

THE DAILY HERALD

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Manager. Editor

DAILY HERALD.

SATURDAY, OCTOBER 5, 1901.

THE YACHT RACE.

It is fifty years since the schooner yacht America lifted the yachting cup in British waters against ten other competitors, and brought it to this side of the water, and it looks as if the trophy may remain with the Yankees for an indefinite term.

Sir Thomas Lipton has made two heroic attempts to rescue the cup for his countrymen, and he came pretty close to doing the trick this time. Will he grow discouraged and abandon the attempt, or shall we have Shamrock III crossing the Atlantic to beat out the best boat the Yankees can produce?

Lord Dunraven made four efforts to capture the cup—failing each time, and Lipton is neither less courageous nor less wealthy than Dunraven, and for the sport of the thing he may take another try.

Sir Thomas is a true sportsman who knows how to bear defeat. He has probably spent a round million in his two trips to America, and the Yankees still have the cup. If Sir Thomas fails to come to the scratch again, perhaps a Canadian syndicate will build a boat to beat these American chaps.

AMERICAN DIVORCES.

Judge McDougall's charge and the verdict rendered by a jury in the court of general sessions at Toronto, Wednesday, will create considerable uneasiness among Canadians who secured divorces in the United States and have married again. Miss Minnie Woods was charged with bigamy and convicted, and her case brings up the whole question of the validity of American divorces in Canada, when such divorces are obtained by persons married in the Dominion and who subsequently to the obtaining of divorce in the United States return to Canada to live. Mrs. Woods is a British subject, 39 years of age, whose home has been in Toronto since 1895. Her first husband, W. S. Woods, died in March, 1887. She married at Windsor, Ontario, on July 5th, of the same year, Dr. William N. Barnhardt. The couple lived together in Toronto for a short time. The Doctor and she did not get on well together, and Barnhardt left to live in Detroit, having learned that his proposal to secure divorce in Canada could not be carried out, the grounds being insufficient. Mrs. Barnhardt, in 1900, went to Detroit, the object being to establish the residence qualification for divorce in Michigan.

The application went through with very little opposition on the part of the woman in the case. Having been released from her marriage vows on grounds that would not be considered sufficient in Canada, she returned to Toronto, and on November 7, married John Pondril, of that city, Barnhardt being still alive.

There is no dispute as to the facts and the case turned entirely on the validity of the Michigan divorce. The crown attorney pressed for a conviction and Judge McDougall charged strongly against the prisoner. He referred to the case of Earl Russell, recently sentenced to imprisonment for bigamy by the House of Lords, as evidence that British law did not recognize American divorce obtained on grounds that would not be sufficient in England, and by persons who, being British subjects, resided temporarily in the United States to secure divorce.

The jury, after considering the case, found Mrs. Woods guilty, but added a recommendation to mercy. On behalf of the defence a reserved case was secured, so

the verdict will be reviewed by the high courts.

There are scores, perhaps hundreds of couples in Canada who are practically in the same position as the defendant in the above case, and they must be feeling very uncomfortable as a result of the Woods' conviction. Some of those interested are persons of high degree, and if Judge McDougall's opinion is sustained by the higher court, their position will be very embarrassing, to say the least.

Maitre Labori, the distinguished Paris advocate who defended Dreyfus, is shortly to visit the United States with his wife, as the guest of the American bar, and he will also give Nova Scotia a call.

The Duke of York regretted that he could not find time to lay the corner stone of the new cottage hospital at Rovelstoke B. C., but he sent a contribution of \$250 towards the building fund.

Returns published this morning confirm the election of two Conservatives to the Nova Scotia legislature, Tanner in Pictou and McLeod in Cumberland. All the other 36 are Liberals.

The royal party is due at Toronto on Thursday next. While the Duke is shooting prairie chickens for a couple of days at Poplar Grove, N. W. T., the Duchess remains at Banff.

Official returns from Pictou, N. S., elect Macdonald and Patterson, Liberals, and Tanner, Conservative, the last named having a majority of 29 over Dewar, the defeated Liberal.

There is a report that Premier Dunsmuir and his cabinet of British Columbia will resign, and that Mr. E. E. is will be called upon to form a new administration.

Montreal Herald: That large, juicy, splashy sound, heard Wednesday night was merely the Nova Scotia Conservatives falling gracefully into oblivion.

It is said that the Duke of York wants to take the palatial C. P. P. train home with him.

"Lipton's tease" is what a Hamilton paper calls the Columbia.

The Plan is Open.

The seats for the Jessie MacLachlan concert of next Thursday night, went on sale at McMurray's book store yesterday morning, and as was expected the demand was very great. The people of Fredericton fully realize the worth of the opportunity offered to hear this noted singer, and those who did not secure seats today should attend to the matter early Monday. In St. John the demand for seats is unprecedented, and the house is almost sold out for the three nights. We will never again have an opportunity to hear this great artist, and none must miss it now.

PROCLAMATION.

The executive committee of the Provincial Government having in charge the arrangements connected with the coming visit of their R. H. the Duke and Duchess of Cornwall and York, deem it advisable that the people of the Province generally should be afforded an opportunity of being presented to their Royal Highnesses, at the reception at the Exhibition Building in the City of St. John, on the evening of the 17th instant. And they

Ask Him

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51. All druggists. J. C. AYER CO., Lowell, Mass.

respectfully invite the people generally to apply in writing before noon of the 15th instant to the secretary of the committee, George Robertson, M. P. P., St. John, for invitations to be present.

It is necessary, of course, that all who propose to attend should comply with the Court restrictions as to dress, etc., and be provided with two visiting cards, one of which will be presented on entering the building and the other handed to the aide-de-camp before presentation.

It may be added that the dress on this occasion will be, in the case of ladies, half mourning, that is to say, black, white, lilac or grey, and for gentlemen, evening dress.

L. J. TWEEDIE.

Provincial Secretary.

St. John, 2nd Oct., 1901.

Sept. 5th, 1901.

Bible Reading.

The subject of the services to be held in Good Templars hall tomorrow are: 3 p.m., "The Gospel in the Flowers;" 7 p.m., "The Most High Ruleth." Evangelist W. R. Andrews will be in charge.

Boys' and Youths'

"Standwear"

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Grand Concert.

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Jessie N MacLachlan

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Prices 50c. and 75c.

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Gas administered for painless extraction.

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Women's Shaker Night Gowns.

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For the Little Tots.

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Just opened a large quantity of New Goods, consisting of a general assortment of

FALL FOOTWEAR

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Lottimer's Cash Shoe Store.

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Your Boy's Portrait

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