

## DELAY IN WESTERLY DECISION

District Court Judge Not Satisfied at First With Assignee and Imperfect Statement in Burdick Poor Debtor's Oath Case—State Receivers Call For 4,815 Unskilled Men—Rev. Peter McOscar in Town from Atlanta—Beach Meeting of D. A. R. Chapter.

The application of Amos S. Burdick to be admitted to take the poor debtor's oath, is the first of its kind brought to the Third District court, and according to the rulings of Judge Oliver H. Williams, the travel is over a road of legal obstruction, and has not yet been decided. When the application first came to the court a month ago, and after a week's consideration, Judge Williams declared that he could see no reason why Burdick should not be permitted to take the poor debtor's oath, but that he would reserve final decision for a week, so that legal formalities might be complied with, and that he held in reservation his right to change his opinion if circumstances in the meantime warranted. Later, when Judge Herbert W. Rathbun, counsel for Burdick, appeared in court in behalf of the application, he was told that before the application could be granted formal assignment must be made and an assignee named, while the counsel was of impression that these things were to be done after favorable action was taken on the application.

At the hearing evidence was introduced to show that Burdick who is a teamster and jitney driver, held an equity in the property he possessed as it was mortgaged for considerably more than its value. Deputy Sheriff Frederick T. Mitchell was named as assignee but the court objected to the appointment of a court official, and the sheriff objected personally. The case was continued.

At Friday's session of the court after the reading of the docket, and the continuation of cases thereon, the application of Burdick was continued. Judge Rathbun presented a written assignment, in which Burdick assigned all his property, real and personal, to George Champlin, as assignee. Judge Williams stated the assignment was lacking as the property was not enumerated. Judge Rathbun declared the assignment was drawn in the language of the statute, and that Burdick had no property to enumerate.

Judge Williams declared that Burdick admitted that he had property in his possession, and that the assignment presented was not what the law expected and required. Burdick should come into court with an assignment that would state just what property he possessed. This he has not done and is not acting in good faith. Judge Rathbun said that so far as the matter under consideration was concerned his client had acted under the advice of his attorney, and surely there was no intention to act in bad faith with the court.

Judge Williams declared that he would not allow Burdick or anyone else to trifle with the court. When Judge Rathbun attempted to explain the court interrupted, and said that the attorney for Burdick had always treated the court with courtesy and respect, but that the client had abused the good will of the attorney, and did so abuse the court. He is not acting in good faith, and the court wants him to set forth in the assignment just what property he possesses, and just exactly what he assigns. Burdick has the right to take the poor debtor's oath to protect himself, but he must come to the court in good faith. He has not placed himself before the court as in good faith.

Continuing, Judge Williams said that while George Champlin named as assignee, was a competent man for the place, he was closely connected in a business way with Burdick. The as-

signee ought to be a man familiar with the business in which Burdick is engaged, but ought not to be a man who has close business connection with Burdick. He said it was a strange situation, difficult to parallel, where a man possessed and operated about \$2000 worth of property and owns nothing therein.

Judge Williams said he would not give a decision but would give opportunity to counsel for Burdick to file an assignment along the line indicated, and to name some other person than Mr. Champlin as assignee. Judge Rathbun said these requirements could be met within an hour. To this Judge Williams replied there was no need for such rapidity, and that he would be ready for the receipt of the papers at any time, and that he could act upon them without an open session of the court.

Subsequently Judge Rathbun filed an assignment as required by the court, in which John T. Edmond was named as assignee. This was satisfactory to Judge Williams, who will probably render his decision at next Friday's session of the court.

The application was brought as a result of a judgment several months ago given in a suit of Lida Thomas against Burdick, to recover \$500 in damages for injuries received by being struck with an automobile operated by Burdick. When writ was about to be served upon him Burdick made the application in which he set forth that he had no property, could not pay for his board in jail or pay the jail expenses. Should decision be against him he would have to go to jail and application then he made while imprisoned. In that event, and with judgment again against him, he would have to stay there at the expense of the plaintiff.

Director E. A. Burlingame has received an order to raise for war work in Rhode Island 4,815 unskilled men. Mr. Burlingame says that the community labor boards would have the problem of raising quotas in their respective districts from the non-essential industries, and that boards are to be established throughout the state. The order is as follows:

### Local Laocoon.

The town council will be in session Monday.

Miss Grace P. Saunders of East Orange, N. J., is a visitor in Westerly.

Rev. Joseph L. Peacock will preach Sunday evening in the Advent church.

George W. King of Holyoke, Mass., formerly of Westerly, is here on a visit.

Miss Phyllis Clapp of Westerly, graduate of Lawrence hospital, New London, now serving as a Red Cross nurse, is stationed at Camp Gordon, Atlanta.

At the meeting of Phebe Greene Ward chapter, D. A. R., held Thursday afternoon at the Pleasant View cottage of Mrs. Henry C. Greene, a paper prepared by Miss Mabel Bragg of Providence was read by Mrs. Elsie C. Burdick, title, "England, Her Awakening, and Lloyd George."

Rev. Peter McOscar, for the past

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four years pastor of Sacred Heart church at Atlanta, Ga. is the guest of Rev. Laurence J. Keleidy pastor of the Church of the Immaculate Conception. Before going to Atlanta, Father McOscar was pastor of the Church of the Immaculate Conception for ten years and was succeeded by Father Keleidy.

### GALES FERRY

Busy Session of Red Cross Workers—Juniors Meet at Schoolhouse—The Week's Arrivals.

Thursday afternoon the Red Cross auxiliary met at the home of Mrs. Walter M. Buckingham. The work was the making of hospital shirts and slings.

Browns Crossing Guests. Miss E. M. Johnson and Miss R. B. Case of Jamaica, L. I. are guests of Mr. and Mrs. S. A. Cook at Applecroft cottage, Browns Crossing.

Mr. and Mrs. Rainford Collins and children of Waterbury have been recent visitors with relatives at Allyn's Point.

Mr. and Mrs. Frank Menefee and children of Atlantic, Mass., are being entertained at the home of Mr. and Mrs. E. V. Brewer at Brown's Crossing.

Mr. and Mrs. Arthur Patterson, also of Brown's Crossing, had a guest for the week end Mr. Patterson's mother, Mrs. Patterson, of Middletown. Mr. Patterson is one of the Y. M. C. A. secretaries at the submarine base.

Visiting in Franklin. Mrs. Ellen Stoddard of the village has gone to Franklin to spend some days at the home of Mr. and Mrs. Ernest Everett Smith.

Mrs. Harriet F. Crandall was entertained Saturday at the home of Mrs. F. S. Camp of Norwich.

Juniors Meet. The Tuesday afternoon meeting of the Junior Red Cross was held at the schoolhouse with Miss Grace A. Chapman directress.

### STONINGTON

Name of Big Shipyard Company to Be Changed—Westerly Preacher to Determine Kaiser's Future State.

The shipyard with a long name, the Stonington Ship Construction and Trading company, is soon to be the Fulton Shipbuilding corporation. As soon as legal obstacles are removed and the name formally changed there is to be a flag raising and general celebration.

Stonington Pointers. Dr. and Mrs. Frank L. Henderson of St. Louis are guests of Rev. and Mrs. George B. Spaulding at Quanauduck.

Mr. and Mrs. Albert G. Randall and daughter of New Rochelle are at the home of Mr. and Mrs. Henry A. Muller.

Rev. W. R. Lichtman of Westerly will give an address in Borough hall Sunday evening on the subject "If the Kaiser Should Die Today, Where Would He Be Tomorrow?"

### MYSTIC

Village to Have New Christian Science Church—State Guardsmen Going to Camp Locke Today—W. C. T. U. Meeting—News in General.

A Christian Science church is to be established in the village and when completed will be one of the most attractive buildings here. The location is in Gravel street, between the Masonic temple and Max Bennett's house. A very old house is to be remodeled and the work was begun Friday by Contractor Eccleston. There will be many changes on the grounds. There are many Scientists in Mystic, Stonington and Noank.

Home from Vacation. Rev. and Mrs. A. H. Barrington have returned from a month's vacation spent in Boston and vicinity. Mr. Barrington will officiate at St. Mark's Episcopal church Sunday.

At Methodist Church. There will be services at the Methodist church on Sunday morning but no Sunday school or evening services will be held.

Going to Camp Locke. The men called into camp from the State guard of Mystic are Col. Percy Morgan, Chaplain (Rev.) A. F. Earnshaw, Capt. Walter T. Fish, Capt. Palmer Brown, Fred Colby, L. E. Kennedy, Clyde Hursey, Dr. Kirkland Stillman. These men will report at Camp Locke, Natick, this (Saturday) afternoon at 4 o'clock.

W. C. T. U. Meeting. The W. C. T. U. held a parlor meeting Wednesday afternoon at the home of Mrs. William W. Crandall on Lincoln avenue. One new member was taken into the union. The program included: Extracts from our Washington letter, Miss Clara Murphy, Prohibition in the District of Columbia.

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To Supply Pulpit. Mrs. Walter Knight and Miss Goldie Hancock were in New London Thursday to attend the funeral of Miss Baye Benjamin.

Mrs. Margaret Reed, who has been taking a special training course in a hospital in New York, is the guest of her sister, Mrs. Ernest A. Biven.

Rev. Edward Chapman of New London will occupy the pulpit of the Congregational church Sunday morning in the absence of the pastor, Rev. A. F. Earnshaw, who will be in camp at Natick Sunday.

Social and Personal. Mrs. T. F. Cooney of Flatbush is the guest of Mrs. D. H. Gilligan.

Mrs. T. F. Cooney of Flatbush is the guest of Mrs. D. H. Gilligan. Lieut. Carl Bradley left for Dayton aviation camp after spending ten days with his parents, Mr. and Mrs. Robert D. Bradley.

Mrs. George Sherburne has received word of the safe arrival of her husband in France.

Mr. and Mrs. Robert Clift of Port Chester, N. Y. are guests of Mr. and Mrs. Charles Dodge.

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and \$25 was cleared. Miss Bernice Hall of Ellington is spending three weeks' vacation with her sister, Mrs. J. R. Lee.

Mrs. Andrew Anderson is entertaining her sister and two children from New Haven.

Miss Hattie Hawkins has returned after spending several weeks in Norwalk and Westport.

Mrs. Arthur S. Wood with her son from Short Beach is visiting her parents, Mr. and Mrs. W. B. Hawkins.

Rev. and Mrs. H. M. Bartlett of Salem, Mass., have been visiting the latter's brother, G. H. Storrs.

Mr. and Mrs. T. B. Beach of Hartford were over Sunday guests of Mr. and Mrs. J. N. Walbridge.

Church Closed During Pastor's Vacation—Local Boy Goes to Camp Devens.

Rev. W. J. Reynolds is to take his vacation the first two Sundays in August and the church will be closed.

Mr. and Mrs. Charles Albonest and son Charles of New Haven have been visitors at Mrs. Edward Pratt's.

Mrs. Eunice Wood of Trenton, N. J. is with her parents, Mr. and Mrs. Frank Knight, for a visit.

Perfectly Simple. It's all perfectly simple. Instead of permitting the war to drag on another two years, Hindenburg is going to finish it up in a single battle lasting not more than 48 months.—New York Post.

Looking Forward. Something must be found for the German propagandists to do after the war, and we imagine the speech industry will be somewhat overcrowded for a time.—Ohio State Journal.



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