

Law Case of Local Interest

Court of Appeal Sustains Judgment in Case of White vs. Anderson.

The case of White vs. Anderson which was recently decided in the Court of Appeal, is of some local interest and involves some nice points in law.

The plaintiff was Mr. Frank White of this city. The defendant was the estate of John Lyle Anderson, formerly of Belleville, who afterwards moved to Edmonton in the Province of Alberta. Mr. Lyle Anderson who was in business in this city for some years, moved to Edmonton some time about the year 1912.

\$1500 Loan Arranged.

In 1913, being in the city of Belleville on business he arranged with Mr. Frank White for a loan of \$1500 to build houses in Edmonton, Alberta, upon certain vacant lots and received \$150 on account in the spring of 1913 and at his request the balance was paid into the Union Bank here to his credit in July, 1913. Afterwards about the first of September he sent down three mortgages made in Alberta for \$500 each upon the properties as security for the said indebtedness, the mortgages being payable eighteen months from date and being dated July, 1913. He paid off one of the mortgages and died shortly afterwards.

Will Made at Belleville.

His will which was made at the city of Belleville before he left for the Northwest appointed his wife sole executrix and trustee and directed his debts to be paid.

A statute has been passed in Alberta similar to the one passed in Ontario preventing the closing of mortgages during the war. The executrix applied to the Surrogate Court of the County of Hastings for probate. The will was duly admitted to probate and she realized on one property in the county a sum amounting to nearly \$3000 and held other properties in the city of Belleville which were not yet disposed of. Injunction Served.

The executrix was about to remove the proceeds already received for sales from the Province of Ontario to Alberta. The court in this interest had not been paid on the loan made by Mr. White to Mr. Lyle Anderson and taxes were in arrears on the property in Edmonton and they had been offered for sale for taxes. Mr. White feeling that he should be protected and believing the property at Edmonton was not sufficient for payment of his debt consulted his solicitors and on the 27th of February, 1919 proceedings were taken in Ontario on the covenant in the mortgage to recover the indebtedness with interest and an injunction was procured restraining the executrix from removing the moneys from the Province of Ontario and out of the jurisdiction of the court.

Plaintiff Won Case.

The matter was tried before the Honourable Chief Justice Sir Glenholme Falconbridge in the fall of 1913 at the Belleville sittings and before he gave judgment the learned justice died. The matter was then tried before the Honourable Mr. Justice Lennox in June 1920 when he gave judgment for the plaintiff for the amount of his claim and costs and confirmed the injunction restraining the executrix from removing the moneys from the Province of Ontario until the debt had been paid.

Defendants Lost Appeal.

The matter was then carried to the Court of Appeal and was heard at the present sittings of the court when the court unanimously dismissed the appeal with costs and confirmed the judgment of the Honourable Mr. Justice Lennox.

Contentions of Parties.

The defendants contended that the plaintiff could not bring the action in Ontario because the mortgage was on property in the Province of Alberta that the laws of Alberta prevented any action being taken until the lands had been realized upon in Alberta and that further they could not bring an action without the consent of the judge of the Supreme Court and that further the law for the relief of mortgages passed during the war also in Alberta as well as in Ontario prevented them bringing the action here.

The plaintiff contended that the will of Mr. Lyle Anderson having been made in Ontario directing his debts to be paid and having property in the jurisdiction of the court in the Province of Ontario they were entitled to payment of the debts from the assets in this Province and that they were also entitled to an injunction restraining the executrix

from removing the assets from the jurisdiction of the court until the debt was settled. That the action was a personal one on the covenant. The loan was made in the Province of Ontario, default was also made in the Province of Ontario and they were entitled to relief in the Ontario courts, further that the laws in the Province of Alberta only referred to procedure and would not apply to the Province of Ontario and also claimed that the Moratorium Act of Ontario did not apply to this case because there were arrears of taxes and interest and the defendant having failed to pay these the action was maintainable here.

The case was carefully argued but the decision was in favor of the plaintiff and his claim must be paid before the assets are removed from the province.

Messrs. O'Flynn, Diamond & O'Flynn represented the plaintiff and Messrs. Porter, Butler & Payne represented the defendants.

Pte. T. Armistead Receives Medal

Pte. T. Armistead, M.M., who was admitted to hospital and awarded the Military Medal on November 11th, 1918, has received his medal with the following letter from Adjutant General, Canadian Militia, Toronto: Thomas Armistead, Esq., M.M., R.R. No. 5, Belleville, Ontario, Military Medal.

I have the honor, by direction, to enclose herewith a Military Medal which His Majesty the King has been pleased to award you for bravery on the field.

The honorable the Minister desires me to extend his congratulations upon the honor thus conferred and the gallant action for which you were commended. I have the honor to be, Sir,

Your obedient servant,
T. Armstrong, Lieut.-Colonel, Director of Records for Adj. Gen.

Rube Marquard Was Arrested for Scalping Tickets

CLEVELAND, Ohio, Oct. 11.—Richard "Rube" Marquard, one of the star-left-handed pitchers of the Brooklyn team, was arrested here Saturday on a charge of ticket "scalping."

Marquard was arrested in the lobby of a downtown hotel on a warrant issued by Assistant Prosecutor Edward C. Stanton. He was charged with offering for sale, eight world series box seats, the original cost of which was \$52.80 for \$350.

He was released on his own recognizance to appear before Municipal Judge Sibert, Monday, to answer to the charge of ticket "scalping."

WILL BUILD BIG PLANT.

As soon as conditions are more favorable for the securing of building materials, it is understood it is the intention of the Chemical Products Limited, Trenton, to proceed with the erection of the large fertilizer building and plant as expeditiously as possible.

Over fifty car loads of brimstone and nitro have been received lately at the plant and things are progressing favorably, showing signs of considerable activity.

ANOTHER INDUSTRIAL PROSPECT.

Once more there is a prospect of securing an industry for the old clock storage premises of Trenton. Parties were in town last week looking over the building and they will likely return this week to meet the town Council.

In France no less than 1,500 deserters from the U.S. army are living in the Paris district. The lairs of the deserters are mostly in secret underground passages used by the Apaches.

An agreement between United Shoe Workers of America and 55 manufacturers was signed at Lynn, Mass., providing for continuation of the present wage for 18 months.

While driving his car at night at Boonesboro, Md., man kept hearing queer noises under the machine. Unable to locate the trouble he drove the 25 miles home at slow speed, fearing a breakdown. There he found a hen on the rear axle.

Perhaps a widow finds it easy to get married again because she doesn't expect perfection in a man.

Beet Sugar Crop Will Bring Down the Price

May Drop to 16 Cents Wholesale in Toronto, According to One Authority—Big Consumers are Waiting for Flood, Which is Just Beginning.

White granulated sugar will drop to 17 cents a pound wholesale—perhaps, 16 cents—by the 20th of October, when the Canadian beet sugar crop comes on the market. This is inevitable in the opinion of Mr. William Robertson, of Robertson Bros., wholesale confectioners, reputed to be one of the best sugar experts in Canada.

"Every big user of sugar is waiting for the beet crop," said Mr. Robertson, in an interview with The Star today. "The estimate for the Canadian crop is about 2,500 carloads, which the refiners are under contract to take. They will simply be forced to meet American sugar prices to get rid of their refined stock so that they can handle the beet crop which has already started to come in, and should be in the refiners' hands by the 20th of this month."

While the Star was talking to Mr. Robertson a sugar broker offered 1,000 bags at 17 cents. Mr. Robertson refused it, and the broker is now waiting to hear further from Mr. Robertson as to the best price he can get.

Will Bear Large Loss

The Canadian refiners stand to lose, at the very least \$2,500,000 within the next two weeks. Mr. Robertson figures. The refiners are said to have an aggregate stock of 55,000 tons on hand. Incidentally, Canadian growers of beet sugar will lose heavily this year, as their contracts call for a sliding scale of prices based on the market price of refined sugar at the time the beet is received at the refineries. It will, therefore, be to the interest of the refiners, looking ahead, to reduce the market price, before the beet sugar has to be determined upon.

"I presume that the refiners are operating with borrowed money," continued Mr. Robertson. "It certainly wouldn't be good business to see them go into liquidation. At the same time I think they should take a loss in the same way as we have been doing in the candy business. I think the refiners, even if they do meet the American price, will be able to exist."

May Go Up.

The trend of the American market, however, will be the guide of the Canadian refiners. They will have to meet the price at which American sugar can be laid down in this country. Indications that the American price will go up are at present not altogether wanting. Cuban can, recently quoted at 7 1/2, having moved up to 8 yesterday. On the other hand some of the lower grade white have gone down, a big sale of refined Java having been recorded in New York at eight cents.

It is estimated that at the current American market rate of 12 cents any amount of stock can be laid down in Toronto, including every incidental tariff, duty, freight, dumping duty, etc., for 16.90 a pound. This is, therefore, the price the Canadian refiners will have to meet within two weeks, figuring that the American market does not harden.

Equals Last Year's Crop.

Sugar trade journals estimate the world's sugar crop for 1920 at approximately 11,800,000 tons, which is very close to last year's crop and slightly less than that of the year previous. The fact that the European crops which failed greatly last year are up to normal this year will mean a great supply for domestic consumption and consequently lower prices. Mr. Robertson had no hesitation in forecasting that sugar would be down to eleven cents within a year.

Tragic End to Hunting Party

Victim Used Butt End of Gun to Knock Down an Apple

GUELPH, Oct. 10.—Tragedy followed closely in the wake of a hunting party on Saturday afternoon, in the Southwestern outskirts of the city. Two young men, Lloyd Schetter, aged 15, and his chum, B. Lotneakle, 17, took advantage of the fine day to go shooting, and were working their way in from Victoria road to the Dundas road, when, at the rear of the McCaffrey farm, they espied an apple tree on which several apples were still hanging.



Men's New Fall Footwear
One of the Newest Styles in Men's Fall Shoes is The Popular **BROGUE**
We have this desirable style in heavy or medium weight in a rich Nut Brown Shade. Other New Fall Boots in Brown, Leathers priced at \$7.50, \$8.00, \$9.00 and \$10.00
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New Brogue Oxfords for Ladies
This popular Shoe is intended for Fall and Winter to be worn with Spats or Heavy Hose—Several Shades, Brown and Black—B. C. or D. widths, priced from \$9 to \$11

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NEW STYLES IN Ladies' Coats

We are now showing a big range of the latest styles in Ladies' Winter Coats
Ladies' Cloth Coats, priced at \$17.50 to \$75.00
Ladies' Fur Trimmed Coats at \$50.00 to \$119.50
Salt's Plush Coats, priced at \$50, \$65, up to \$139.50

Your Winter Underwear

Demands early consideration. Our stock is well assorted with **TURNBULL'S** Celebrated Underwear for Women and Children
Ladies' Vests and Drawers at \$1. 1.25, 1.50, 1.75, 2.00, 2.25 and 2.50
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loved by the National Anthem. Mrs. Arthur Wilson visited Mrs. W. H. Hanna recently.

Two Convicts Escape From Dannemora

Lifers Pull Board From Playground Fence—Guard Misses Shot Fired.

PLATTSBURG, N.Y., Oct. 12.—John McAllister and LaJames Madas, serving life sentences for murder, escaped from Clinton prison at Dannemora. McAllister is one of the two men who some months ago made an attempt to escape from Sing Sing by digging a cave under the flooring of a coal shed. He was hidden there four days before he was discovered. McAllister was then transferred to Dannemora.

RIVER VALLEY

Miss Helen Boardman spent Sunday with Miss Isabel Parks.

Mrs. E. Donohue attended the Warkworth Fair on Friday.


Mr. and Mrs. D. A. Thrasher of Centenary, called at Mr. Edgar Morrow's on Sunday.

Mr. Fred Mackenzie attended Bannock Fair last week.

Mrs. Alex Bush was in Belleville on Saturday.

Mr. Earl Morrow attended church at Frankford on Sunday evening.

The Women's Institute held their monthly meeting at the home of the Misses Bradshaw on Thursday afternoon. After the regular business lunch was served to the guests and the meeting closed with a hearty vote of thanks to the hostess, fol-



Quick & Robertson Clothes For Fall

With the first crisp breath of early autumn, we are ready to show you handsome new styles in **SUITS AND OVERCOATS**

A variety of smart new models which present a rare combination of perfect taste with unmistakable novelty. Cut and made by experts who have been trained to maintain the high standard demanded by us. **OUR PRICES ARE REASONABLE.**

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BELLEVILLE'S CASE PRESENTED AT INTERNATIONAL COMMISSION

Mayor Riggs, Ald. Bone and Ald. Ponton at Kingston Yesterday Before International Commission on Deepening St. Lawrence.

The city of Belleville was represented at the session in Kingston yesterday of the Joint International Commission inquiring into the feasibility of deepening the St. Lawrence River for ocean traffic and also the development of power from the river, by His Worship Mayor Riggs, Ald. J. Bone and Ald. R. D. Ponton. The meeting was very largely attended by representatives from the Boards of Trade and Chambers of Commerce of Eastern Ontario and by the Mayors and Councilors of a great many municipalities interested. Ald. Ponton presented the case for Belleville and outlined the needs of not only the manufacturers in this district but also the convenience for the shipping of all produce, especially for export trade. He pointed out the shortage of refrigerators, of the delays caused by transshipment at Montreal and St. John and referred to the beneficial results which would result to all citizens and the development of not only export trade but the convenience of bringing in raw materials from other countries. Alderman Ponton also laid great stress on the development of the St. Lawrence for power purposes and the condition Eastern Ontario finds itself in today by being dependent entirely upon rainfall, and if the great deposits of iron ore in this district were ever to be utilized it could only be done by cheap reliable power. During the session a report was filed by Sir Adam Beck on behalf of the Province of Ontario and the Hydro-Electric Commission approving of the deepening of the St. Lawrence River by the Governments of Canada and the United States and also approving of the development of power on the river. The Belleville representatives concurred in the report filed by Sir Adam Beck. Alderman Ponton also referred to the selfish position taken by the city of Montreal and the city of New York in discouraging the project and he advocated that the municipalities in Ontario and New York State should form a complete organization to fight if necessary the combined and the money interests in Montreal and New York.

FLOWERING BULBS

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Hyacinths—10c and 15c each.
Narcissus, Paper White—5c each.
Freesias—35c doz.
Daffodils—7c each.
Chinese Lilies—20c ea., 2 for 35c.
For potting outdoors to flower early in the Spring we have the following:
Tulips—50c doz., \$3.50 per C.
Crocus—30c doz., \$1.75 per C.
Hyacinths—\$1 doz., \$7.50 per C.
Daffodils—80c doz., \$6.50 per C.

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192 Front St. Phone 283, 02-17

The more some men owe, the more they want to owe.
The man with but a single idea must be a confirmed hatcher.
About the only sure way to keep a secret is not to have a secret.

Save Your Eyes
The Brain Sees
Images fall upon the Retina which practically is the end of the back wall of the eye. The Optic Nerve carries these impressions to the Brain and the Brain controls the Body.
Any wonder people wear glasses to prevent nervousness, headache, etc?
Any wonder children often require glasses?
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