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ESTIMATE AT NOON DRY MAJORITY OF 200,000 Ottawa Says Ontario Cannot Be Bone-Dry Before July First

CANNOT COMPEL THIS PAYMENT JUDGE DECLARES

Important Judgment is Handed Down by Judge Willis in Division Court
AN INSURANCE CASE
Action to Recover Money After Premiums Had Been Sent in to Company

Judge Willis handed down today his judgment in the action brought in Division Court by Mr. H. F. Ketcheson against Mr. James Lynch. It was with reference to insurance. Judge Willis says:

"The defendant has had the insurance. The plaintiff has remitted the premiums to the insurance company and in all fairness I should think that the defendant, James Lynch, would desire to pay the same. I cannot compel him. He must do so voluntarily."

"I therefore direct a non-suit to be entered herein without costs."

The text of the judgment follows:

The case is one of considerable importance to the insurance agents doing business with insurers, as well as of much interest to the community. The facts are that the defendant obtained a policy of insurance on a truck for \$500.00 in May, 1918, from the plaintiff and paid him the amount of the premium for the year ensuing. Just before the end of the first year the plaintiff sent a renewal of or new policy to the defendant to renew the policy if he did not require it. He did not receive any payment for said premium or any word from the defendant as to acceptance or non-acceptance, the defendant claiming that he paid no attention to any insurance paper received and must have destroyed it by throwing it away as waste paper.

It does not like this attitude of the defendant. It seems to me unreasonable upon his part to have treated the papers sent to him as he did. It would appear to me that as a matter of courtesy he would have acted otherwise. We cannot determine matters upon the principles of courtesy where either of the parties seem to be oblivious of the same as the defendant appears in this case. The question arises, was he legally required to do any act which he failed to do? Upon considering the authorities cited and the general principles of the law governing contracts, I am compelled to follow what seems to be settled law in this case:

What the Law Says
"Where in an action upon a contract the plaintiff's case consists of the proof of a proposal with the presumption of assent thereto arising from the silence of the defendant, no legal inference of a contract can arise out of such silence, without evidence of a duty to speak on the part of the defendant which was neglected to the plaintiff's harm."

Again: "The acceptance must be signified by some act. The delay of the insurer in accepting or rejecting the proposals for insurance does not take the place of assent." And

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DRY MAJORITY HERE 273; AN ANALYSIS OF VOTING

Lead of Prohibitionists in 1919 Not Maintained for Several Reasons—Comparison With Other Votes—Women Were Tireless—Advance Poll Wet by 11 to 1.

Belleville voted dry in Monday's referendum on the question of prohibition of the importation into the province of liquor, the majority being 273. The total vote registered was 4543, of which 2135 ballots were cast "no" and 2408 "yes."

In the 1919 referendum 5291 votes were cast in Belleville on one of the four questions. On the fourth question on that date relating to Government sale of liquor the vote stood 1974 in favor and 3248 against. Yesterday the wets in excess of their lead materially from the fact that the last loophole was being closed, and the dry forces dropped back considerably—numbers not voting, because the country is beginning to get away from the memories of the old time bar. The difference in the vote indicates clearly the difference of attitude toward the various issues.

The local option vote taken in Belleville in January 1918 stood 1218 for and 1185 against a majority of 33 for the wets with a close margin of 30 votes.

The opposing forces in Belleville worked their hardest throughout the entire voting day. Motors were in demand throughout the day to carry voters to the polls.

Much of the vote of the "drys" was due to the indefatigable women workers.

Reports from the city polls last evening were tabulated at the Y.M.C.A. returns commencing to come in shortly after 6.15 o'clock. Early results showed that there was a possibility of a close vote in Belleville. By the time half of the reports were in, the victory of the dry forces was evident.

An examination of the results is interesting. The wettest poll in Belleville was the advance poll on Station street where the ratio was 11 to 1 for prohibition, while Samson ward gave a small lead to the drys, Ketcheson ward was emphatic with its "yes" to prohibition.

Baldwin gave fifty to the "drys" but the western part of the ward went decidedly wet with 197 to 39. The residential section of Baldwin Ward eliminated this liquor lead.

Figures from Bleeker Ward show the solidity of opinion favoring importation 362 to 132, almost three to one. Bleeker No. 8 was 208 to 62. The dry voters were in the minority in Coleman Ward by 13 votes.

Murney Ward saved the day for the "drys." This huge ward registered 1212 votes, 763 of these going into the dry and 444 into the wet column. The dry majority in the western ward was 324. In no part of this division of the city did

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"NO SURPRISE," SAYS HEAD OF DOMINION ALLIANCE HERE

"The result is no surprise to the Alliance," said Mr. D. V. Sinclair, president of the Ontario Branch of the Dominion Alliance, to The Ontario this morning, discussing yesterday's vote. "We were not optimistic enough to expect we would have anything like the vote of the form or referendum, the issue being so entirely different. We also realize the organized efforts of various activities such as the Citizens' Liberty League and see the effects of their work in

the larger centres. But we always felt the rural districts would stand by temperance and prohibition and give us just the kind of a vote we had yesterday.

"The vote is simply along the lines of the Dominion Alliance plan which is the total prohibition of manufacture, sale and importation of liquor into the country. We believe that in a short time the people of Canada will be asked to vote on the question of the total prohibition of the liquor traffic."

AN ULTIMATUM TO THE HUN

PARIS, April 19.—The Allied Reparation Commission announced today that it had given Germany until April 22 to transfer gold holdings of the Reichsbank, the German Imperial Bank, to the Coblenz and Cologne branches of the bank. If Germany refuses to comply with the ultimatum of the commission, it states, will require immediate delivery of the gold to the commission itself.

In the event of the transfer of gold to the branches named the sum may continue to figure as part of the balance of the Reichsbank, the commission explains, but the German government would have no right to dispose of it without obtaining previous authority from the commission to do so.

SOME DETAILS OF THE VOTE

Results of the vote in various centres:

Area	No	Yes
West Hastings	118	232
East Northumberland, 5000 dry maj.		
Campbellford, 481 dry maj.		
Deseronto, 26 dry maj.		
Tweed	340	376
Napanee	390	213
Bancroft	750	221
Stirling	102	377
Avondale	42	179
Gilbert's	4	146
Wallbridge	32	179
Madoc	90	351
Exoboro	55	152
Zion's Hill, 103 dry maj.		
Shannonville	52	122
Huntingdon twp, 499 dry maj.		
Madoc, twp. over 500 dry maj.		
Rednersville	75	117
Rosmore	31	119
Pictou	343	1518
Bloomfield	29	310
Wellington	79	363
Prince Edward Co, 5000 dry maj.		
Melrose went dry by a large majority. Marysville "noes" had the		

BELLEVILLE ALDERMEN PUT SELVES IN SALARIED CLASS AT \$3 "PER."

"Debate" in Council Lasts Through Stormy Three-Quarters of an Hour—Names of Those Voting for and Against Payment to Selves and What They Had to Say.

After a stormy three quarters of an hour, Belleville aldermen last night put themselves in the salaried class and will be paid three dollars for every regular committee and council meeting.

Mayor Hanna, Ald. Woodley, Trevorton, Fisher, Wensley and Adams voted for it and Ald. Bennett, Ostrom, Ballinger, French opposed. Ald. Ballinger was in the chair and said he was put there to deprive him of his vote.

Ald. Bennett opened the battle when the recommendation came up: "I would move that that be read the first of January, 1922." (Applause from the spectators.) "This had been a bugbear since the first of the year," he said. "When he offered himself he knew of no such law as allowed pay. He was willing to serve. The other aldermen knew of the law. If those men wanted pay, why did they not get upon the platform and say, 'I want pay for my services.' No, they take advantage of the statute now."

Bennett Won't Take It.
"Gentlemen, I don't want it. I want you to understand that. I won't take advantage of this."
"Three dollars a meeting is less than a workman gets on the street. I'm not kicking on the amount. I don't say it is too much. It is the principle."
Ald. Ostrom: "I don't think the boys here are very serious about it. I can't believe they want pay."
Ald. Fisher's Defence of Action.
"Ald. Fisher thought every member of council was very sincere. If he had known there was such a law,

he would at the first of the year have favored remuneration of the aldermen. Ald. Fisher thought there was no taking of advantage. "I feel that Mr. Bennett doesn't earn it. If I felt like him, I would not take it."
"If it does go through the people don't want something for nothing."
Ald. Fisher called it only a bagatelle. "I think I'm earning my three dollars here. I am sincere in taking it."
"I am opposed to the recommendation because I did not seek election for that purpose," said Ald. Ballinger. "We are just the servants of the people. Can you think of servants voting themselves money? It is undemocratic."
Give It to Hospital.
"I did not know the law was on the statute books," said Ald. Woodley. "If I had, I would have stood on the platform and spoken in favor of it." He showed how the mayor of the city was chased for subscriptions. "I don't allow anybody to abuse me. If anybody does, I step on him quick."
Ald. Woodley said he knew of a

PRESS OTTAWA FOR LAW TO MAKE CANADA DRY

Referendum Committee at Toronto Claims 200,000 Majority in Yesterday's Vote—Dr. Grant, Prohibition Leader, Says Dominion Will be Dry Within 5 Years.

"OTTAWA, April 19.—That, unless exceptional speed was shown by the Ontario Returning Officers, in forwarding the official returns it would be nearly two months before the order-in-council giving the effect to the bone-dry vote of yesterday could be passed, was the opinion expressed this morning by Department of State officials.

In any event Ontario cannot be actually bone-dry before July first, at the earliest.
ACTUAL MAJORITY NOW 140,000
TORONTO, April 19.—Returns received by the Dominion Alliance up to mid-day today show a sweeping "dry" majority. Almost every county in the Province has given a "yes" majority and thirteen of the twenty-four cities of the province have voted to prohibit the importation of liquor. The aggregate majority so far compiled is about 140,000 and according to Rev. Ben Spence, secretary of the alliance, will reach or exceed two hundred thousand, when the full returns are in.

Incomplete returns for Toronto show a wet majority of approximately five thousand.

TORONTO, April 19.—To press the Federal Government immediately for measures prohibiting the manufacture of intoxicating liquor in Canada, will now be the objective of the Ontario Referendum Committee, according to a statement this morning by Rev. Dr. A. Grant, Secretary.

Dr. Grant declared that Ontario having voted yesterday by a majority of two hundred thousand, which is the estimate of the prohibition forces, to prevent the importation of liquor into the province, and having already made the sale within the province illegal, could not logically or morally continue the manufacture for export to other provinces or to the United States.

In the opinion of Dr. Grant and other prohibition leaders, all Canada will be dry with the manufacture sale or importation prohibited, within the next five years.

Figures Still Incomplete.
With the referendum figures far from complete, sufficient returns had been received from "pots" all over the province early today to enable the Referendum Committee to announce that they were confident of a "dry" majority of 200,000 and the Rev. A. S. Grant, who had charge of the campaign, made the confident declaration that the majority will have been increased to over that figure. While this majority falls short of the 400,000 victory which the temperance forces scored during the referendum of 1919, a part of falling off would appear to be due to fact that the vote was much smaller than during the provincial election campaign, but at the same time it is sufficiently strong to let Ontario know that the popular opinion of the citizens is against the importation of liquor from other provinces.

An analysis of the latest available figures given out by the Referendum Committee and the Dominion Alliance shows that it was pretty certain the larger cities would go wet and that much of the balance of the province would vote dry.

That is practically what occurred, as there were twelve of the larger cities which declared in favor of continued importation, while the smaller cities and the bulk of the towns, villages and rural municipalities gave overwhelming votes in favor of strict prohibition. The cities voting wet were Toronto, which showed a majority around 5,000; Fort William, Brockville, Port Ar-

thur, Kitchener, Ottawa, Hamilton, Kingston, St. Catharines, Welland, Windsor, Sault Ste. Marie, North West Wet.

From what can be learned from the incomplete figures available, Ontario saw a fairly marked cleavage of opinion between Old Ontario and the northern districts. Three of the cities which went wet were in north, while the wet vote in practically every town, village and rural constituency heard from in that section of never Ontario north of a line drawn from Ottawa to Sault Ste. Marie, doubled or tripled the dry votes.

Apart from the Northern Ontario districts, there were two other sections of the province which appeared to be clinging rather firmly to the belief that importation of liquors should be continued. Those districts were the border around Windsor, and the section of Eastern Ontario near the Quebec line. While Windsor and Walkerville both went wet in unmistakable manner, it is interesting to note that the balance of Essex voted dry. Along the St. Lawrence River as far west as Cornwall, the opinion seemed to be that it would be most unfortunate to live so close to the wet Province of Quebec and still be unable to wet the throat occasionally with the liquors which are almost within sight and smell.

Ottawa Very Wet.
The City of Ottawa also seemed to be looking longingly across the river at Hull, but it remained for the far western city of Fort William to show what a real thirst looks like when it comes to the polls. Fort William doubtless claims a record, for the word went out last night that every poll in that centre registered a wet majority. Up to date no other city has been able to show a record approaching that.

So far as Toronto was concerned, it was a case of nip-and-tuck, for the reports wavered. In the early part of the count, as received at headquarters, it looked as though the wet majority would run into a score of thousands, but this was gradually hewed down.

WEDDING BELLS
Proverbs-Wartman Wedding.
A quiet wedding was solemnized on March 26th, at the home of Mr. and Mrs. T. E. Weekes, Scotia Block, Winnipeg, when Hattie Elizabeth, daughter of Mrs. Wartman and the late Franklin S. Wartman, Napanee, was united to William Ansel Proverbs, Belleville, Bardsdale, B. W. I. Canon Garton officiated. Immediately following the ceremony luncheon was served, after which Mr. and Mrs. Proverbs left for western points on a position until superannuation. Several years ago Mrs. Ritchey died. As active mentally as any man of 90 years could be, Mr. Ritchey is one whom all are delighted to meet when wishing to hear tales of other days. After a short honeymoon they will reside in Regina, Sask., where Mr. Proverbs is in the employ of the Dominion Bank.

34th Battery C. F. A. To Be Paid Tonight
A pay parade of the 34th Battery, C.F.A., will be held tonight (Tuesday 19th April, 1921) at the Armouries, at 7.30 p.m.
Men proposing to attend camp at Barrfield Camp June 13th to 18th will retain their uniforms; any men not attending the camp will turn in their uniforms and must present a clear receipt from Q.M.S. Sword, for them before pay can be drawn.