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Gives the old hat a most fashionable color

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ARGUMENT CONTINUED ON LANCASTER BILL

Ottawa, Ont., May 28—Continuing his argument for the promoters of the Lancaster marriage bill and the questions referred to the Supreme Court by parliament, Mr. Eugene LaFleur, K.C., this morning, before the court, said that in closing he only desired to draw attention to several statutes relating to the conferring of powers to perform marriages in the Province of Quebec.

"How is power to be expressed that never was conferred?" asked the chief justice.

"My submission is that these statutes conferred by implication the power to marry," replied Mr. LaFleur.

"None of the congregation were authorized to celebrate marriages, although authorized, to keep registers."

"How so?" asked the chief justice.

"Ensuing the act of 1895."

"What about the years from 1759 to 1889?"

"No legislation validated the marriages of Roman Catholics."

"Surely the English government covered the Anglicans," observed Justice Duff.

"I am speaking only of the Roman Catholics," said the chief justice.

"Research would surely reveal that such instructions would be given," Justice Iddington remarked.

"None unless that act of 1759," Mr. LaFleur responded.

"But anterior to this," Sir Charles quired.

"I can't find it," Mr. LaFleur replied.

"It may have been the result of treaty and it may be in the governor's instructions, but I am not certain."

Justice Duff—"Governor Murray's instructions seem to me to reserve the whole matter to the government."

Justice Iddington—"It might be implied by treaty."

Mr. LaFleur referred to the order of Governor Murray regarding the Church of Scotland which validated previous marriages before the consequent of Canada in that church.

Mr. Duff stated that in Churches of England there was a tablet of instructions regarding the keeping of registers but there was no reference to marriages at that time.

"How could the English common law persist after the Quebec act was introduced?" he asked.

"Then the effect would be to abolish anything emanating from the French King and to vest it in the English King," Mr. LaFleur stated.

"I have difficulty in understanding that the disabilities of Catholics under the law of England were removed by a reservation in the treaty," Justice Duff remarked.

"Would it not have the effect of putting the priest in the position of a clerk in holy orders, with competency to celebrate marriages?"

Mr. LaFleur maintained that there had never been validating statute passed for Roman Catholic marriages from 1759 to 1795.

"If that is the case it would be very inconvenient for the majority of us if this is the law since 1800 in Quebec."

Sir Charles FitzPatrick stated:

"I am not trying to cause any unrest."

Mr. LaFleur stated:

"But the matter has never been challenged in the courts so far as I am aware. My submission is that we have a clear code now and that it can be construed without referring to the old laws."

After referring briefly to the restrictions with regard to Jews and Quakers, passed specially in Quebec Province, Mr. LaFleur turned briefly to probably the most important question, at least as affecting the general public in Quebec, as to whether only a Roman Catholic priest could celebrate mixed marriages.

"This is a most important part," Justice Iddington remarked, "and more likely to give rise to discussion."

"The question of mixed marriages so far as I am aware has not been raised before any court," Mr. LaFleur answered. "No doubt has ever been expressed as to the competency of a priest to celebrate marriages between Roman Catholics. There has never been a judicial decision otherwise."

Regarding mixed marriages, under the contention of our adversaries, it would need two clergymen to perform a mixed marriage and both might be out, perhaps of necessity might be of their own jurisdiction."

QUEBEC MARRIAGE LAW DISCUSSED AT OTTAWA

(Continued from page 1)

Mr. Mignault—"Then he is a vagabond."

Mr. Mignault went on to explain that in the Roman Catholic church a man without a fixed place of residence was held to be a member of the parish in which he had been baptized.

Justice Iddington—"Supposing a man of no church and a woman of no church were married and lived together for some years what would be their status under the Quebec law?"

Mr. Mignault—"The marriage would be null. I should say there never had been a marriage."

Justice Iddington—"Then the children would be illegitimate?"

Mr. Mignault—"Not under our laws in Quebec, Article 63 clearly says that if the marriage is contracted in good faith in this way but through ignorance of the parties as to law, the children are protected. The children are always protected. This point is absolutely misconceived and misconstrued by people who are responsible for the agitation. They have no right to misconstrue the law in that way and impute that the children on the world as bastards. It is not the law in the province of Quebec and never was."

Justice Iddington—"Can he (meaning the man) marry again?"

Mr. Mignault—"As there is no marriage he is free to do so."

Justice Iddington—"That you contend here that parliament has no power to declare the status thus brought about."

Mr. Mignault—"The solemnization is left to the provinces, and the dominion cannot interfere in a putative marriage, such as you refer to."

ST. JOHN NOMINATIONS

The Tories of St. John City in convention, last evening nominated John E. Wilson, C. B. Lockhart, Phillip Gramen and L. P. D. Tilley. Numerous other aspirants including Sol A. J. Armstrong, W. H. Harrison, C. F. Inches, Daniel Mullin, K. C., and Ex-Ald Potts were turned down. The ticket is the weakest put up by the party in St. John since Confederation and stands to be snowed under on June 20th. The Tories of the county selected Warden Carson and Col. J. B. M. Baxter.

It is reported that Grace Hazard and Fred Duprez, both well known vaudeville stars, are to be married next month.

ROOSEVELT HOLDS THE WINNING CARD

Washington, May 29—So far as direct appeal to the voters of the country is concerned, Col. Roosevelt's complete victory in New Jersey has brought to a close the unprecedentedly bitter fight in which Mr. Roosevelt, President Taft and Senator La Follette have been at most constantly engaged for the last three months. South Dakota's primaries June 4th, and the State convention of Arizona and Ohio will not engage the personal activities of Col. Roosevelt or President Taft, but Senator La Follette is scheduled to speak in South Dakota. Concern over the outcome in New Jersey kept the national headquarters of the candidates in Washington open until an early hour this morning, but no statements were issued upon the outcome during the early hours of the day. In practically all states where direct primaries were held for the election of national convention delegates, with the exception of Massachusetts, Col. Roosevelt won pronounced victories over President Taft. This fact has been in each case advanced by his campaign managers as increasing evidence of the certainty of his nomination at Chicago and his election in November.

GOVERNOR'S SON TO WED

Claremont, Cal., May 29—Several score of out of town guests arrived here today for the wedding of Miss Amy Bowles, daughter of Mr. and Mrs. Philip Bowles, and Hiram Johnson, jr., son of the Governor of California. The wedding takes place this evening at "The Pines," the home of the bride's parents.

HAVE PURCHASED BUSINESS.

Emack Bros., taxidermists, have purchased the business of T. T. Trenholm of Amherst. Mr. Trenholm will act as travelling agent for Emack Bros. A consignment of moose-heads secured in Nova Scotia, were recently forwarded to the local firm by him. The lot contained some fairly good heads but could not be compared with the product of New Brunswick forests. Mr. Trenholm is better known as the trainer of Fred Cameron, the famous long-distance runner of the Amherst Ramblers, with whom he has visited various places in Canada, the United States and the British Isles.

Viola Gillette was at one time an artist's model.

LIBERALS HAVE A POPULAR LEADER

Mr. A. B. Copp, M. P. (P.), has
Grown Greatly in Public Estimation

(Moncton Transcript)

Since assuming the leadership of the provincial opposition Mr. Copp has grown greatly in the estimation of the people. He has shaped up to the requirements of his position in a manner that has proved as disconcerting to the supporters of the government, as it has proved gratifying and inspiring to his friends. He has developed under responsibility, exhibiting qualities of leadership that have wonderfully hardened the party.

Mr. Copp had long been known to the people of the province. Everywhere he went his manifest courage and energy had earned him many friends. He was not troubled with any idea of his own importance. and he had never cultivated any of the arts by which politicians of the type of Hazen or Flemming try to impress themselves upon the people. He never considered himself like either of those gentlemen, a superior being, dispensing wisdom to inferiors.

Since assuming the responsibility of leading the party Mr. Copp has not changed his straight forward, democratic attitude to the people, but he has revealed to them aspects of his character, and powers and resources of his mind which previously he had never troubled to show them. His speeches show that he appreciates the importance of his duties, and that he is studying diligently and thinking deeply upon the political affairs of the province. In contrast to the narrow range of ideas and view which characterize Mr. Flemming's addresses, Mr. Copp is showing a breadth of vision, and insight into the conditions and guarantees of modern democracy, that must compel the confidence and support of the intelligent electors.

Contrast Mr. Copp vigorously condemning the alienation of the people's property for generations, with Mr. Flemming's boasting how much he had done to establish corporate domination of the people's property. Mr. Flemming's mental processes are so antiquated that he apparently thinks it is a good thing to give capitalists the privilege of exploiting the natural resources of the province without regard to the people's rights which is to say the premier is anxious to develop New Brunswick by assisting the creation of a few industrial centres like Pittsburgh, or the growth of mining camps filled with "hunkies" reduced to a state of slavery. Just because of their peculiar confusion of thought men of the type of Mr. Flemming are about the most dangerous we could trust with power at the present time.

Mr. Copp sees the basic evil of the time. He sees that while it may be desirable to encourage the development of our natural resources, the government should fully protect the people's interests in such resources, because if it fails to do so will assist the creation of commercial despotisms as oppressive and immoral at those which affect the United States.

AT THE UNIQUE

Steele & McMaisters, those sensational roller skaters, will close engagement at Unique today. Coming tomorrow—Savey, Vera and Sach, Chinese Acrobats. Three great feature pictures are included in today's bill: "The Jewels" (Edison) "Master Cupid, Detective" (Essanay) "The First Violin" (Vitagraph.)

The last rehearsal of the Doctor's Private Secretary and specialties will take place at the Opera House tonight and everything will be ready for the curtain to rise tomorrow night at 8.20. Those attending performance are requested to be in their seats at 8.15. There are plenty of good seats left and every man and woman in Fredericton should not fail to see this great play for the small sum of 50c. The members of the Tennis Club are trying every way to arrange for a Saturday matinee. Announcement will be made later. The Marysville train will be held in order for the suburbanites to see the show. Get your tickets now.

Two new pitchers for the Fredericton Baseball club arrived here at noon today. They are Levesque of Lewiston, Me., and Brennan of Dorchester, Mass., a high school player who has made a name for himself about Boston. Levesque has been playing with the Pilgrims a semi-professional team of Lewiston which some weeks ago beat the Bates College team.

Frederick, Md. May 29—The initial steps have just been taken here looking to the formation of a national association to erect a suitable memorial to Barbara Freitchie, the heroine of Whittier's famous poem. It is proposed to erect the memorial in Olivet Cemetery in this city, where the remains are soon to be re-interred after lying for nearly fifty years in the old German Reformed graveyard. The new grave will be located close by that of Francis Scott Key, the author of "The Star-Spangled Banner."

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