

EVEN JUDGES SMILE AT FREAK SUITS THEY MUST HEAR IN THEIR COURTS

One Action Concerned Rooster That Attacked Child Playing in Street

The great American game of "going to law" is sometimes productive of extraordinary results. Court trials may be tragic dramatic, melodramatic, or—as for the most part they are—profoundly usual. But the element of comedy may be present. It often is, says a writer in the Boston Herald.

Odd cases, queer cases, peculiar cases, downright funny cases, are intermingled on the record with those of the customary type. In fact, it is thus recurrent possibility that prevents jurors, court clerks and juries from becoming out-and-out m-sans-thropists, with a rooted and abiding distrust in the ability of the human race to direct its own affairs.

Court officials whose memory goes back through the years recalls numbers of these "freak" cases and there are plenty of yellowed old clippings preserved in scrapbooks, that have rescued from the limbo of oblivion the details of suits whose oddities have aroused jaded public interest and caused a smile to illumine the face of even the dignified justice who sits upon the bench.

From \$300,000,000 to 14 cents is a big drop yet one may find these sums set down as damages claimed in actions in local courts. In the 14 cent case the plaintiff said that 2 cents of this amount was due him for postage expended in informing the defendants to the amount of their indebtedness to him.

On the other hand, the case of the estate of Olga Bull Vaughan, of West Lebanon, Me., against the New Haven road, to recover \$300,000,000, which it was alleged had been misappropriated by the directors, heard in 1924, was the largest ever filed in Massachusetts.

The 14-cent suit, spoken of above was not the smallest on record. William F. Donovan, clerk of the civil division of the Boston municipal court, told The Herald man that a suit of 10 cents had that distinction.

"It was a contract action," said Mr. Donovan, reminiscently, "filed about 30 years ago and brought by an attorney against the Boston and Maine Railroad. It seems that the plaintiff had paid a cash fare on the train and had been given a rebate slip by the conductor. He waited too long before attempting to cash the slip, and it expired. The company refused to honor it, and the man sued for 10 cents. This is the smallest suit ever recorded here.

"That suit is rather ancient history. In my time the smallest was filed by a local laundry for a bill of \$1.03. The defendants defaulted the case and judgment was given for the amount with cost.

Gloves Shrank, She Sued
"Another peculiar case I remember was the suit brought by a young lady, whose father was a lawyer, against a local department store for \$1.75, which she claimed she had paid for a pair of gloves advertised and guaranteed not to shrink. She had been assured, she stated, that the gloves could be washed without their shrinking, but on washing them, she claimed, they shrank to such an extent that she was unable to get them on."

Because he spelled the word "daughter" incorrectly as "daugther" in cutting it on the headstone for the grave of his customers child a Boston monument worker lost his suit to recover \$30 as a balance due on the price of a stone. The headstone now stands in a cemetery in Doburn, with the word "daughter" misspelled and a chip broken from one edge. At the trial the cutter at first denied that the word had been misspelled, then admitted that it was, but tried to assure the jury that he could correct the spelling and make the headstone "all right" for only \$1.50 additional. The jury apparently did not believe him.

A \$100,000 suit for the loss of a woman's eye from the shaft of a descending skyrocket on a Fourth of July, brought against the town of Brookline and two fireworks companies, occupied the attention of an auditor at the Suffolk county courthouse in 1913.

The woman was riding in an automobile which swung in by the Cypress street playground in Brookline during the evening of July 4, 1908. The occupants of the car were watching the fireworks display. Through the darkness the shaft of a rocket dropped, striking the woman in the eyes as she sat gazing upward, and blinding her. The suit was eventually compromised.

A rooster's peck was appraised at \$500, in the Worcester Superior court a few days ago. The little victim of the rooster, a boy of 5, never received any benefit from the money as he was killed by falling from a piazza at his home after the suit was instituted.

His father claimed that the rooster a bird of fighting breed, attacked the boy on the street in Worcester, one day in August, 1912, and pecked him in the right eye, inflicting such injuries that the eye had to be removed. He sued in his behalf, and also for the boy; the jury brought in a verdict of \$240 for the estate of the victim, and \$260 for the father. The record is silent as to what became of the rooster. The fowl has undoubtedly expiated his crime to the full long ere this.

Shot in Church Play

A very unusual case was tried in the Suffolk Superior Court in March 1923, when a woman brought suit against a Roxbury church for \$20,000 on the grounds of the "conscious suffering and death" of her daughter caused, it was alleged by the negligence of the defendant.

On the night of December 5, previously, the victim a girl of 15, was shot in the breast during rehearsal of "Jack and the Beanstalk," a Christmas entertainment, and died soon afterward in a hospital. The shot was fired by a young man, a performer in the play, who had been allotted a part which called for the use of a revolver. The girl was seated at a piano and the young man was examining the pistol, which was discharged, the bullet striking the pianist.

The actor was exonerated by the grand jury and a finding of "neither party was entered in the damage suit.

A Boston man told Judge Sheehan, in the Municipal Court one day in January, 1924, that his interior works had been seriously damaged by a piece of glass while he was eating baked beans in a Washington street restaurant some time previously. He said the glass was in the beans ar he was not aware that he had swallowed it until it began to get in its fine work upon the lining of his stomach. He sought \$300 damages from the restaurant proprietor. The case was settled for a \$5 bill.

The proprietor of a Somerville bake-shop brought suit in the Middlesex Superior Court in 1917 against his landlord because the latter had painted a huge "To Let" sign across the window of his shop.

The baker declared that the landlord came into his place of business and painted the objectionable words, with the legend "possession given in 24 hours" on the glass. A big crowd collected and as the result of the disturbance the plaintiff said his credit had been injured to the extent of \$10,000.

The landlord replied that a previous tenant had transferred stock and fixtures to the plaintiff without his knowledge and consent and, furthermore, that the baker had failed to pay him any rent and had disregarded five notices to vacate. Therefore he had taken heroic measures. Eventually the back rent was paid and the offending sign painted out.

In the superior court at Worcester, not long ago, a farmer demanded recompense for the alleged killing of a horse by a neighbors cow. He declared that he had put his horse, valued at \$102, in a pasture along with the cow. The usually placid and gentle bossy apparently objected to the introduction of the horse and used her horns. The ensuing scene resembled that which takes place in the bull ring in Spain when the steeds of the mounted picadors are attacked by the bull. The horse, severely punctured by the cow's sharp horns gave up the ghost, and the aggrieved owner went to law.

The collapse of a folding bed while the occupants were asleep in it was the cause of a \$10,000 damage suit in Springfield a year or so since. A man and his wife sued the owners of the furnished apartments they had rented. They said that while peacefully slumbering in it the trencherous bed suddenly and without warning folded itself, up inflicting personal injuries and still more seriously hurting their pride and dignity, as all the human resources of the lodging house were required to extricate them from their predicament.

Several years ago a man alleged that a Boston druggist had caused his wife to contract the morphine habit, and sued the druggist for \$5,000 damages.

The woman sent her little daughter to the druggist for a "cramp" cure and the child returned with a bottle of medicine alleged to have contained a large percentage of morphine. The medicine worked effectively and the woman sent for another bottle, and another, and according to her husband, became a confirmed addict in consequence. The jury gave the druggist the benefit of the doubt on the testimony of a physician that he could not swear it was the cramp medicine which was to blame.

A study of China just makes you wonder how a Chinaman can tell when he turns Bolshevik.

Tiger woman: Any scared girl whose lack of sense made her the plaything of some sneak thief.

Perhaps it would help to use fewer pictures of the criminal's victims and more pictures of the hanging.

It is probable, however, that where people know least about evolution there is more of it going on.

The swan song of a French Cabinet begins with the words: "Now as to paying Uncle Sam."

As to being good to enemies, the class that hates Wall Street most provides the most lambs for it.

REAL ESTATE FOR sale at Cleveland Springs. 62 1-2 feet adjoining the log cabin. Write J. F. Hull, Logan, W. Va. 3t-14c

Radio And Science Turns Over Things

If radio follows its present promise it presages no less than the complete revolution of the thinking of the world. It threatens to make that thinking scientific. It is obvious—and deplorable—that the world's thinking is not scientific now. "Scientific" is not easy to define, but one approximates a definition by saying that it implies facing the facts and judging by them alone. Very few of us do this either in our own affairs or in formulating our opinions of public matters.

One of the best ways to learn to think scientifically—probably the only way—is to practice it. It is not true, think scientifically, but their average is high. There is something about continual contact with facts that teaches respect for them. The radio experimenter, fitting tubes and condensers and wires together in his attic room, soon learns that these devices will not behave as he wishes them to, merely because he greatly desires it. No man can practice science, as he might easily practice politics, and ignore the truth.

The fine and hopeful thing about radio is that it is inducing so many thousands of people, young and old, to practice science. Atoms and electrons and ether waves are now household words in America; a generation ago not even all the scientists knew

them. Furthermore, an appreciation of the real basis of all science, a habit of relentlessly facing facts, is growing simultaneously. It may easily be that the beginning of broadcasting will mark for future generations a turning point of history, the point at which the habit of thinking began to spread among mankind.—E. E. Free, in the Korum.

It will pay this year to use good seed and heavily fertilize a small acreage of cotton to make the best yields per acre. Only in this way can the cost of production be held to where a profit can be made.

This age will be remembered as one that kept on debating questions after they were settled.

The only department of government that seems actually to do anything for the farmer is the weather bureau.

ADMINISTRATOR'S NOTICE.

Having this day qualified as administrators of the estate of I. J. Green, deceased, late of Cleveland county, N. C., notice is hereby given to all persons indebted to said estate to make immediate payment to the undersigned, and all persons having claims against said estate are hereby notified to present them to us properly proven for payment, on or before April 13th 1927, or this notice will be pleaded in bar of their recovery. This April 13th, 1926.

GEORGE W. GREEN, Administrator of I. J. Green, deceased. Ryburn & Hoey, Attys.

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Shelby, N. C., May 1, 1926.

NOTICE

TO ALL OUR SUBSCRIBERS:—

This is to respectfully notify our subscribers connected with the Shelby, N. C., exchange that beginning May 1, 1926, the rates for telephone service as approved by the Mayor, City Clerk and Councilmen of the City of Shelby will be effective and are quoted below.

— RATES AND THEIR APPLICATION —

A. Within the Base Rate Area, i. e., the corporate limits of the city of Shelby as of this date which embraces Greater Shelby, flat rates are quoted as follows:—

	Rate Per Month
Business Individual Line	\$4.00
Business Duplex (2-party) Line	\$3.50
Business Harmonic (4-party) Line	\$3.00
Residence Individual Line	\$2.50
Residence Duplex (2-party) Line	\$2.00
Residence Harmonic (4-party) Line	\$1.75

B. Outside the area indicated in "A" and within the territory served by the special classes of service, there will be an additional rate for extra distance beyond the city limits of 42 cents per month per one-fourth mile or fraction thereof for individual line service and to be pro-rated equally between two-party and four-party line stations.

C. There will be no change in the rates for farmer line rural service at this time.

We take this opportunity of thanking you for your patronage in the past, and trust that our service in the future will be even more valuable to you.

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