

SPANKED WIFE, BANKER TESTIFIES

Chastised Her Because of an Italian Count's Attentions, Husband tells Court—Calls Her "Social Jazzer."

Frank D. Montfort, a retired banker of St. Paul, Minn., alleged in an answer to a suit for separation and an increased allowance, that his wife, Adele B. Montfort, had spent \$3,500 on cosmetics in the course of a year and a half and that he had felt called upon to spank her several months ago in Italy because she had permitted the attentions of an Italian count who had been engaged to teach the Italian language to their child.

Mr. Montfort lives at the Waldorf, New York, and his wife at the Hotel Lucerne, 1 Faerber Goldenhorn, representing the husband, argued before Justice Lehman in the supreme court that Mrs. Montfort had voluntarily agreed to accept \$4,500 as a separation allowance. Admitting the agreement, E. T. Moore, representing the wife, cited a decision of the Court of Appeals this year holding that a separation agreement between husband and wife must be fair and that an unfair agreement is not valid, even though voluntarily entered into by both parties. Mrs. Montfort asserts that her husband has an income of \$18,000 and could easily increase it to \$25,000 or \$30,000. She demands \$10,000 a year, instead of the \$4,500 under the present agreement.

The papers show that the couple had been married more than fourteen years and that they had no insurmountable differences until last fall, when they took a trip to Italy. The husband, who in his answer characterizes his wife as "a social jazzer," complains of her alleged extravagance and asserts that he found her listening to ardent expressions of admiration from Count Napoleon Ponso, the Italian nobleman who was hired to accompany them on the trip as tutor. Mr. Montfort asserts that his wife acknowledged "a mental affection" for Count Ponso and said that she admired his "Napoleonic ideals."

After the alleged spanking, Montfort asserts that his wife threatened to complain to the American Consul at Italy, but that he furnished expense money for the trip home and later entered a settlement here with her. Montfort asserted through his lawyers that the expensive habits of his wife caused him to leave St. Paul for New York to reduce the cost of living. They set up an establishment with five servants at the Waldorf.

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The cost of living remaining an unsolved problem, they decided to go to Naples, he said, because they were advised that they could live cheaply there.

Mrs. Montfort denied all the charges against her and charged that her husband struck her and otherwise brutally used her. Mrs. Montfort also asserts that she was coerced into the agreement to accept a \$4,500 allowance and that her rights were not properly safeguarded.

Mr. Moore argued that the law governing such agreements was now governed entirely by a new and interesting decision of the Court of Appeals handed down recently in the Tirrel case. He quoted from this decision as follows:

"The test of the validity of an alleged separation agreement (assuming it to be otherwise valid) is its fairness of terms and pursuant to the construction given to Section 51 of the Domestic Relations law by the Court of Appeals, the question of fairness is determined by a consideration of whether the measure of support is commensurate with the manner in which the parties have lived and with the ability of the husband to furnish means of support."

RECENT DEATHS

John W. Giggley.
Hampton, N. B., April 8—(Special)—John W. Giggley died this morning at his home here after a lingering illness of a little more than two years. In September, 1920, he entered the East St. John Hospital for treatment and received much benefit during the eleven months stay, but the disease had gained too strong a hold to be conquered. Mr. Giggley was a good citizen and highly respected in the community. He was a member of the Hampton Baptist church for many years, and in the days of his health was an active worker in the church and Sunday school. He leaves a widow, daughter of David Noddin, of New York.

St. John, and three children, Mildren, Wilbert and Pearl. He also is survived by three brothers and one sister. The brothers are: George, of St. John; William, of Hampton, and Walter, of Apohaqui. The sister is Mrs. Leslie Frazee, of Milford (Mass.). The funeral will take place on Wednesday afternoon at 2:30 o'clock. Service at the Hampton village Baptist church.

Mrs. William Andrews.
Word was received by relatives in the city last night of the death of Mrs. William Andrews in New York, yesterday, at the age of seventy-seven years. Mrs. Andrews was the daughter of the late James Emery, of St. John, and formerly was a resident of this city. She is survived by her brother, J. B. Emery, of 130 Elliott row, and two daughters, Mrs. William Ludlam and Mrs. Bartlett Dalton, of New York.

Joseph C. Whittaker.
After a lingering illness, the death of Joseph C. Whittaker occurred last evening at his residence, Rothesay avenue. He will be mourned by a wide circle of friends. Besides his wife he leaves two sisters, Mrs. Addie Morgan of Newburyport (Mass.), and Mrs. James Lee of Lewiston (Mass.), and one brother, John of Haverrill (Mass.). The funeral will be held on Wednesday afternoon at 2:30 from his late residence.

Silas C. Hayward.
Silas C. Hayward, of Port Elgin, died at his home yesterday at the age of sixty-five years. He had been in the lumber business for many years and was well known. He is survived by his wife, eight sons and two daughters.

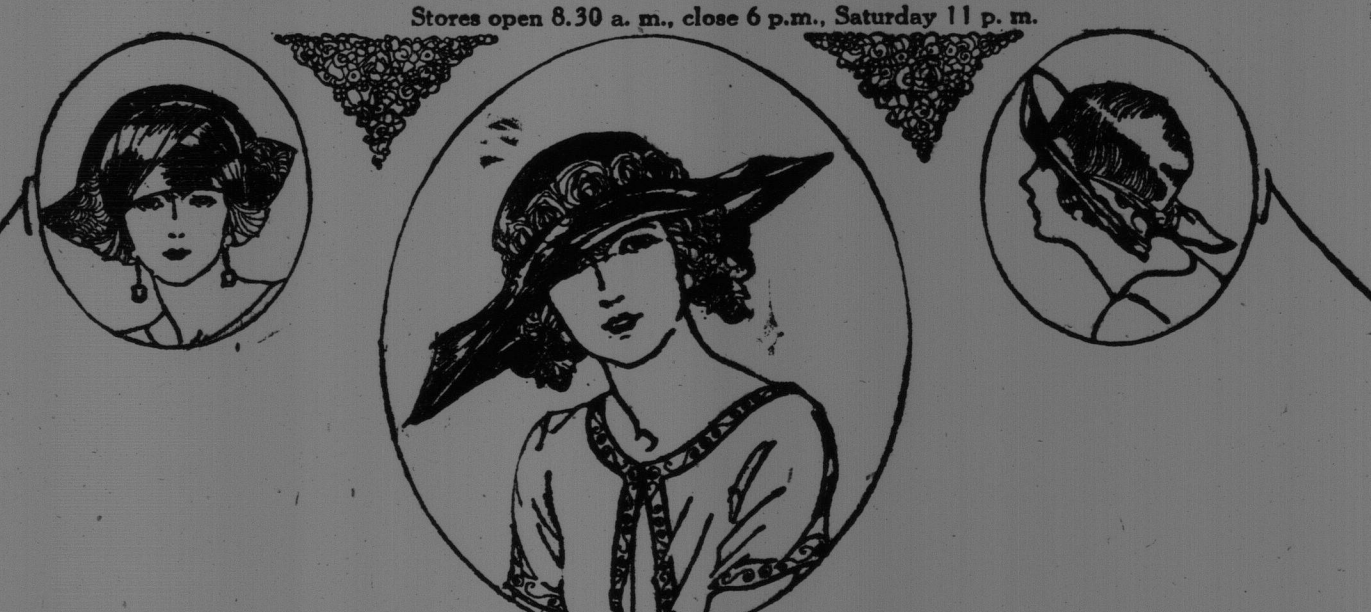
Donald R. Morrison.
Donald R. Morrison, one of the most popular young business men of New-castle, died at his home there on Sunday afternoon after several weeks illness. He was prominent in Masonic circles. He is survived by his mother, two brothers and one sister.

Mrs. John Duffus.
Mrs. John Duffus passed away at her home in Halifax, yesterday, at the age of seventy-six years. She was the daughter of the late Francis Ferguson of this city. Besides two sons and three stepsons, Mrs. Duffus is survived by one daughter, Mrs. Thomas Gilbert of St. John.

You Need Not Have a Cold
If you will take Laxative BROMO QUININE Tablets when you feel the first symptoms of a Cold coming on.

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"DIAMOND DYES"

Every "Diamond Dyes" package tells how to dye or tint worn, faded garments or drapery a new rich color that will not streak, spot, fade, or run. Perfect home dyeing is guaranteed with Diamond Dyes even if you have never dyed before. Just tell your druggist whether the material you wish to dye is wool or silk, or whether it is linen, cotton, or mixed goods. For fifty-one years, millions of women have been using "Diamond Dyes" to add years of wear to their old, shabby waists, skirts, dresses, coats, sweaters, stockings, draperies, hangings, everything!



Announcing
Pre-Easter Millinery
Opening
On Wednesday and Thursday
You are Cordially Invited to View These Latest Spring Modes

This special April display has been planned to place within easy reach just the particular hat each woman feels instinctively is needed to complete her spring and Easter costume.

Styles are infinitely varied to complement all types and to harmonize with all manner of Suits, Wraps and Frocks. Prices have been arranged to assure splendid value.

It will interest you to select your new headwear from among the new and ravishing shades. Among them: Canary yellow, beige, rust, cerise, lip-stick red, whirlpool blue, orchid—and of course, plenty of black.

Beautiful flowers in unusual varieties; peasant embroideries, gay or subdued; lacquered feathers and ornaments; beads and fancy pins—all these trimming innovations are cleverly used, alone or combined, to make the most exclusively attractive hats you have seen.

Shapes are large, medium or small and you may choose from finest braids, straws or fashionable fabrics.

(Millinery Salon—second floor.)

Spring Exposition
In Costume Section
Continued on Wednesday.

There probably has never been a season when you have had the choice of so many different kinds of Coats, Wraps, Frocks and Costumes.

Suits of jaunty tweeds have a pleasing sports air; frocks of sponge or the new crepe knit are in bright spring colorings; Coats and Wraps are suitably designed for every day, travelling or dress-up wear.

Besides apparel of latest mode you will also find here accessories of distinction that give the wanted finishing touch to the Easter Outfit.

Garments are effectively displayed for this occasion in a spring-like setting of blossoms and foliage.

If you are not among the ones who viewed this exposition on its opening day, you are invited to do so on Wednesday.

(Costume Dept., second floor.)

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Many of these, just received, have been slightly scarred and chaffed in transit—which, of course, only affects their appearance—for service they are as good as ever; others selected from regular stock because they have become scarred from handling. This is the reason for drastic reductions which now reign supreme.

If you want a Trunk or Bag for real service this is your chance—no matter which one you select, it means a big saving.

Here Are Mentioned a Few Only

1—36-inch Fibre Steamer Trunk. Regular \$25. Now \$20.45	1—Ladies' Black Seal Grain Cowhide Club Bag, 16 inches. Regular \$23.50. Now \$14.95
1—Metal Covered Trunk, heavy brass corners, 34 inches. Regular \$15. Now \$11.95	1—Best Quality Smooth Tan Leather Bag with double handles. Regular \$25. Now \$16.65
4—Canvas Covered Box Trunks, brass corners. Size 32 inches, regular \$9. Now \$7.20 Size 34 inches, regular \$9.50. Now \$7.60	2—Brown Cowhide Bags, leather lined, double handles. Regular \$25. Now \$16.95
1—Canvas Covered Steamer Trunk, brass fittings, 34-inch. Regular \$16. Now \$11.85	1—Brown Leather Bag, fabrikoid lined, double handles. Regular \$14. Now \$8.95
2—Fibre Covered Trunks, brass corners, size, 36 inches. Regular \$18. Now \$14.65	2—Brown Fabrikoid Suitcases, leather corners. Regular \$7.75. Now \$4.85

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Attractive Scrim Curtains with heavy lace edge. These are shown in cream only, 2 1/2 yards long. Special Price, \$1.89 Pair

Fine Marquisette Curtains, hemstitched, dainty lace edge. Shown in cream only. Price, \$2.98 a Pair

Good quality Chintz, attractive light or dark colorings, newest conventional patterns. Special Price, 38c. a Yard

A new lot of fine Scrims in cream or white, double border. Special Price, 5 Yards for 79c.

Feather Pillows covered with heavy ticking with pattern. Size, 18x26. Special Price, \$1.79 a Pair

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MINERS' WAGES IN CAPE BRETON

Statement by Vice-president McDougall Comparing the Scale for Four Years.

(Halifax Chronicle.)
D. H. McDougall, vice-president of the British Empire Steel Corporation, who arrived in Halifax on Friday from Sydney, issued a statement with reference to the coal miners' wages, in which he reviews the situation, shows that the scale of wages now in effect is virtually the same as in 1918 when the average annual earnings of all mine workers were \$1,225, and of skilled miners in 1921 \$1,775, and points out that the present wage adjustment is one that is forced by true depression, accompanying deflation of war-time currencies and decline in commodity prices. Some figures from the statement are as follows:

The scale of wages now in effect at the company's coal mines is virtually the same as the rates paid in the year 1918, when the average earnings of the mine workers were, per month, as follows:

Surface men	.....\$ 86.00
Underground laborers	..... 94.00
Miners	..... 137.00

Similar earnings could be made at this time by men who work steadily, and very much larger earnings are possible to individuals. The foregoing figures are averages of all grades of earners.

During the year 1918 the annual average earnings of the mine workers were as follows:

Surface men	.....\$1,040
Underground laborers	..... 1,060
Miners	..... 1,710

For all classes of employees the average annual earnings were \$1,225. No

wages of officials or salaried men are included in these averages.

The average annual earnings of skilled miners employed by the coal companies have been as follows:

1918	.....\$1,710
1919	..... 1,765
1920	..... 1,985
1921	..... 1,775

RECOVERING FROM INJURY.
Walter Pedersen, of Glen Falls, the local florist who met with a serious injury to one of his feet and legs a few weeks ago when he precipitated from a high balcony at the outside of his home, is slowly recovering the use of his limb. In saving himself from a fearful impact in which his whole body might have been broken, Mr. Pedersen alighted on one leg, crushing the bones and muscles of the heel and causing general dislocation of the ligaments. It was a most painful and crippling result, but now the hope is that he will soon be able to walk again.

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