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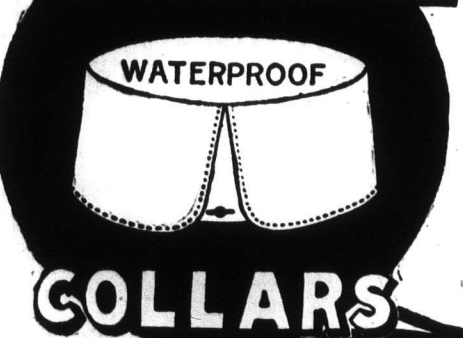
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A Waiting Game

By Marvin Leslie Hayward

ARTHUR BOWMAN thrust his hands into the pockets of his coat, strode across the room, and stood gazing moodily out of the narrow window at the fleecy swirling flakes of snow.

"It was folly, utter madness, for you to make an appeal to old John Manzer," he declared gloomily.

The girl stood by the old-fashioned fireplace, her eyes fixed on the glowing coals.

"I thought it could at least be no harm to explain the situation to him," she began hesitatingly, "and I merely told him that he must have known that father merely endorsed the Shepley note because Mr. Manzer had endorsed it, too, and had assured father that he would never be called on to pay it."

She hesitated, glanced appealingly at Bowman, and went on bravely.

"I told him just how father's affairs were involved when he died and that if we had to pay this note it would leave mother and me absolutely penniless," she went on.

"And I suppose the old scoundrel laughed that wolfish laugh that he puts on whenever he has a poor wretch in his clutches," fumed Bowman.

"No," defended the girl; "but he merely said it was a straight business transaction, that the Royal Bank advanced Shepley the money on father's endorsement, that the bank had compelled Mr. Manzer to pay them the note,

clared Arthur pointing eagerly to the writ. "It appears by this document that the note had been due six years on the twenty-eighth of last month. Manzer was sued by the Bank on the twenty-fifth, but didn't pay the bank and issue his writ against your father's estate till the thirtieth. By that time the note was outlawed and you can go into court and beat him."

"But would that be right, morally?" hesitated Laura.

"Nothing can be morally wrong where John Manzer is concerned," averred Arthur, "and I'll take the blame if there is any possibility of any one being blamed for beating Manzer at his own game."

"I hope you're right," sighed Laura.

"I'm no lawyer," admitted Arthur, "but just to show you I'm right about this I'll call up Barnwell's office and ask him about it, if he's in."

"Do what you think best," agreed the girl.

He soon had Barnwell on the wire, and, at his request, read over the writ.

"Now," demanded Arthur eagerly, "can't you beat him out on the ground that the note's outlawed?"

"The writ, I am sorry to say, contains a count for 'money paid.'"

"I hardly understand that," hesitated Arthur.

"It is like this," explained the attorney, "if Smith requests Jones to pay money to Brown, and Jones does so, he (Jones)



United States lads who are now busy doing their bit to drive the Kaiser from France and Belgium, will have to keep at their work through the snow and cold of winter. Cold weather has gripped the war area, and the boys in training have had to keep at the work of fitting themselves, even though snow covered the ground. This photograph, taken at one of the camps, shows them coming out of their trenches and making the best speed possible over the slippery snow covered ground.

and that when he issued the writ against papa's estate he was merely asking for his plain legal rights."

"If he'd got his legal rights he'd have been in Dorchester years ago," Bowman said.

"We'll simply have to make the best of it," was the brave reply.

"But, Laura dear, I wouldn't mind so much if Harry Manzer—the contemptible cad—hadn't wanted to marry you before we were engaged," grumbled Arthur.

"Mr. Manzer suggested that under different circumstances he never would have thought of collecting the Shepley note," was the faltering reply that brought Arthur around from the window with a furious whirl.

"The old Judas," he exclaimed, "I'll beat him at this game if I have to think my head off. Show me the writ that was served," he demanded, and Laura placed a folded document in his hand.

"Supreme Court—King's Bench Division, John Manzer versus Edith A. Davis, Executrix of the last Will and Testament of Blair Davis, deceased," he read as he glanced over it. "It's Greek to me, I'm sorry to say," but he continued reading the typed pages, and then turned to Laura with an eager question on his lips.

"Did your father ever pay anything on this note?" he snapped.

"Nothing at all."

"Has your mother paid anything since his death?" persisted Arthur.

"Certainly not."

"We've got him dead to rights," de-

can sue Smith for 'money paid' at his request."

"But Mr. Manzer was not asked to pay."

"That is true," was the reply, "but an express request is not necessary. The law is that a request is implied in many cases, and the party paying has an action on an implied the same as on an express request. The general rule is that a request is implied whenever A has been legally compelled to pay a debt for which B is primarily liable, and A has a right of action against B for 'money paid' on the implied request. In this case Mr. Davis endorsed a note which was held by the bank and Manzer also endorsed it, and when he was compelled to pay by the Royal Bank that gave him a right of action against the Davis estate on the implied request to pay. You see Mr. Manzer will not rely on the note but can recover on the payment to the bank, and that payment was made less than six years before the issue of his writ, only a few days in fact. Do I make myself plain?"

"Too d— plain," Arthur muttered into the transmitter and rang off.

Laura knew the result of the conversation without being told, and Arthur returned to his dejected post of observation at the narrow window.

"Let us forget it and talk of something more pleasant," urged Laura.

"Say," declared Arthur as he turned from the window for the second time, "I'm no lawyer, as I said before, but