.

1931 DODGE CARS

Are all here ready to see you. The New Plymouths also are ready. All have been improved greatly since last year and two new models added to the Dodge line. The "6" with six inches longer wheel base and four inches lower body. The "4" with five inches longer wheel base and four inches lower body. Selling at the same prices as the Standard cars of last year. While the Standard "6" and Standard "4" are reduced \$125. each to \$1150. for the "6" and \$1325. for the "4". While the Plymouth is \$880. All Sedan prices. Other styles are lower in price.

Guaranteed Used Cars

Ford, 1928 Touring	\$100.00
Ford, 1924 Coupe	\$100.00
Ford, Roadster	\$125.00
Star, Touring	\$100.00
Dodge, 1928 Sedans	\$250.00 and \$300.00
Studebaker, Coach	\$300.00
Chrysler "4" Sedan, 1928	\$350.00
Essex, 1928 Sedan	\$400.00
Dodge, 1927 DeLuxe Sedan	\$400.00
Dodge, 1928 Standard Sedan	\$450.00
Whippet "6", 1929 Coupe, Rumble Seat	\$500.00
Victory "6", 1928 Sedan	\$550.00
Marmon "8", 1929 Sedan	\$1000.00
Also Ford, one ton, 1924 Truck	\$100.00
Garham Bros., 1 ton, 1928 Truck	\$350.00

All these cars have been overhauled and painted.

With each we give you a Certificate which states that you can use the car for three days and if you are not satisfied you can bring her back and have your money returned, an absolutely safe way of buying used cars.

Open every night until eight o'clock.

W. B. Prowse & Sons

FITZROY STREET, CHARLOTTETOWN, P. E. I.
EARLE KENNEDY, KENSINGTON, P. E. I.

3956-3-17-311ts.

EUROPE

5 days from Quebec

VIA ST. LAWRENCE SEAWAY

Fast train, Montreal to Quebec dockside... then aboard mammoth new Empress of Britain... then 2 days gorgeous St. Lawrence Seaway, only 3 days open ocean... direct to Cherbourg and Southampton.

Canadian Pacific's fleet of 13 giantesses offer 3 to 5 weekly sailings from Montreal and Quebec... luxurious Empresses, regal Duchesses, popular lower-cost Cabin liners. To 9 European ports. Every top accommodation.

"Always Carry Canadian Pacific Travellers' Cheques... Good the World Over."

Canadian Pacific

Reservations from your own agent
C. B. A. DELANEY, Dist. Pass. Agent
Canadian Pacific Railway
111 King St. St. John N.B.

GROUND LIME STONE

We have shipped large quantities of Ground Limestone to the Island and it has given wonderful results.

We solicit your orders for either bulk or bagged Limestone. Can ship bagged lime at one day's notice.

Brockville Manufacturing Co., Ltd.

(Operating Government Lime Plant)
BROCKVILLE, St. John Co., N. B.

3982-3-17-6

POTATOES AND TURNIPS

Growers of Potatoes (mountains) and turnips who anticipate shipping their product on consignment to the Boston Market, should get in touch with our P. E. Island representative, F. R. Newsom, phone 431, Charlottetown, who will gladly submit full particulars.

Private wire connections. One of the largest, oldest and most reliable wholesale produce houses in the business. Car lots only.

NEWSOM & MCLEOD,
Boston, Mass.

Card of Thanks

Mr. S. F. Tarbush and family wish to publicly thank the many kind neighbors who did so very kindly open their homes to them and offered space to store what effects that were not destroyed in the disastrous fire that so soon deprived them from enjoying one of the most beautiful homes in Charlottetown, and many thanks to the men of the Fire Department who did their best. At present they are taking rooms and board at the Davis Hotel. 3982-3-17

NOTICE

The Typewriter Sale is on at my store, Queen Street, second hand or new. I also have a number of adding machines, one thousand rolls of adding paper, standard size, also 25 boxes filing folders, right and left. A chance of a life time at prices to suit you.

JOHN A. McDONALD.
3979-3-17-31.

EYES TESTED

AND GLASSES FITTED
K. W. TAYLOR
J. S. TAYLOR
Optometrists
142 Richmond Street

Lobster Retorts

Years of experience working in co-operation with large and small lobster factories have enabled us to work out the best type of retort for each:

Square Horizontal Retorts
Round Steel Vertical Retorts

All tested under steam and given a wide margin of safety. Send for photos of these and other lobster equipment, single and double stands, trays, trucks, leg rollers, etc.

We also make and repair steam and gasoline engines, boilers, fittings, shaftings.

Bruce & Co. Stewart & Co. LTD.
CHARLOTTETOWN