

The Very Newest in DRESS GOODS

Just opened a nice assortment of Dress Goods in Suit lengths only, one Suit length of each pattern. Something very choice for *Old Home Week* selling.

Wool Ratina (the very latest), Heather Tweeds, Tiger Tans, New Grays, etc.

If you want the very latest better choose now. Remember only one Suit length of each pattern.

TENNANT and HOLDER

:- SUMMER SALE :- of Shirt Waists.

A Special Ten Day Sale of *Summer Shirt-Waists* in Silk, Linen, Embroidery and Muslin. Our Prices away down for this sale. See up-town window.

A. A. BELMORE, 408 Queen St.

GET ONE NOW

The *New Century Washer* is the best, does the work quickly and well and makes wash day look more like a holiday. Prices low a pleasure to show them.

Hardware of all kinds

Opp. Post Office **LAWLOR & CAIN** Phone 264-11
Phone 264-11 Opp. Post Office

- - COLUMBIA BATTERIES - -

We sell this Celebrated Dry Cell which is the Best Made Buy from us and you get New Goods

Wm. C. Burt - *F'ton. N. B.*
New and Second-Hand Wheels

HARDY BROTHERS FISHING TACKLE!

I am showing a Complete Line of Rods, Flies, Leaders, &c. from this Celebrated House. Prices are just as low as for goods supplied by houses of less note.

For Sale only by

R. T. MACK Chemist and Druggist
386 Queen St. Fredericton, N.B.

Fine Jamacia Oranges *18c per doz*; California Sunkist Oranges *30, 35 and 50c*; New Prunes *12, 15 and 17c a lb.*

B. & B. Boston Coffee has no superior, Try a pound and be a regular customer.

PARENT, BIRD & CO.

QUEEN AND YORK STREETS.

Hot Weather Drinks

Moxie, Herb-Brew, Grape Juice, Orangeade, Lime Juice, Soda Water, etc.

CENTRAL PHARMACY - **ARTHUR J. RYAN**

FOR THE HOT WEATHER

a nice cool bottle of Ginger, Hop or Root Beer is refreshing. We also carry Sussex Mineral Springs and Sussex Beverage Company drinks. Cherry Cider, Grape Cider and Apple Cider by glass or gallon. Smokers' supplies, confectionery, etc.

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Regent St Opp. Lorne Hotel

Western Canada Investments

I can invest your money in first mortgage security on Edmonton or farm property to net you eight per cent. Investment absolutely guaranteed and all loans personally inspected. Three years experience in loan business. Real Estate investments also made on small commission basis. Write for particulars to

George W. Massie

VICTORIA BLOCK
Edmonton, Alta.

The Marriage Controversy Has Not Yet Been Settled

The decision of the Imperial Privy Council as to the law of marriage in Canada is conclusive regarding the powers conferred by the British North America Act upon the Federal and Provincial authorities, respectively. The Dominion has to do with the validity as it relates to divorce. The Provinces have exclusive jurisdiction over the solemnization of marriage within their boundaries. If marriages are not solemnized according to the rules that may from time to time be laid down by the Provincial authorities they may be held by the courts of such Provinces—which courts have to do with property and civil rights—to be invalid. The Lord Chancellor makes it quite plain that this is the basic law of Confederation when, speaking for his colleagues he says:

"Their Lordships have arrived at the conclusion that the jurisdiction of the Dominion Parliament does not on the true construction of section 91 and 92 cover the whole field of validity. They consider that the provision of section 92 conferring on Provincial Legislatures the executive power to make laws relating to the solemnization of marriage in a Province operates by way of exception to powers conferred as regards marriage by section 91, and enables Provincial Legislatures to enact conditions as to solemnization which may affect the validity of contract."

This judgment while it settles the question of jurisdiction, leaves untouched the essential matters in dispute. The controversy that has so greatly disturbed the peace of Canada and must continue to disturb it until absolute equality is secured under the marriage laws of all the Provinces, has reference to the laws of Quebec alone. In the other Provinces all persons authorized to perform the marriage ceremony are empowered to marry Catholic or Protestant, Jew or Gentile. In Quebec alone it is asserted in a practical form in the Hebert case, now before the courts that only a Catholic priest entitled to keep a register of marriages can legally marry two Catholics, that having been the law before the Conquest. The Protestants of Quebec have never raised the other side of the issue—that only a Protestant clergyman can marry two Protestants. There has been much speculation, however, as to the legal position of persons born of Catholic parents and baptized into the Catholic Church as infants but who afterwards renounce Catholicism. It has been asserted by high clerical authorities, including it is understood, Archbishop Bruchesi, that baptism carries with it the assumption "once a Catholic always a Catholic," and therefore that persons baptized as Catholics under the law of Quebec can be legally married only by a Catholic priest.

The second question which the law Lords were asked to answer, and an answer to which would have enabled some progress to be made toward a settlement of the marriage law problem, was as follows:

"Does the law of the Province of Quebec render null and void, unless contracted before a Roman Catholic priest, a marriage which would otherwise be legally binding, which takes place in such province (a) between persons who are both Roman Catholic, or (b) between persons one of whom only is a Roman Catholic?"

It is obvious that an answer must be had to this question. A majority of the judges of the Supreme Court of Canada are of opinion that the marriage of two Catholics by a Protestant minister—as in the case of the Heberts by the Rev. Mr. Timmerlake—is a valid marriage. The members of the Supreme Court were unanimous in adjudging that a "mixed marriage" in Quebec could be celebrated legally by either a Protestant minister or a Catholic priest. Mr. Borden's effort to have the question settled in the form of a stated case fails. The Privy Council law Lords refuse to pronounce upon a hypothetical issue.

Sir Wilfrid Laurier's advice must now be followed. He pointed out in parliament that the Hebert case raised in concrete form the very issue that is presented by the second question of Mr. Borden's series, viz., that of the right of a Protestant minister under the Quebec law to marry two Catholics. He intimated that the carrying of the Hebert case before the Privy Council, which may be done on appeal from Judge Charbonneau's judgment upholding the Hebert marriage, and setting aside its annullment by an ecclesiastical court would settle the dispute once for all. There can be little doubt that the Supreme Court of Canada will uphold the Charbonneau judgment when it comes up for review, if ever it does.

The rulers of the Roman Catholic church in Quebec are no doubt sincere in their adherence to the dogma that as marriage is a sacrament only a Catholic priest can administer it to Catholic or to the Catholic in a mixed marriage. Holding these views, they should be eager to appeal the Hebert case and get upon that definite issue—involving not merely the validity of a marriage, but the legitimacy of a child—the decision of the highest court in the empire.

If the Church of Rome carries the Hebert case to the Privy Council there will either be an end of the marriage law controversy in so far as it affects the law of the land—though not the law of the Catholic Church which has no legal status—or there will be need for radical amendment of the laws of Quebec, perhaps of the British North America Act itself.

The Privy Council, confronted by the direct issue, must say that the Heberts or any other Catholics in Quebec—can be validly married by a Protestant minister, or that only a Catholic priest can marry Catholics in that Province. In the first event there would be an end of the trouble for it is inconceivable that the Legislature of Quebec would pass a law to prevent Protestant ministers from marrying Catholics or Catholic priests from marrying Protestants, or a Catholic and a Protestant from being married by any person other than a Catholic priest. In the second event—a decision by the Privy Council that no Catholic priest could marry Protestants in Quebec or Protestant minister could marry Catholics—there would unquestionably spring up all over the Dominion a

demand for a uniform marriage law, under which any person entitled to perform the marriage ceremony in any part of Canada could validly marry all persons presenting themselves to be married, and that irrespective of their religious creed or lack of creed.

The clergyman or other persons authorized to perform the marriage ceremony does so as the accredited agent of the State. He may believe that he is also divinely appointed, but marriage before the law is a civil contract involving certain rights and certain responsibilities. The State must see to it that civil law and not ecclesiastical, shall be supreme in settling whether or not a marriage is valid. A decision by the Privy Council that the law of Quebec prevents any citizen of that Province from electing whether he shall be married by a Protestant or a Catholic clergyman would of necessity be followed either by a voluntary repeal of the law by the Quebec Legislature—or by such an amendment of the British North America Act as would place the solemnization of marriage under the control of the Federal Government and result in bringing Quebec's law into conformity with that of other provinces.

CANADIAN PACIFIC STOCK STILL MOVING SKYWARD

New York, Aug. 1.—There was an absence of striking news developments yesterday to account for the uniform strength of the stock market, but routine business was of a character to stipulate further confidence in an ultimately higher range of prices.

The advance in Canadian Pacific was attributed in part to the large earnings of the Company and the expectation that holders would be given valuable subscription rights in the fall. The granger shares reflected general confidence that the important cereal crops of the country are now beyond danger and that the aggregate yield will be well above the average.

The favorable quarterly statement of the Steel Corporation attested to the prosperity of that important branch of the national industry while the sustained advance in the price of the company's products forecasted a further increase in earnings for the current year.

	Open	Noon
Copper	83½	83½
Smelters	84½	84½
Atchafan	107½	107½
Brooklyn	92½	92½
C.P.R.	275½	274½
Treat Northern	141	141½
Soo	151½	151½
Lehigh	168 2-3	168½
Penna	123½	124
Northern Pacific	125½	125½
Reading	166	166½
Union Pacific	167½	171

TAR POT BURNED.

The firemen were called out last evening for a burning tar-pot on York Street, where paving operations are being carried on. There was no damage done.

ARNOLD—GORMAN

The marriage of Mr. Willard Arnold and Miss Mabel Gorman both of Marysville took place yesterday at the Brunswick Street Baptist parsonage. The ceremony was performed by Rev. Dr. MacDonald.

FINAL ARRANGEMENTS

A meeting of the managing committee of the Old Home Week Celebration will take place tomorrow evening at the City Hall, when the final arrangements for Fredericton's big demonstration will be made.

FORGING A HEAD

Chatham World.—Mr. Fred Gibson, who began in business as a junior in the Bank of Montreal, Chatham, now holds a good position in the Bank of Commerce, Quebec, and has a handsome wife. Mr. Gibson cleared up \$18,000 last year in speculation. He has been in New Brunswick lately on a visit to his mother. (Mr. Gibson is the son of the late John Gibson of Marysville.)

NO POETRY IN IT.

Chatham World.—Fredericton has given a firm of professional decorators a contract to decorate the city for Old Home Week and the coming of the Duke of Connaught. The result will, no doubt, be good, from an artistic point of view, but this plan knocks all the poetry out of the thing. There is no spontaneity, no individuality, no sentiment in contract decoration. The work was begun last week and the novelty will be worn off for the citizens before the celebration begins. Mayor Hooper is making great efforts to make the Celestial City's Old Home Week a success.

U.S. Steel

714 714

MONTREAL MORNING SALES

Merchants Bank, 10 @ 194.
Bank of Montreal, 10 @ 248.
Molson Bank, 1 @ 207.
C. P. R., 25 @ 274½, 800 @ 275, 25 @ 275½, 3075 @ 274, 325 @ 274½, 75 @ 744, 50 @ 274½.

Detroit, 22 @ 73, 25 @ 73½, 10 @ 73½.

Power, 15 @ 230, 55 @ 230½, 25 @ 230.

Iron, com., 50 @ 63½, 70 @ 63½, 25 @ 63½.

Cement, com., 125 @ 28½.

Car, pfd., 25 @ 113.

Paint, 25 @ 101.

Crown Reserve, 400 @ 330, 2000 @ 330.

Cement, pfd., 10 @ 90½.

Dominion Iron, pfd., 25 @ 105½.

Royal Bank, 23 @ 228.

Cotton, pfd., 25 @ 105½.

Quebec Railway, 25 @ 294.

Soo, 50 @ 151, 50 @ 151½.

Scotia, 50 @ 92, 100 @ 93, 50 @ 93½.

Spanish River, 70 @ 61, 10 @ 60½, 25 @ 59½.

Toronto Rails, 25 @ 141, 25 @ 140½, 50 @ 140½.

R. & O., 25 @ 116½, 30 @ 117, 50 @ 116½.

Packers, pfd., 15 @ 118½.

Bell Telephone, 1 @ 170½.

Shawinigan, 10 @ 150½.

Coal, pfd., 15 @ 106½.

Crown Reserve, 2002 @ 330.

General Electric, 10 @ 112½.

PERSONAL

Mr. D. W. Messereau of St. John, is registered at the Barker House.

Mr. and Mrs. D. R. Buchanan of Bangor, are in the city.

Mr. P. J. Brennan of Montreal, is at the Barker House.

Mr. and Mrs. James Ellsworth Griffith of St. John, are in the city.

Mr. Fred Duffy of Boiestown, is at the Barker House.

Mr. C. E. Church of St. John, arrived in the city last night.

Mr. A. G. Bishop of St. John, is at the Barker House.

Mrs. R. T. Hayes, Mrs. H. P. Hayes and Miss M. Hayes of St. John, arrived in the city last evening.

Mr. F. Beresford of Toronto is registered at the Queen.

Mr. W. H. Underhill of St. John is in the city.

Mr. Alf Isaacs of St. John is registered at the Queen.

Supt. E. Price of the I.C.R. Campbellton arrived in the city this morning.

Winnipeg Sunday Night.—Mr. and Mrs. K. C. Allen have returned from their time spent at that picturesque spot, St. Andrews-by-the-Sea, and are the guests, while awaiting the completion of their own house, of Mr. and Mrs. Alfred J. Andrews.

Mrs. A. R. Shipp and family, of Fredericton, are occupying the F. A. Stevenson cottage for a few weeks.

—St. Andrew's Beacon.

Mrs. F. W. Barbour has returned from a trip to St. John.

Rev. Dr. and Mrs. J. H. MacDonald leave tomorrow for Tidnish, N. S. to spend a few weeks.

VITAL STATISTICS

During the past month there were eight deaths in the city classified as follows:—neutritis 1, tubercle 1, Bright's disease 1, paralysis 1, premature birth 1, senile debility 2, still born 1. In July 1911 the deaths numbered twelve.

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MID SUMMER SALE

of Dry Goods and Clothing

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YOU WILL SECURE DOLLARS FOR 50c

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Plumbing Work is a specialty of ours

When building that new house of yours don't neglect to call on us for our estimate whether the work is large or small it shall have our careful attention

D. J. SHEA PHONE 323
CARLETON STREET

NYAL'S FAMILY REMEDIES

A FULL ASSORTMENT

C. Fred. Chestnut The Quality Drug Store
572 Queen Street

6 Piece

DECORATED TOILET SETS

- FOR -

99 cents

These Sets we imported from England but on opening we found them slightly damaged.

Come in and see them.

LEMONT & SONS Ltd.

PEERLESS, FINE, GRANULATED

PURE CANE ENGLISH **SUGAR**

THE BEST SUGAR MADE

18 pounds for \$1.00.

\$5.25 per 100 pounds.

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