

# BATTLE

**DATTLE**  
Damage Case Has  
Precedents.  
**OF THE FIGHT.**

**Counsel for the  
ected, But the  
Says No.**  
e suit has developed  
ntest which has been  
nt Court for many  
e case was opened the  
tempting to non-suit  
ntiff and that attempt  
rning disastrously to

an, ex-City Solicitor  
and Horace Greeley  
former made his final  
defendant's amended  
ay, and asked for ad-  
tending the allega-  
ed wilfully and know-  
utter plate on Ninth  
ge and Shipley streets  
gerous condition pre-  
1894, the date of the

action is based, was  
se and one which they  
meet. Therefore they  
be continued until the  
that they might meet  
damaged narr and the  
be paid by the plain-  
had been engaged by  
nce Friday and he en-  
argument against any  
negation of the crime

mination of the original  
disclosed that the do-  
cumented that they were to  
diligence, therefore he  
the issue had been  
ed that in proper  
part embracing the al-  
been set out, but he  
not a sufficient ground  
True, it was a tech-  
ch a one as the de-  
necessitate a contin-

ists were strongly pre-  
sented by authorities  
ordered the case to  
the strongest point  
and prepared in its fight  
having failed, counsel  
above. It was the pre-  
sented for a rule on the  
for cost, they claim-  
ing to be non-resi-

ably met by Mr. [illegible] and that the plaintiffs, and even if they, motion came too late. [illegible] presented before the [illegible], therefore the right [illegible] the court sided with [illegible] motion again fell. [illegible] defence offered. The [illegible] the object of the de- [illegible] cause and as sort of [illegible]

tion to the city  
n that the case could  
I ordered the exami-  
H. Morgan, who had  
ay specialist in the  
ES IN COURT.  
d been on the stand  
the skeleton of a bu-  
see down, Mr. Har-  
ab in his possession  
ctor Illustrated what

of Mrs. Ewing's  
Harmen first believed  
and hygienical fear  
tion, then turned his  
mal condition of the  
negative. The doc-  
jury due to osteitis,  
of the bone, and with  
ed which bones had  
Ewing's foot. The  
ect and cross-exam-

The doctor proved the plaintiff's case. **IT WAS DANGEROUS.** Hall was recalled. He was under examination. The examination results of the narr which has the question put to Mr. regarding the condi-

vious to the date of  
be remembered that  
followed to answer, but  
in the case had  
to admit the  
handler had the  
the question to  
they having been ruled  
by the court, and the  
the gutter-plate was  
on. This was accept-  
testimony not ex-

Were it not the city  
such a strong fight  
ity of testimony re-  
of the gutter plate  
Mrs. Ewing received  
ness had used the  
ice a day, and upon  
into the place and  
als boat. One of the  
ar the centre of the  
ce was widened by a

Mr. Hall told Mr. [redacted] it was previous to [redacted] he could not say that [redacted] present. He had [redacted] between the ends [redacted] pushed the plates to-

1933 and '34, and was  
tler. He passed it  
dition then as com-  
lay was the same ex-  
s about it are now  
thought Mr. Hille-  
stions to the condi-  
vious to the date of  
it, and Mr. Hille-  
without the court's  
case said the plates  
case nearest the curb

the plates were not  
then naturally sepa-  
seen people trip in  
d the plates together

mination was under  
Mr. Knowles that he  
of the hole. He was  
was defective in Oc-  
did not say that the

who has lived at No. 10 for the past five years, says gutter plates had been missing some time. The gutter was owned by him and that of Deputy Mayor, John J. Chandler. It appears that the pavement has been laid over the gutter plates have never been removed from the street before the break in the gutter. The break was near the curb of the pavement. The

proved a poor witness  
the questions asked  
considered the gutten  
the date of the acci-  
any one step into  
told Mr. Knowles  
broken, but it was  
les wanted to know  
ave been turned, but

holding that the argument. The ques-  
y Mr. Hillis before  
upon the objection.  
during June and  
the broken gutter  
between them. The  
sent had since been  
tes to-day were the  
under examination

fork and spoon sets  
set, 413 King St.  
d of Kennett Square  
x of the town to the  
al library.