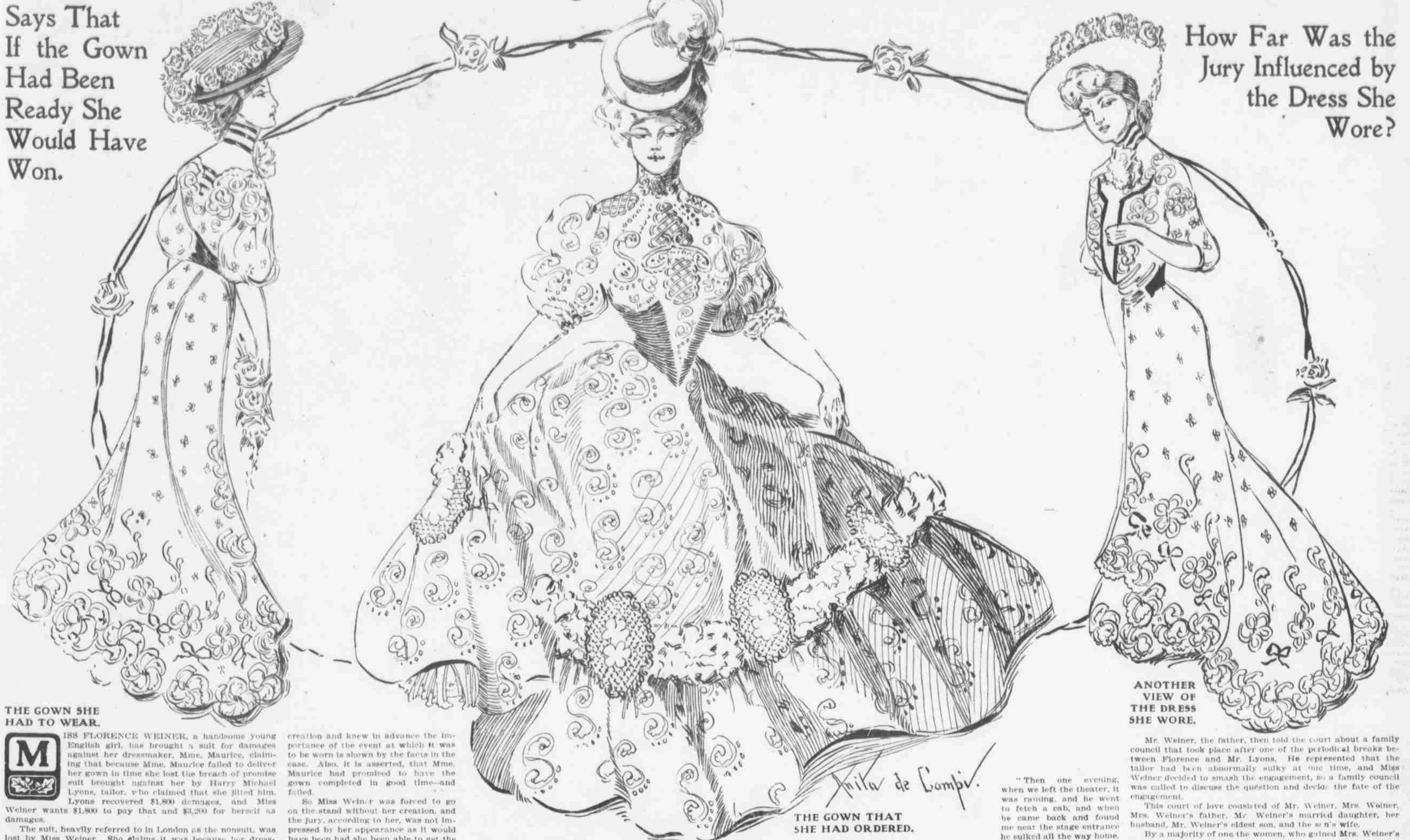


# She Sues Dressmaker for Damages Because She Lost Breach of Promise Suit.

Says That If the Gown Had Been Ready She Would Have Won.

How Far Was the Jury Influenced by the Dress She Wore?



THE GOWN SHE HAD TO WEAR.

**M**ISS FLORENCE WEINER, a handsome young English girl, has brought a suit for damages against her dressmaker, Mme. Maurice, claiming that because Mme. Maurice failed to deliver her gown in time she lost the breach of promise suit brought against her by Harry Michael Lyons, tailor, who claimed that she filed him.

Lyons recovered \$1,800 damages, and Miss Weiner wants \$1,800 to pay that and \$3,250 for herself as damages.

The suit, heavily referred to in London as the nonpareil, was lost by Miss Weiner. She claims it was because her dressmaker failed to deliver the gown with which she expected to dazzle the jury and so set off her beauty that she would win the suit for damages that was brought by Lyons because she refused to marry him. She places her estimate of the damages she suffered at the hands of Mme. Maurice at \$5,000, and declares that because of the failure to deliver the gown in time she was forced to go upon the witness stand attired in a season old gown.

The suit has aroused throughout England a discussion of the question of the influence of a woman's gown upon law and equity, or rather the influence of properly garbed beauty upon a jury of her peers. Whether dress and the beauty of a girl weigh more than the argument of counsel will be debated when Miss Weiner's suit against her dressmaker comes to trial.

## Gown That She Ordered.

Miss Weiner ordered from her dressmaker a champagne colored lace gown, with old rose ribbon, with a deep shirring of lace and medallions of rare lace, and, with the circular dounce joined to the circular top, the joining being hidden in a bouffant mass of filmy lace. At least that is as near as the court reporter in King's Bench Court IX, could describe the gown she intended to wear.

That the dressmaker had sufficient time to finish this

creation and knew in advance the importance of the event at which it was to be worn is shown by the facts in the case. Also, it is asserted, that Mme. Maurice had promised to have the gown completed in good time—and failed.

So Miss Weiner was forced to go on the stand without her creation, and the jury, according to her, was not impressed by her appearance as it would have been had she been able to get the champagne colored lace creation to make them giddy and light headed as if they were using the champagne itself. She told her story in a low, demure voice, but she claims that from the first she knew she had lost the effect on the jury which she had expected to create.

In her testimony she admitted that she had been in love—or near love—with Mr. Lyons, tailor, of the Minories. She admitted with a sweet smile that she had a temper of her own, but asserted that it was not as bad as his. Then she looked consciously at her gown and spent a moment hating the dressmaker who had disappointed her.

## Tells Wherein He Was Unlovely.

Mr. Lyons—the tailor who had the courage to sue a woman for breach of promise—sat quietly at his table a short distance from the girl who might have been Mrs. Lyons had she not broken her engagement. And he heard her recount his shortcomings as a lover in explanation of the fracture of the engagement.

"He was violent tempered and he sulked," she said, looking down at her gown. It wasn't such a bad gown, but it was not up to the standard of the champagne colored lace creation that she ordered.

The gown she wore was a cream colored lace, with a touch of heliotrope here and there, and with it she wore a

breach of promise hat, spreading and country maidenish, trimmed with gay hued spring flowers in profusion. The gown was short sleeved and yellow suede gloves reached to her elbow. It was a gown that had set Lyons' heart in a flutter, but she knew instinctively that it was failing to influence the jury.

"He was violent tempered and he sulked," repeated Miss Weiner, glancing at the new suede gloves, as if aware how much better they would have looked if worn with the gown that came not.

"Once he sulked because a man opened the door of a railway carriage for me."

She raised her beautiful black eyes to the jury, but the effect was killed by the substance of the champagne colored gown.

"Once, when one of my friends was going to be married, he sulked because he was not invited to the reception."

He sulked once because I was late in reaching the Holborn viaduct station to meet him and go to a Sunday league concert at the Alhambra.

"Another time I was late reaching the Holborn viaduct to go with him to the theater, and he sulked all evening and spoiled my pleasure, although I was wearing a new cloth suit."

## THE GOWN THAT SHE HAD ORDERED.

"He had such a winning way when he was not sulking. He always persuaded me to forgive him before we separated in the evening—until the last time. He used to confess that he had a beastly temper, and he begged me with tears that I should forgive him and take him back."

She finished her testimony with an appealing glance at the jury as if asking them to forgive her for not wearing the champagne colored lace gown, and then Mr. Shearman, K. C., compelled to be ungallant enough to cross-examine the girl, suggested that possibly she had said things at times of which she herself was a little bit repentant. To support his statement he read two extracts from her letters, which were as follows:

"I say so much in anger that I don't mean, and could not go to bed before I had written this. I could not rest. Good night, my love, always yours lovingly, Flo."

"My Darling: I feel terribly grieved that I made you so miserable by my unkind words. It is not because I love you less. You grow dearer to me every day."

## Admitted She Had a Bad Temper.

Miss Weiner then confessed frankly that she had a bit of temper of her own, and she looked as if she realized that had she been wearing the champagne colored lace gown the effect of her confession on the jury would not have been so telling.

ANOTHER VIEW OF THE DRESS SHE WORE.

Mr. Weiner, the father, then told the court about a family council that took place after one of the periodical breaks between Florence and Mr. Lyons. He represented that the tailor had been abnormally sulky at one time, and Miss Weiner decided to smash the engagement, so a family council was called to discuss the question and decide the fate of the engagement.

The court of love consisted of Mr. Weiner, Mrs. Weiner, Mrs. Weiner's father, Mr. Weiner's married daughter, her husband, Mr. Weiner's eldest son, and the son's wife.

By a majority of one the women, who gained Mrs. Weiner's father over to their side, as he was "tender hearted," carried a motion that the tailor should be given another chance.

Mr. Lyons had his other chance, but got the sulks again, and Miss Weiner, without consulting the rest of the family, dropped him as a prospective husband.

The facts having been reviewed the jury retired. It is understood that they debated the manner in which Miss Weiner was gowned, and some of the jurors thought the cream colored lace was unbecoming, while others thought it looked all right.

## Jurors Discussed Her Clothes.

The jury debated the question of the comparative becomingness of cream colored lace with a touch of heliotrope and of champagne colored lace with old rose ribbon and medallions of rare old lace, with the circular dounce joined to the circular top, the joining being hidden in a bouffant mass of filmy lace. And they found that the champagne colored lace was the more becoming.

At least that is the way Miss Weiner feels about it. She thinks that the verdict would have been champagne colored if she had received her dress in time.

She is preparing another creation to wear when she testifies against the dressmaker, and she confidently expects that it will win her heavy damages against the modiste.

# How One Little Mouse Tied Up the Street Car System of Three Cities.



**F**RANK DOGGETT, a young Cincinnati chemist, has in his possession a mouse which until a few days ago was living a peaceful life in the Federal building and which sprang into fame suddenly by tying up the entire street car system of Cincinnati and part of the systems of Covington, Newport, and Dayton for twenty minutes during the rush hour in the morning.

The mouse, still lively and chipper, is living in seclusion in a box in Doggett's workshop on Sycamore street, where it feeds on the best of cheese, seemingly unconscious that it is one of the most renowned mice in the world, not even excepting the town mouse and the country mouse or the hickory, dickory dock mouse that ran up the clock.

That mouse made perhaps \$400 persons late to work one morning, blocked traffic, cost employers thousands of dollars, and the Consolidated Street railway company no one knows how much, muddling up their schedules for half a day before they could be straightened out.

## All Lines at Fountain Square.

The peculiarity of Cincinnati is that practically every street railway line in the city loops around Fountain square, which is in Fifth street between Vine and Walnut, a broad

planned with the famous Tyler Davidson fountain in the center. The Vine street cable, the Elm street, Plum street, Fifth street, the Walnut Hills, the Sedamville, the Covington, Walnut street, Price Hill, East End, and practically every other line circles in the city except the Sycamore street line around the esplanade and starts off at tangents toward the distant suburbs.

It is calculated that more street cars pass the corner of Fifth and Walnut streets in a day than pass any given point in the world, which is due to the centralization of the systems and the great number of cars that reach to the suburbs of the Queen city.

The situation was unchanged at 7:10 on the morning of May 12—Saturday, the greatest shopping day of the week in Cincinnati, when the morning trade and marketing are especially heavy.

It happened that Mrs. Grace Rice of Sedamville had come up to town early to do her shopping and marketing for Sunday, and she alighted from a car at the northwest corner of Walnut and Fifth, opposite the Federal building. She stepped off the car, and, turning, started south on Walnut, intending to go down to Fourth street—the shopping street of the city—to make some purchases in the great dry goods stores that line that thoroughfare.

Just at that crucial instant the mouse came upon the scene.

Whether it came from the recesses of the county building, from the drug store on the corner, or from some other place never will be known, but it is certain that this tiny, of animal life, frightened almost out of its wits by the rush and roar and wrangle of the tripping crowded corner, scurrying hither and thither through a rushing crowd of giants that threatened it with death at every step, fled across the open spaces and sought a safe refuge.

And it found its refuge somewhere in the mysterious intricacies of Mrs. Rice's skirt—presumably about where she had her money hidden.

The jostling, hurrying crowds had noticed nothing unusual. Newsboys were screaming the latest news, street car bells were jangling noisily, the rumble of traffic, the roar of the crowd were all stilling suddenly by a scream of agony as if some lusty woman were being brutally murdered.

The rushing crowds stopped suddenly, startled by the scream, and, as shriek after shriek arose with blood curdling accents, the crowd stopped, then turned to rush to the rescue of the woman victim.

## Yelled "Murder, Help, and Thieves."

A Vine street car, clanking around the curve at the east end of the Fountain square, stopped with a wild jerk that

broke the controller. At the same instant one of John D. Park & Sons' wagons stopped suddenly on the Walnut street curve and hopped into an Elm street car.

The screams continued. Mrs. Rice was standing in the center of the tracks, screaming at the top of her voice—yelling "murder," "help," and "thieves," and clutching wildly towards her skirts. Cars began to pile up all around the square.

The crossing policemen, anxious to clear the jam, tried to force their way into the crowd toward the center of disturbance. Wagons, trucks, carriages, and street cars piled up around the streets until Walnut was blocked as far up as Sixth, the whole Fountain square and Federal square were filled, Vine street and Walnut street were closed to traffic.

The crowds, rushing towards the shopping center from all directions, pushed and jostled to get through the mass of humanity.

Motormen and gripmen stood at their posts and jangled their bells wildly, but the blockade refused to break.

## Hero Comes to the Rescue.

Within a few minutes Fifth street was blocked as far south as the market, and the entire street car system was disarranged. Mrs. Rice, with a death grip on her skirts

about the top of the second ruffle, was still screaming. Huge policemen stood around helpless. No one in the crowd had the presence of mind to know what to do. In fact, no one knew exactly what had happened.

Suddenly, from somewhere near the center of the crowd, Frank Doggett pressed his way forward to take his place among the heroes of this world.

He pressed close to Mrs. Rice, coolly and without a quiver at the heroic act he was about to perform.

"Mouse!" he asked.

"Yes," screamed Mrs. Rice. Doggett stooped, made one lightning like move with his hand, and, before the gaping crowd could even speculate on what had happened or imagine what it had seen, he held aloft a kicking, squirming mouse.

Mrs. Rice gave one look full of soulful gratitude toward Doggett, then fled, with her blushes rivaling the glow of the morning sun.

The Elm street car motorman clanged his bell wildly. The crowd began to melt. The wagon pulled out from in front of the Elm street car, and within five minutes the cars were running again, rushing towards the suburbs to bring in the belated clerks and shoppers.

And Doggett took the mouse to his place of employment as a memento.