

DIVORCE COURT WILL HAVE FAIRLY LARGE DOCKET

Six Undeferred Cases to be Entered — Also Two Deferred Cases and McIntosh Case.

The January term of the New Brunswick Court of Divorce and Matrimonial Causes will open here on Tuesday next with Mr. Justice Crockett presiding. The docket is expected to contain six undefeferred cases and two deferred cases. There also is to be the unfinished case of McIntosh vs. McIntosh in which additional evidence is to be presented.

It is reported that one divorce action from the vicinity of Fredericton may be entered the wife who intends to be plaintiff residing near here but the husband having gone to the United States some time ago.

Docket About Usual Size.

The docket with eight cases will be about the same size as dockets of other terms in recent years.

Evidence From England.

The case of McIntosh vs. McIntosh in which a prominent physician of Hartland is being sued for divorce by his wife residing in England, was held open for additional evidence on the matter of alimony. When the evidence taken by commission in England was read in court it made the plaintiff state that she did not desire alimony although application had been made for such when the libel was filled. It was to explain this contradiction that additional evidence in England was required.

The defendant in the case some time ago was granted a divorce under the laws of the State of Maine and is now again married and living in Hartland with his wife.

City Affairs

Entertained at Bridge

Miss Betty Morrison entertained at bridge yesterday afternoon. The prize winners were Miss Margaret Chestnut and Miss Lucy Morrison. Mrs. C. W. Hall and Mrs. Richardson also entertained at bridge yesterday.

Late James S. Bailey.

The funeral of the late James S. Bailey took place this afternoon from his late home in Devon and was largely attended. Elder Jacques of the Pentecostal Mission conducted the service. Interment was made in the Rural Cemetery.

Hospital Aid Bridge

The Hospital Aid will hold their Annual Bridge on Tuesday afternoon at three o'clock in the Cathedral Memorial Hall. Salads will be served with other refreshments. Six beautiful prizes will be given. Tickets can be secured from members of the Hospital Aid at the Hall on Tuesday.

Bridge Parties

Mrs. A. T. Murchie entertained at a delightful bridge of seven tables at her home on George Street yesterday afternoon. The prize winners were Mrs. Sadie Coffyn, Mrs. Ray McGibbon and Mrs. Harold Walker. Mrs. Branscombe entertained the Friday Night Bridge Club at her home last night. The prizes were won by Mrs. H. W. Woods, Mrs. A. H. Green and Mrs. H. A. Green.

Died This Morning.

Miss Mary Ann Coyle a well known resident of Fredericton died at her home, 529 York street, this morning after a lingering illness. Surviving are three brothers Robert and James of Fredericton and Neill of Calais, Me., also one sister Mrs. James Dugan of this city. The funeral will take place Monday morning leaving the home at 3.30. High Mass will be celebrated by Very Rev. Dean Carney at nine o'clock at St. Dunstan's Church. Interment will be made in the Hermitage.

Reception to Debaters

The Alumnae and Ladies' Societies of the University of New Brunswick have extended an invitation to the members of the Fredericton U. N. B. Club, graduates and former students of the University, to attend a reception in honour of the visiting English debating team, to be given in the Memorial Building of the University Monday evening at 8.30 o'clock. The visiting debating team represents London, Cambridge and Oxford universities. They debate the Saint John Law School at Saint John tonight and will debate the University of N. B. team at the Opera House Tuesday night.

VERDICT OF \$2,491.48 FOR PLAINTIFF IN SUIT, MUNRO VS. PINDER LUMBER COMPANY

Jury Out Hour and a Quarter — Questions Given by Court All Answered in Affirmative — Double Stumpage Amount for Fraudulent Cutting—Counsel for Defence Asks for Stay of Proceedings—Address Presented to Mr. Justice Byrne by Jury.

The case of Segee Munro vs. Pinder Lumber and Milling Company which was tried before Mr. Justice Byrne and a jury in the Court of King's Bench was decided in favor of the plaintiff the jury bringing in a verdict after being out an hour and a quarter. The total sum found for the plaintiff as damages was \$2,491.48.

Immediately after the verdict was brought J. J. F. Winslow, K. C., for the defendant company applied for stay of proceedings. P. J. Hughes, K. C., counsel for the plaintiff had left the court in the meantime and consent for a stay could not be obtained. Application before the court in Saint John is understood to be the next move.

This suit which was for trespass upon lumber lands in the western part of York County, was tried previously but ended in favor of the defendant. A new trial was ordered on appeal.

The case began last Tuesday and ended Friday night and was one of the longest heard here in some time. Expert evidence was given by surveyors and others in addition to the evidence of the parties concerned and people acquainted with the locality.

Addresses to His Honor.

A feature of the case was the presentation of an address to Mr. Justice Byrne on the part of the jury. Foreman Parker H. Currier acting for the jury. The address extended congratulations to His Honor and commented upon the fact that he was holding his first court in York County.

Mr. Justice Byrne replied to the address thanking the jurymen for their kind expression of regard.

The Jury.

The jury which tried the case was composed of the following;—Parker H. Currier, Foreman, Fredericton; Frank Lingley, Fredericton; Norman Hildebrand, Douglas; Oscar Morris,

Lake George; James Miller, Marysville; Hazen Everett, Kingsclear; Edward McLellan, Centerbury.

Answers to Questions.

The questions which the jury was requested by the Court to answer and the answers brought in were as follows:—

1. Did the defendants by themselves, their servants or agents enter upon the lot of land described in the deed of the New Brunswick & Nova Scotia Land Co. to Alexander Munro and cut and carry away logs, timber and trees standing and being on said lot and convert same to their own use? Answer, "Yes".

2. If so, was such cutting done on lot described in said deed that is to say between the Queensbury Parish Line and the Caverhill Road so called on the gore lot of land lying in the Parish of Queensbury between the rear of the river grants and the Caverhill Settlement lots? Answer, "Yes".

3. Was the lot of land that is described as lying in the Parish of Queensbury and on which the cutting was done, if any, part of the land bought by Alexander Munro from the New Brunswick and Nova Scotia Land Company? Answer, "Yes".

4. At what amount do you assess the damage?

Answer—
Stumpage 114M. 574 sup. ft @ \$10 per M. \$1,145.74
Damage to property by cutting roads 200.00
Damage by fraudulent cutting 1,145.74

Total \$2,491.48

Questions by Defence.

Questions submitted by J. J. F. Winslow, K. C., counsel for the defence were answered as follows:—

1. Did the defendant by its agents and servants in season of 1922 and (Continued on Page Five.)

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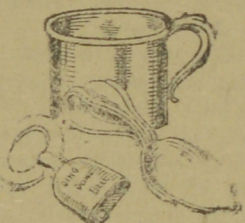
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