

# WAR-TORN DIGGER SHOULDERS STAGGERING BURDEN OF DEBT

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## DIVORCED BY WIFE, BUT CARED FOR HER IN ILLNESS AND RESPECTED HER IN DEATH

*WAR* smashed Sam Bortzell's body, robbed him of one leg, poisoned the other, doomed him to shuffle by in the agony that only the war-torn heroes know. But it did not destroy his soul, nor steal from him his spirit and his open-hearted generosity.

THAT he sinned and that his wife divorced him in 1928 because of that sinning, doesn't matter now. He went back and cared for her in a mortal illness, sat by her side through tiresome days and sleepless nights till Death at last touched her hand—and then paid tribute to her memory in the marble of a tombstone.



**D**IVORCED and left to go his own way — as was shown in the Divorce Court the other day—that's exactly what Sam Bortzell did. And

by such thought and kindness, he wiped clean the slate, squared up his account with the woman, Mrs. Eileen Theresa May Bortzell, and took upon himself a burden that staggers him to this very day.

**A** WALL of debt stands before Sam Bortzell, a wall he is fighting desperately to surmount. He itemised each amount for the Judge in Divorce,

what he might have done, no matter how he may have wooed the second, she never successfully replaced the first in his mind.

Still, Sam had gone too far—and Eileen divorced him, running up the bill which he was duly ordered to pay. That was years ago.

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The Bortzells went their separate ways, though Sam never lost sight of the woman who once had been everything to him, for towards the end of 1929 he learned that she was seriously ill; and, much concerned, went to see her, to discover then that the dread tuberculosis had taken hold of her, and that she was not long for this world.

From that time on, till she passed away in March, 1931, he made her care a charge upon himself—supported her entirely, and paid her medical expenses. And



**MR. WHIDDON:** Here's some real nourishment for you!

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Mr. Justice Boyce, last week when he made application under the Moratorium Act for a respite in payment of costs to his dead wife's solicitors, and showed how he is struggling to meet his creditors and pay his liabilities, many of them incurred as expenses following his wife's illness and death. What he did, he did for her.

First there is a bill of £43 2s 6d, the costs of his wife's divorce suit against him, which he is legally liable to pay her legal advisers, Messrs. Waddell, Davies and Sharpe, because Mr. Justice Davidson, who granted Mrs. Bortzell her freedom, following the rule of the court, ordered him to pay the costs. It was on this that Bortzell applied for a moratorium—incidentally, the first application of its kind made in the divorce jurisdiction.

And it was in asking for time to pay and offering 7/6 a fortnight that Bortzell showed how he had shouldered a burden and carried out a kindness even though he was not responsible—legally—because when the decree had been made absolute in March, 1929, Eileen Bortzell no longer was his wife, and there was no further necessity for him to do anything for her at all.

Another love broke up the Digger's home—he met another girl, and, so the wife alleged, became all too friendly with her. Hence the divorce proceedings. Yet, it is obvious now that no matter

when she died, he went to live with her parents to support them as well as his child.

Yet, what did he do, and how did he do it? The list prepared for the judge speaks volumes for the open-hearted generosity of the Digger, who, besides losing one leg, had the other poisoned on barbed wire in France, so his solicitor, Mr. W. B. Thompson, told the judge

barbed wire in France, so his solicitor, Mr. W. R. Thomson, told the judge.

Because of his injury, Bortzell drives a lift in a big city building and receives a salary of £8 12s a fortnight, besides a pension for war injuries amounting to £4 a fortnight.

"I have no other income and I have no assets of any kind," Bortzell stated on affidavit.

Yet, it was out of this that he magnanimously took upon himself the task of seeing that his wife was properly looked after in life, and her grave respectfully tended in death.

**Bortzell took on all the debts— and now he's paying for them. For instance, 13/4 a fortnight goes to reduce a debt of £5 undertaken to pay medical expenses for his wife. An amount of £3 remains to be paid.**

Then, he is also paying 10s a fortnight to Wood, Coffill and Co., funeral directors, for funeral expenses—the original debt was £30—and 10s a fortnight goes to F. Arnold and Sons for a tombstone for his wife's grave, the stone having cost £30 8s, while there is £3 3s to be paid.

Bortzell is also paying 10s a fortnight to Taubman's, Ltd., in reduction of a debt of £32 10s, incurred when he painted and repaired the house in which his late wife's parents now live.

Besides these amounts, he is also paying 10s. a fortnight to Callaghan and

Son to liquidate a debt incurred when he bought clothing for his child. An amount of £4 remains to be paid, while he pays another 10s. a fortnight to Bowen's, the balance being £6.

The Advance Cash Order Company gets another 10s. a week, with £3 3s. remaining to be paid, and besides these he pays £3 a fortnight board for him.

remaining to be paid, and besides these he pays £3 a fortnight board for himself and £2 6s. a fortnight for his child the total payments being £8 19s. 4d., leaving a balance of £3 12s 8d. upon which he supports himself and child.

"I have received," Bortzell stated, "an assessment for unemployment relief Tax amounting to about £13, which must be paid or some terms arranged."

Furthermore, he is endeavoring to pay off a small account incurred by the wife with the Workers' Cash Order Company, and he says he has arranged to pay this off at the rate of 10s. a fortnight.

Mr. Sharpe, who appeared for the creditor legal firm, made a suggestion to the judge, but finally it was decided that payment be deferred so long as Bortzell pays 12/6 a fortnight off the debt for three months, after which he is to pay 15/- a fortnight.

**Bortzell is left to it now.  
Yes, the Age of Chivalry is not dead.**