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Woman vows to fight bank in courts

An Elmsley St. woman who hasn't made a mortgage payment since April is gearing up for a showdown with the Bank of Montreal. Jean Metcalfe refuses to leave her home and has enlisted the support of bank-fighter John Turmel, of Ottawa. Mr. Turmel who wears a white hard hat and calls himself "The Engineer," is an oft-time political candidate for the Christian Credit party and campaigns for the abolition of interest rates. His brother, Ray, ran in the Leeds-Grenville federal by-election last month. Mrs. Metcalfe and Mr. Turmel are trying to charge the bank manager with keeping a common gaming house and genocide. The first charge is to be laid because a mortgage is a gamble and the second because interest charges "deliberately inflicts on the group conditions of life calculated to bring about its physical destruction" Mr. Turmel says in a sworn affidavit which is to be part of the civil proceeding in Perth this Friday.

The civil action, in the Supreme Court of Ontario, is a motion by Mrs. Metcalfe to stop the bank's foreclosure process on the grounds that it is "frivolous in that it's physically impossible to exact more monetary units than were created by the loan." That is a cornerstone of Turmel doctrine -- that people should only have to pay back as much money as they borrowed. Paul Howard, the bank's lawyer, says the bank has "bent over backwards trying to work something out." They went power of sale (a process whereby the mortgagee can take back property if the mortgage isn't paid) in August but have been holding back to allow Mrs. Metcalfe time to find a solution. At one point, they thought she might be able to come up with some money. Another time, Lanark MP Paul Dick requested that the bank wait until the Central Mortgage and Housing could look at the case. She was supposed to be out by Friday but then she and Mr. Turmel filed the court application and the bank is at a standstill again. The bank does have the power to have Mrs. Metcalfe evicted, Mr. Howard noted. Mrs. Metcalfe says she feels confident the bank won't evict her as long as the case is before the courts. "If the court throws this out on Friday, we're just going to lay another charge and go to a higher court. The judges at the top will be the ones who evict us. They'll be the ones to kill us."

Mrs. Metcalfe and a companion, Diane Elder, claim to have a rare sickness known as Total Allergy Syndrome. She says she's allergic to the twentieth century. She couldn't live in an ordinary house because synthetic fibers, such as those found in furniture and floor coverings, make her violently ill, she says. During an interview with a reporter from the Record News, she opened a window because she says the smell of soap or aftershave made her ill. Medical authorities are divided on the existence of the syndrome. Many claim it is a neurosis and not a physical ailment.

On Monday afternoon, Mr. Turmel, Mrs. Metcalfe and others picketed the Bank of Montreal. A clip of the protest was shown on CJOH-TV. Mrs. Metcalfe says it would cost her more than \$1000 a month to renew her mortgage and that she has to stay in her house because it's specially equipped to cope with her illness. She hasn't been able to work for some time because of the illness and is on welfare. She quit making payments last spring because she didn't think paying interest was fair although she is more than willing to pay the principal, she says.

"Somebody has got to be a crusader for rights, even if it's got to be a sick woman." The bank manager should be put behind bars pending the case, Mrs. Metcalfe and Mr. Turmel have agreed. They plan to start legal action against Justice of the Peace Howard Stansel if he doesn't file the charges. John Turmel gets the credit for keeping her in her house, she says. "He's our knight in shining armor. I don't know much about him but I like what I see. Every day that John keeps me in this

house is one day less that I'll have to sleep in the park." Mr. Howard
says the public is the loser in this case. "Other people have to pay
higher rates because of actions like this."