

SUPREME COURT CASES HEARD DURING WEEK

Case arising out of Halifax Disaster when the "Imo" Collided with the "Mont Blanc" was before Court March 11th.

OTHER HEARINGS; RESULTS.

In the Supreme Court on March 10 a motion was made to quash the appeal in Toronto Hockey Club v. Ottawa Hockey Association. The action brought by appellant claimed damages for interference with their players, but not stating any amount. An affidavit was filed in which it was sworn that \$2,000 was in controversy. Appellant urged that particulars should be given, but the court held it sufficient and refused to quash.

T. N. Harding supported the motion; J. A. Ritchie contra.

In The King v. Lee the argument was concluded and judgment reserved.

Ackles v. Beattie was next heard. The appellant, a real estate agent, sued for a commission on a sale of timber limits. It had been agreed that if a sale was made within sixty days the agent could have anything realized over \$29,000. It was not sold within the time, but respondent urged the agent to continue his efforts, which he did, and introduced a purchaser to whom the limits were sold, but on terms different from those in the agreement. The agent sued for the excess over \$29,000 on this sale and recovered that amount on the trial. The full court on appeal held that he was not entitled to the commission under the agreement, but only to 5 per cent on the price as a quantum meruit.

Paton, K.C., and Burchell, K.C., appeared for the appellant.

Milner, K.C., for respondent.

In Ackles v. Beattie the argument was concluded and judgment was reserved.

Morse v. Kizer was next argued. In this case the appellant, a barrister, defended a prisoner charged with obtaining money under false pretences. The prisoner was convicted, and before being taken to the penitentiary he gave appellant a mortgage on property in Kentville, which he had offered appellant when retaining him, but the latter then refused it.

The money which the convicted prisoner had received was procured from the respondent Kizer and a compensation order under the criminal code which had the effect of a judgment against the prisoner. This order was not registered until after registration of appellant's mortgage, and an action was brought by respondent to have it declared that the order should have priority. The courts below held that it should have priority.

The appellant appeared in person.

O'Connor, K.C., appeared for the respondent.

In the Supreme Court on March 11th the argument was concluded in Morse v. Kizer. Judgment was reserved.

The next case heard was Compagnie Générale Transatlantique v. The Ship "Imo". This case arose out of the great disaster in Halifax when the "Imo" collided with the "Mont Blanc" loaded with high explosives and other munitions of war. The appellant company is owner of the "Mont Blanc" and libelled the "Imo" claiming heavy damages from the result of the collision.

The "Mont Blanc" was in Halifax to join the convoy that was to accompany her to France. She had started for Bedford Basin on the morning of December 6th, 1917, and the "Imo" was coming from the Basin. When the "Imo" was sighted the "Mont Blanc" blew one blast indicating that she was keeping her proper course to starboard. The "Imo"

SUMMARIES OF CANADIAN TRADE FOR FEBRUARY

Total Exports from the Dominion of Canada for February and Eleven Months ending February.

	Month of February.				Eleven Months ending February.			
	1918.		1919.		1918.		1919.	
	Domestic.	Foreign.	Domestic.	Foreign.	Domestic.	Foreign.	Domestic.	Foreign.
	\$	\$	\$	\$	\$	\$	\$	\$
The Mine.....	5,960,721	98,616	4,626,724	140,677	66,988,329	1,050,720	71,544,802	2,961,493
" Fisheries.....	4,336,162	99,350	4,716,182	50,007	29,236,929	526,942	31,144,541	699,586
" Forest.....	2,354,446	1,551	3,873,898	3,467	47,976,884	59,369	64,394,622	42,353
Animals and their produce.....	10,918,931	526,068	18,900,935	828,453	163,190,332	6,906,665	179,821,004	5,866,997
Agricultural products.....	28,089,659	75,603	17,081,105	446,647	529,817,950	9,565,025	247,998,170	21,113,244
Manufactures.....	34,346,308	1,509,047	33,418,138	1,570,828	598,602,853	22,159,616	516,798,101	12,938,158
Miscellaneous.....	355,390	93,056	342,501	153,787	4,359,518	2,009,678	4,760,205	1,844,033
Total merchandise.....	86,361,617	3,403,291	82,899,483	3,193,866	1,440,172,801	42,278,015	1,116,461,445	45,466,364

Canadian Trade for Month of February and Eleven Months to February.

	Month of February.		Eleven months ending February.	
	1918.	1919.	1918.	1919.
	\$	\$	\$	\$
Merchandise entered for consumption.....	52,206,448	64,117,126	875,266,149	844,693,863
" domestic-exported.....	86,361,617	82,899,483	1,440,172,801	1,116,461,445
Total merchandise, for consumption and domestic exported.....	138,568,065	147,016,609	2,315,438,950	1,961,155,308
Merchandise, foreign-exported.....	3,403,291	3,193,866	42,278,015	45,466,364
Grand total Canadian trade.....	141,971,356	150,210,475	2,357,716,965	2,006,621,672

then sounded two blasts indicating a course to port which would bring her into the "Mont Blanc" water. The latter again sounded one blast and claims, which is disputed, that again two blasts came in answer. The "Mont Blanc" kept farther to starboard and then turned sharply to port and shortly after the collision occurred.

There had been an investigation into the cause of the disaster by Judge Drysdale and two assessors. On the trial of the action in this case the evidence on this investigation was used. The trial judge held that the action of the "Mont Blanc" in going to port could not be justified as being in the agony of collision and that she was solely to blame.

McInnes, K.C., and Mr. Nolan of the New York bar appeared for the appellant.

Newcombe, K.C., and Burchell, K.C., for the respondent.

In the Supreme Court on March 6 the case of Lewis v. Boutilier was argued. The action was brought by respondent, claiming compensation for the death of her son while working in a factory owned by a company of which appellant is president. The action was brought under the Fatal Accident Act of Nova Scotia, and the plaintiff alleged that appellant employed her son, a boy under fourteen, without the certificate required by the Act; that he was put to work in a dangerous place without proper supervision; and that the system by which the factory was operated was defective.

The jury found that the boy was employed and put to work by appellant, who was negligent in not having the place where the accident occurred properly guarded. A verdict for the plaintiff was maintained by the full court by an equal division of opinion.

Appellant claims that the findings were against the evidence and that appellant was not responsible for the acts of the persons in charge of the work.

Paton, K.C., and Burchell, K.C., appeared for the appellant.

J. J. Power, K.C., for the respondent.

Bounty on Petroleum.

The sum of \$101,428.28 was paid by the Government as bounty on crude petroleum during the fiscal year ended March 31, 1917, as given in the Public Accounts for that year.

Total Imports entered for Consumption in the Dominion of Canada.

	Month of February.		Eleven months ending February.	
	1918.	1919.	1918.	1919.
	\$	\$	\$	\$
Dutiable goods.....	30,705,474	38,917,555	491,682,329	477,393,309
Free goods.....	21,500,974	25,199,571	383,583,820	367,300,554
Total.....	52,206,448	64,117,126	875,266,149	844,693,863
Duty collected.....	9,449,747	11,684,937	145,789,221	143,262,702

SENDER'S ADDRESS ON BACK OF LETTERS

Post Office Department Advises this Precaution to Ensure Return.

The Post Office Department issues the following:—

It is strongly recommended that the name and address of the sender be placed on all letters and parcels in order that if found to be undeliverable they may be returned to the sender with the least possible delay. This is particularly desirable in the case of registered articles.

It is decidedly in the public interest to do this, as correspondence failing of delivery would not then have to be sent to the dead letter office to be opened and read in order to ensure its return to the sender. Last year, 38,222 registered letters and 161,214 letters containing value reached the Canadian dead letter office, and this could have been entirely obviated by placing the sender's name and address on the outside of the letters.

Wood as Fuel.

According to a bulletin on the subject of wood fuel issued by the Commission of Conservation, two pounds of seasoned wood have a fuel value equal to one pound of coal.

Less Flour Shipped.

The Commissioner of Immigration and Colonization at Winnipeg reports that during the week there were 185 cars of flour shipped from various mills in the Prairie Provinces over the C.P.R., against last year 696 cars.

POSTAGE TO RUSSIA.

Letters and postcards of a personal and domestic character can now be accepted for transmission to Odessa, Sevastopol, Novorossusk, Ekaterinodar and Caucasasia. Registered articles cannot be accepted.

Correspondence of all kinds, except parcels can also be accepted for Siberia generally, as well as for Semipiatinsk, Tchelabinsk, Ekaterinburg and Perm.

GREECE WANTS RAILS.

The Greek government is in the market for 500,000 steel railway ties of 242 pounds weight each, according to the official announcement made to-day by the Canadian Trade Commission, Ottawa. Canadian firms contemplating bidding must take immediate action, as the demand is urgent. American firms are known to be already in the field. The Trade Commission has reason to believe that this may give Dominion manufacturers a chance to use surplus steel and the forging presses which were installed for munition making, possibly at better rates than their competitors.

Let W. S. Stamps help you save.