

TECHNICALITY ENTERS FIRST BIGAMY CHARGE

News Briefs

CONDITION IMPROVING

Friends will be pleased to know that the condition of Miss Mary Forrest of this city, who was injured a few days ago when she slipped in getting into a car and fell to the running board, is much improved.

RESIDENT OF CORNHILL ILL

Charles B. Jones, Cornhill, an employee of the Farmers Co-Operative Dairy Co., this city, was taken seriously ill yesterday and had to be taken to his home. His many friends in Devon and Fredericton wish him a speedy recovery.

ELECTED AT U.N.B.

Gornley "Bill" Sherrick, Baccarres, Sask., was unanimously elected to represent the Junior Class on the Students' Representative Council, at a meeting which took place at the University of New Brunswick this morning. He replaces James Bragg of Newfoundland who was elected last year but did not return to college.

ONE CASE OF INFANTILE

One new case of infantile paralysis has been reported to the Department of Health, according to an official release issued at noon today. The case was reported from Saint John, and brings the total number of cases in the province up to 120.

ZONING COMMITTEE MET

The zoning committee of the town planning commission held a meeting in the City Hall last evening in connection with their work. The committee, which consists of Alderman W. R. Crewdson, chairman of the commission, City Engineer J. D. McKay and Kenneth Campbell, is expected to report to the commission at the meeting which is being held this evening.

Chief Justice Baxter Hands Down Three Judgments Today

Sitting alone this morning in the resumed sitting of the September session of the Court of Appeal of the New Brunswick Supreme Court, His Honor Chief Justice J. B. M. Baxter handed down decisions in three criminal appeals.

In the case of the King vs. Mrs. Annie Clark and the King vs. Charles Edward Roberts, the appeals were dismissed, while in the case of the King vs. Raymond Legere, the sentence imposed was reduced from three years to one. Judgments have now been delivered in all criminal cases which were on the docket.

Judgments in the three civil cases of Emily Gallant vs. John Neilson, Epiphane Belletier vs. Henry Akerley, and Dow Bishop vs. Chas. Coster will probably be made at the next sitting of the court, on Nov. 9, it was stated by H. Lester Smith, registrar of the Supreme Court.

Former Resident Passes On Island

Word was received here this morning of the death at Alberton, P.E.I., of William P. Keenan, formerly of this city. No particulars regarding the death have been received except that he evidently passed away during the night. The sad news was received by his wife, who with her daughter, Mrs. Gordon, formerly Miss Eileen Keenan, left for Alberton immediately upon receiving the news.

Mr. Keenan came to Fredericton about 25 years ago as manager for the P. B. Edgcombe Co. Ltd., and after severing his connection with that concern resided here for several years. During his residence in this city he made a large number of friends who will learn of his death with sincere regret.

Boy Improving After Being Gored By Bull Here On Sunday Last

Jackie Lyons, twelve-year-old son of Mr. and Mrs. James Lyons, Victoria Street, is showing some improvement following serious injuries received on Sunday when he was gored by a bull in a pasture at the back of the city.

The little boy was spitted on the horns of the beast and thrown high in the air with a deep wound torn in his abdomen, while he and some other children were feeding apples to the animals in the pasture.

The boy was rushed to his home and a physician hurried to his side. Eight stitches were necessary to close the wound which was of an extremely serious nature.

It is believed that the animal was scared by some of the other children.

TENDERS CALLED FOR NEW NELSON HOLLOW BRIDGE

New 6-Span Steel Viaduct to be 2,150 Feet In Length

Work to Start Soon

Replaces Covered Span; Cuts Out Dangerous Curve on Highway

A new bridge at Nelson Hollow, two miles this side of Doaktown on the new Fredericton-Newcastle highway, will be constructed this fall and winter to be ready for the summer traffic, it was learned today. Tenders for the new bridge are receivable up to five o'clock on Oct. 12.

The new bridge is a steel viaduct, with six steel spans, each 90 feet long. It will be supported by seven steel towers, approached by reinforced concrete spans on concrete trestle. The total length will be 2,150 feet.

Construction will begin as soon as the tender is awarded, it has been learned, and it is hoped that the substructure will be completed in time to erect the steel superstructure sometime this winter. Thus the bridge will be placed in operation in time for the heavy traffic next summer.

[Cuts Out Bad Curve]

The bridge will replace an old covered span located in a hollow in a curved and steeply graded section of the road, which will be cut out when the new highway is completed. Termed "one of the most dangerous spots between here and Newcastle", the steeply graded curve is especially dangerous in winter, when it is covered with ice.

The bridge is in a section of the new highway which is being constructed by the Canada Construction Company, Ltd. The steel viaduct is on a four per cent grade, and will carry the traffic from the top of one hill to the top of the other, thereby cutting out the dangerous grades which exist at present.

GEORGE A. COLTER DIED HERE TODAY

16-Year-Old Son of Ashley H. Colter Was In Last Year at High

Citizens generally will be shocked at the news of the sudden passing of George Albert Colter, son of Ashley H. Colter, of this city, which occurred at the Victoria Public Hospital this morning.

The deceased had been a patient of the hospital for the past four weeks and underwent an operation in the hospital, following which he contracted pneumonia.

A little over 16 years old, he was about to enter his last year at Fredericton High School. A promising athlete, he was a member of last year's football team and was also a member of the H.Y., a division of the Y.M.C.A.

Of a friendly and manly nature, he was one of the most popular members of the student body, and his passing will be mourned by a great circle of friends.

Beside his father, he is survived by one brother, Burton, and one sister, Shirley.

The funeral will take place on Sunday afternoon, with service at the home, "Frogmore" at 2.30. Rev. Dr. J. W. Bartlett will conduct the service. Interment will be made at the Rural Cemetery Extension.

Customs Returns Show An Increase Over Last Year

Customs returns at the Port of Fredericton for the month of September show an increase of \$9,018.63 over the return totals for the corresponding month last year, according to the official report issued this morning. The total amount collected during the past month was \$54,181.93.

Totals for the period from April 1 to the present date show collections of \$411,028, while that for the corresponding period last year was \$280,209.81, giving an increase of \$130,818.45 for the present year.

FINED IN POLICE COURT

One case of drunkenness appeared before Magistrate Limerick this morning. The accused pleaded guilty and was ordered to pay a fine of \$8 or spend 30 days in jail.

Defense Contends Officiating Minister Not Registered to Marry in New Brunswick

Crown Winds Up Case; Defense Asks Jury Be Instructed to Bring In Verdict "Not Guilty" on at Least One Charge; Dr. William Warwick and Widow of Rev. H. V. Bragdon Testify

Contending that Rev. Joseph E. Wilson, Woodstock, was not legally authorized to solemnize marriage in this province when he married Wilfred F. Phillips and Hildred Iris McLean in 1918, W. J. West, defense counsel in the case of The King vs. Wilfred F. Phillips, which is being tried before Mr. Justice C. D. Richards at the current sitting of the York County Circuit Court, asked that the jury be instructed to return a verdict of "not guilty" in at least one of the two charges of bigamy on which the accused is being tried.

Two witnesses were heard this morning. Dr. William Warwick, chief medical health officer for New Brunswick, and Mrs. Hedley V. Bragdon widow of the minister who officiated at the alleged bigamous second marriage, that was allegedly performed at Woodstock last July 1 between the accused and Miss Mabel K. McDonald.

The first witness to be called this morning was Dr. William Warwick, chief medical health officer for New Brunswick and registrar general of the provincial Dept. of Health. He was a prosecution witness.

Dr. Warwick, after stating that he was official custodian of marriage, birth and death records, testified that he had the record of the marriage of Wilfred F. Phillips and Mabel K. MacDonald in his possession. On being questioned by Hon. Dr. R. B. Hanson, defense counsel, the witness said that he did not know personally either of the parties of the marriage contract and that he did not recognize the handwriting. Dr. Hanson objected to the admission of the document as evidence on the grounds that until it was connected with the accused it could not be admitted.

Dr. Warwick then described the method of returning and filing certificates of births, deaths and marriages. On being questioned by the court, the witness testified that the document before the court was signed by N. K. Bull of the Parish of Woodstock, sub-deputy registrar of the health sub-district of Carleton County. He also stated that he had never seen Mr. Bull sign his name, but that he knew that the handwriting on the document in question corresponded with that on other documents he had received from Mr. Bull.

Mr. Justice Richards ordered the certificate admitted as evidence, subject to objections.

Made Corrections

Dr. Warwick, who had previously admitted on question of Dr. Hanson that he had made certain changes or amendments in the document, explained the nature and reason of these changes on being asked to do so by Mr. Justice Richards. These corrections he said, had to be made because of the lack of care of the individuals who fill out the documents. Dr. Warwick then read a section from the Health Act which authorizes him to make said changes.

Mr. Justice Richards then read the relevant parts of the document to the jury. In the reading, the confusion of names was visible, the clergyman having, it was supposed, attempted to spell the name "Phillips," and had done so incorrectly. The corrected name had been typed in at the office of the Department of Health, Dr. Warwick stated.

Defense Objects

W. J. West, associated counsel, objected to admission of birth certificate because it had not been identified with the accused, and because it was filed on January 7th of this year, obviously long after the birth of the accused. Dr. Warwick read a section of the Health Act which allowed him to register a birth which had occurred before 1929, and which had not previously been recorded.

Mr. West objected further, on the grounds that a birth certificate made out 40 years after a man's birth cannot state with a certainty the date of birth.

Mr. Justice Richards decided that the court could not accept the birth certificate as evidence.

After a ten minute recess, Mrs. Cassie Bragdon, widow of the late Rev. Hedley V. Bragdon, was called to the witness chair by the prosecution. The witness testified that she knew the accused, and that she saw him at her house a short time before the death of her husband on July 10, 1937. On question of Mr. Murray, the witness said that he was accompanied by two women.

Marriage Ceremony

She was told by her husband, she said, that one of the women was Miss MacDonald. Miss MacDonald and the accused were married by her husband, she stated, and she and the other woman witnessed the ceremony (The other woman was Mrs. Almira Davidson, North Devon, who testified yesterday afternoon).

(Continued on Page Five)

BIRDS PLENTIFUL AS SEASON OPENS PROVINCE TODAY

Partridge, Especially, Numerous, According to General Reports

Brant Protected

Fine Conditions Last Year Responsible For Large Number Birds

With the opening of the partridge and game bird season this morning, every indication of a good season is evidenced, according to general reports from all parts of the province. Partridge and woodcock are especially plentiful it is stated weather conditions last summer and winter having been ideal for the birds. Other game birds including ducks, geese, snipe and rails, are also being reported as plentiful.

Brant it is stated are also quite numerous, but are protected this year and the shooting of them prohibited. In regard to the partridge, which have always been a favourite game bird, it is reported from the upper section of the province that they are more numerous than they have been in years.

The plentiful number of birds is attributed to the fact that last summer, with its dry, warm, weather was most favourable to the hatching and rearing of the young birds, while the last winter was also kind to them.

There was little crust, which is one of the greatest enemies of the partridge. After a snowfall, the birds are often snowed in, it is stated, and when a crust forms the birds are entrapped in this way. The weather was also mild, but at the same time there were few thaws, which also take tolls among the birds when ice is formed and feeding conditions are thus made difficult.

The season on Partridge, both spruce and birch, will extend to the 31st of this month, and the bag limit has been set at six birds per day, and no more than 20 in any one season being allowed per license. Hungarian partridge are protected and may not be shot.

The migratory game birds which can be shot legally in this province (Continued on Page Five)

DR. TREVOR DAVIES CONDEMNS WORLDS NATIONALISM

Speaks on Closing Day of School of Theology Held Here

Protests Darwin

Dr. W. J. Falconer Concludes Series of Addresses on Parables

"Nationalism, if allowed to continue without being arrested, will tear the world to pieces and make the world of our children a hell," stated Dr. Trevor Davies in his lecture before the Theological School this morning. His address was the final one in a series dealing with the influence of literature on the Christian world, and the final lecture of the school, which completed its sessions this morning.

Rev. Dr. J. W. Falconer also lectured, giving his concluding address on "Recent Studies in the Parables." Other speakers were Rev. Dr. G. W. Watson, who led the devotional period, Rev. W. A. Burge, Rev. George Telford and Rev. J. F. McLean.

In his address, which emphasized the influence of the 19th century poets upon the world, the speaker stated that they had been a great medium to bring the world back to Christianity after the period of Darwin. These poets he stated, were voices raised in protest against the conception that the world was merely something of human making.

They had to think the matter out again, and again turn to writing with the conception that nature in itself is a work of God, and reaffirm the reasonableness of life. The speaker especially mentioned the poem "Dobba" by Massfield, and Elliott's "Ash Wednesday."

Condemns Nationalism

The speaker, further in his address stated that nationalism is but a modern means of hiding the lack of faith, and that rationalism and superstition are due to a lack of faith.

Dr. Falconer's lecture was on the interpretations of the parables according to Hugh Martin, secretary of the Student Christian Movement Publications in England. His contention was that the parables apply in every sense of the word to the world of the present day, just as they did in the time of Christ.

Rev. J. F. McLean presided at the session, at the close of which Rev. W. A. Burge moved a vote of thanks to the faculty of Pine Hill Divinity Hall, which was seconded by Rev. Dr. J. W. Bartlett. Dr. Falconer and Dr. Davies replied to the vote.

Many of the attending clergymen left for their homes this afternoon, while others will leave this evening. Approximately 35 were registered at the school, while a great many citizens also attended.

Hunting Supplies

We Are Now Showing A Complete Line of Everything In Hunting Supplies

SHOT GUNS

RIFLES

HUNTING KNIVES

HUNTING AXES

HUNTING BOOTS

GAME BAGS

SHOT & SHELLS

AMMUNITION

FLASHLIGHTS

CAMP STOVES

James S. Neill & Sons, Ltd

F'ton's Big Hardware Store

NEW LAMPS

FOR

YOUR LIVING ROOM OR BEDROOM

The Latest in Style and Colors

Colwell & Jennings, Limited

The Home Furnishers

STORE OPEN SATURDAY UNTIL 5 p.m.

GOVERNMENT, MUNICIPAL AND CORPORATION SECURITIES

Loughlin & McKenzie, Ltd

Saint John Fredericton Sussex

McMurray's

CANDLES

All colors in 6 inch 7 1/2 inch, 10 inch, 15 inch, and 18 inch sizes.

Prices from 5 cents to 20 cents

Birthday cake candles and candle holders.

PLAYING CARDS

TUDOR and DEVON Playing Cards. Single and Double Packs. Attractive Backs.

Single Pack 50 cents

Double \$1.00

BRIDGE TALLIES

A great variety of bridge tallies in all styles.

Prices from 15 cents to 40 cents per doz. Score Pads and Bridge Pencils.

BRIDGE COVERS

In all colors made of moire silk suede.

Easily put on by elastic fasteners.

McMURRAY BOOK & STATIONERY

CO., LTD.

If You Want the Most Delicious Coffee On the Market Buy B O K A R

— Wholesale by —

G. W. Hodge

Let's "Youthify" Your Physiognomy

THERE'S VERY LITTLE STYLE below a man's neck to worry about. Hence the most important investment in individuality you can make is in your hat.

We specialize in hats for young men and men who refuse to look old though they have paid many tax bills.

We present the newest, smartest shapes and colors for Fall 1937. Men's Hats for

\$1.75, \$2.95, \$3.50, \$3.85, \$5.00, \$7.50

FLEMING'S Of Course

Established 1889