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Your Questions Answered

in this department of The Guide questions dealing with legal matters, farm problems, livestock, or anything relating to practical farmwork will be answered. It may not be possible to answer all of them for lack of space, but those of meet general interest will be answered in the order in which they come. Those wishing replies to legal or other questions by mall must enclose \$1 in payment. Veterinary questions cannot be answered, as we have not the space available. No questions will be answered for subscribers whose subscriptions are in arrears.

OVERCHARGE OF J. P.

OVERCHARGE OF J. P.

Q.—A hires B for one month for \$30. He works one month and then waits around for four days more helping on the farm in order to get a ride home. B was paid \$15 when he quit and the understanding was that the balance be paid as soon as A could do so. A did not get threshed last fail and B wrote to A for the rest of the wages, claiming \$4 extra for the 4 days he waited. B got a J.P. to write to A for B's wages. The J.P. asked \$1 for his letter and 45 cents interest on the deht. B, on being asked, said he did not tell the J.P. to charge interest. The last letter from the J.P. read that B gave A 30 days to settle in if not summons would be issued. Summons has not been issued. A agreed with B to pay him the \$4 B asked if B would settle with the J.P. This B agreed to. A sent the money to B. The J.P. now writes A that B has refused to pay and claims the following fees from A: \$2 00 for his writing, \$1.00 for first letter and \$1.00 for the other three letters. B has accepted his money and cashed the check sent him. Can A be made to pay the J.P.?

Sask.

A.—Do not pay the charges of the

A.—Do not pay the charges of the Justice of the Peace. A Justice of the Peace has no right to collect money in that manner.

A J.P. s RULING UNJUST

A J.P. s RULING UNJUST

Q.—I agree to give a man work during a slack season at one dollar per day, payment to be made in the shape of breaking done on hired man's farm. No time was set for doing the breaking. He quit on July 4 and since then has several times asked me for his money. This summer it was not fit to break before September 15. Previous to this the man sued me for wages claiming I had refused to pay him. This was untrue, since I told him always that I had no money, but would do the breaking as soon as rain came or pay him the money when I had threshed. At the hearing I had two witnesses to testify that the man agreed to have breaking done for the time he worked for me. The J.P. decided in the claimant's favor and ruled that I had to pay him or be arrested for one month. I asked the J.P. subsequently if he would alter his finding if I did the breaking, but he refused to do so. Can I have this decision altered, since it was unjust, or have I no right to hold a man to his agreement?

Sask.

C.H.

A.—The judgment seems to be defective

A.—The judgment seems to be defective in that it orders imprisonment in default of payment. A J. P. has no authority to imprison in such cases. You do not mention dates, but a J. P. has no jurisdiction to deal with wages earned prior to six months before date of information. We are of the opinion that by employing a lawyer you can succeed in having judgment annulled.

LIVESTOCK SHIPMENTS

LIVESTOCK SHIPMENTS

Q.—(1)—If I had a carload of stock of my own can I bill them to Winnipeg Union stock yards in my own name, and go in myself and sell them to any one I wish, or have they to be handled by a commission firm?

(2)—Do not buyers come from other parts, say Toronto for instance, and buy stuff to take back and buy direct from buyers that come in with stuff or have they to buy from commission firms?

(3)—Does a commission firm rent part of the yard to do business in or how do they manage it? I have been told that the yard is wholly taken up, as a general thing, by commission firms.

(Reply by Rice & Whale Ltd. Commis-

(Reply by Rice & Whaley, Ltd., Commission Dealers, Union Stock Yards, Winnipeg)

A.—We think there seems to be a great misunderstanding on the part of farmers and shippers regarding the service of commission firm. Our market here is operated on the same lines as is being operated on the same lines as is being followed by the markets of the United States and Toronto. Commission men are only the servants of the shipper and the shipper's interests are our interests always. If it were not for the fact that the semigricum man keep in touch by the commission men keep in touch by wire reports with conditions of other markets and are at the yards every day in the year so that they are in a position to know the value of stock consigned to them, their services to the shipper would not be of much value, but as they employ a large staff of help and look after the stock consigned to them and keep in touch with the outside markets, they are in a position to do the shipper much good and get the full value for his stock at all times

(1)—Any one can ship livestock to the Union stock yards in his own name and sell the same if he desires to do so, and the only reason shippers consign to commission firms is to obtain better results.

(2)—Buyers from different parts of the country are here the year around and can buy from any one they care to. Commission men have no control or monopoly on selling stock. Buyers very often prefer buying directly from a shipper who is not thoroughly acquainted with the market in preference to commission men, knowing that they can frequently buy the stock below their real market

(3)—Commission firms do not rent any portion of the yards to do business: The yard management usually sets aside a portion to each commission firm so that stock consigned to them will be in the same section instead of having it split up in different portions of the yard. There is always a certain portion of the yards that is left for unconsigned stock. There is no discrimination against any one and the business here is no acceptance. and the business here is run as nearly on the order of any other up to date stock yard as can be done.

COLLECTION OF NOTES

Q.—(1)—Can I collect lien notes on horses?
(2)—Is there a moratorium in force?
(3)—How do I proceed to collect lien notes?
(4)—If I can show that these horses are not being taken care of can I sieze and what would be the expense of such action?

J W

A.—(1)—There is no reason why you

(2)—We do not know of a moratorium

act in force in your province.

(3)—If notes are due you may either sue on notes or have sheriff seize goods covered by same and have them sold.

(4)—It would be dangerous if notes are not due. Ask sheriff about expense.

LOAN COMPANY'S LEASE

Q.—A mortgage company wish me to sign lease, copy of which I enclose. I paid interest on it in 1914 and was unable to pay interest this year. I owed \$1,250. This now with interest amounts to \$1,350. I am willing to give security for what is due on principal and interest, but am not able to give a third of crop as I bought the farm on half crop payments. Can you advise me what to do?

A.—We can not advise you to sign the lease. No doubt it gives the mortgagee remedies not contained in the mortgage. If sale proceedings are threatened you had better see your local lawyer.

UNFAITHFUL HUSBAND

Q.—What can a wife do whose husband is running around with another man's wife? He goes away for three or four days at a time. Can the wife leave and claim any of the property? What can she do about child?

A.—You should see lawyer about this. The course to be followed depends upon the circumstances of the husband and full particulars of his conduct.

RECOVERY OF MONEY FROM COURT

Q.—(1)—I seized a team of horses under lien note in Saskatchewan. The team was sold and the money went into court for sixty days. I employed a lawyer to get this money for me from the court. Did I or did I not have to do this?

(2)—My lawyers in Saskatchewan recovered judgment for me and they sent in an account. I asked them to itemize it, but this they would not do, saying they were allowed this sum by the courts. Had I a right to an itemized account or not?

A.—(1)—You were not obliged to have a lawyer act for you. Whether you have a lawyer or not is as much a matter of a lawyer or not is as much a matter of your own choice as whether you have a carpenter or not. Tho you do not say how the money came to be in court, we judge it was paid in under execution, for you mention having recovered judgment. If such were the case and you had a lawyer acting for you in the action, he would have a lien for his costs on the money in court and it would not be paid to you without his consent.

to you without his consent.

(2)—Your lawyer was not obliged to give an itemized account. He is allowed a certain percentage of the money recovered and a commission by the court. This is all he need show in his bill.

OWNERSHIP OF TEAM

Q.—A sold a team of horses to B. He received \$150 down and the balance to be paid within a year. B has not taken care of the horses as he should. They are poor and unfit for work. Can A take the team back?

A.—A cannot take team back.

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