

DUAL ELECTION IN SAINT JOHN IS ABOLISHED

Amendment To Commission Act Is Passed By N. B. Legislature

ONLY ONE CONTEST TO BE HELD THIS YEAR

Widows To Receive Larger Shares of Property In Case of Intestate

BY JOHN J. DUNLOP.

Star Correspondent of The Times-Star

FREDERICTON, N. B., March 24

Two bills relating to changes in civic government in Saint John and Maryville were favorably considered by the house in committee this afternoon and passed their final reading. They now go to Lieutenant-Governor Todd for his formal assent and when this is given they become law.

In effect, the bill relating to Saint John means that there will be only one civic election in Saint John this year, instead of a primary and final election as has been the custom since the commission form of government was introduced, the primary contest being abolished.

The bill passed through the municipalities committee this morning with slight opposition. The enactment was piloted through the House by Premier Baxter.

MARYVILLE BILL BACKED.

The bill relating to the change in civic government for the town of Maryville, providing for election of a mayor and eight aldermen, the former to serve for one year, was explained to the House by Hon. C. D. Richards, Minister of Lands and Mines. This bill also was favorably reported.

ESTATES OF INTESTATE.

An important bill consubscribed by the House this afternoon was that relating to the distribution of estates of those dying without making a will. It was favorably reported and will become law.

Briefly, the act provides that if a man dies without making a will and leaving a widow but no children, his estate, where the net value thereof does not exceed \$20,000, shall go to his widow. Where the net value exceeds \$20,000, the widow shall be entitled to \$20,000 and shall have a charge upon the estate for that sum. Of the residue of the estate, after payment of the sum of \$20,000 and interest, one-half shall go to the widow and one-half to those who could otherwise take the estate.

NET VALUE OF ESTATES.

The net value of the estate is the value after payment of the charges thereon and the debts, funeral expenses, expenses of administration and succession duty. The estate of a woman dying intestate shall be distributed in the same manner as estate of a man so dying.

This radically changes the present law where the widow received one-half personally and dower interest in the real estate.

Premier Baxter, W. H. Harrison and J. R. Michaud spoke strongly in favor of the bill. Some opposition developed to the amount of \$20,000 as being excessive and the Premier suggested they vote on various sums, starting from \$20,000. On the first division, 14 voted for \$20,000 and 11 against. The act will come into force on Jan. 1, 1927.

DESERTED WIVES MEASURE.

An act respecting the maintenance of deserted wives and children also was considered by committee. Briefly, the act provides that a husband who has deserted his wife may be summoned before a police magistrate who, if satisfied that the husband wilfully refused to maintain his wife or family, may order the husband to pay his wife such weekly sum, not exceeding \$20, as the magistrate may consider proper.

The act provides that a married woman shall be deemed to have been deserted when she is living apart from her husband, because of his acts of cruelty, or of his refusal or neglect, without sufficient cause, to supply her with food and other necessities when able to do so. Similar provision is made for a child who has been deserted by his father and the same amount as in the case of a deserted wife may be ordered paid. A child shall be deemed to have been deserted by its father within the meaning of this section when the child is under 19 years of age and when the father has refused or neglected to supply such child with food or other necessities when able to do so. Some discussion arose about limiting jurisdiction to a police magistrate and this was allowed to stand for further consideration.

BILLS READ SECOND TIME.

The following bills were read a second time:

A bill amending several acts incorporating or relating to the town of Moncton; City of Moncton Assessment Act, 1924; a bill to further amend part of a loan made by the Commissioners of the General Public Hospital in Saint John; a bill to determine valuation for assessment purposes within the City of Saint John or C. H. Peters' Sons, Ltd.

Hon. Mr. Stewart introduced a bill authorizing the town of Campbellton to borrow temporarily, the bill was read a first time.

LOG COMPANY BILL.

Mr. Hesketh presented a petition from J. W. Brantley, Donald Fraser and R. W. McLellan, for leave to introduce a bill to incorporate the South-Porter Log Company.

Mr. Bordage presented a petition from the Commissioners of Richibucto Electric Light district for leave to introduce a bill.

Hon. Mr. Stewart introduced a bill to incorporate certain persons under the name of Marie L'Assomption, which was read a first time.

Mr. Lewis presented a petition of the Wilson Box and Lumber Company to fix valuation for assessment purposes.

CHURCH BILL INTRODUCED.

Hon. Mr. Tilley introduced a bill relating to the trustees of the Portland Church, the United Church of Canada. Mr. Squires presented a petition for a bill to amend a bill relating to the town of Woodville.

Mr. Squires presented a petition of the town of Woodstock for a bill providing for the retiring of debentures falling due 1926.

Hon. Mr. Richards presented a petition of the city of Fredericton for a bill to amend the building laws of Fredericton.

Mr. Richards presented a petition for a bill authorizing the city of Fredericton to issue debentures to complete water works.

Hon. Mr. Richards presented a petition for a bill to authorize the City Council of Fredericton to issue debentures for the construction of permanent streets.

Hon. Mr. Richards presented a bill entitled The Victoria Public Hospital, 1926, which was read a first time.

WILD LAND TAXATION.

Hon. Mr. Richards introduced a bill relating to the taxation of wild lands. Mr. Baxter moved that bills Nos. 18 and 22 be placed on the Order of the day.

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a will, it would go to the widow. Both dower and courtesy are done away with by this act.

OPPOSITION CONGRUOUS.

Mr. Michaud, speaking on behalf of the opposition, concurred in what had been said with respect to this act, especially since it was based on the recommendation of the commission on uniformity of legislation. He found little to criticize in it, and he considered it had been given thoughtful consideration. He was in full accord with the principle of the bill.

Mr. Harrison gave an explanation with regard to some provisions of the bill.

Hon. Mr. Tilley suggested that the total amount of \$20,000 for an estate was rather high, and inquired what the amount was in other provinces. Mr. Harrison said this provision applied when there was no other heirs. An estate of \$20,000 invested at 5 per cent would produce only \$1,000 a year, and he believed the widow should get it all. However, if there were grandchildren they would come in first. Under present conditions he found that \$20,000 an excessive amount.

CASE OF MOTHERS.

Mr. Agar said that he approved of the provisions of the bill. Mr. Taylor asked what would be done for a mother who was supported by a married son in the event of his death. Mr. Harrison said that hardships could be cited under any act. The mother would share in any estate over \$20,000.

Mr. Taylor said that a very small proportion of the population of New Brunswick had accumulated estates of \$20,000. He thought that some provision should be made for dependent relatives of the husband.

BEST TO DRAW WILL.

Mr. Michaud said that the best provision the husband could make would be to draw a will. This act was for the purpose of meeting emergency cases. A man with his mother dependent upon him might make provision for her.

Hon. Mr. Reilly said a case might arise of parents transferring property to a son in return for support from him, and yet upon his death losing all control of that property.

ONE CASE CITED.

Hon. Mr. Tilley said he remembered a railway conductor entering his office and saying that he had killed his wife after his next run. The man dropped dead shovelling snow at his residence. He had children living as far away as California. It took a long time and much trouble to look up his relatives in order to divide the estate. With regard to this bill he believed that \$20,000 might be too much. It might be argued that any man who had saved \$20,000 would not be so foolish enough to die without a will.

Mr. Baxter—Many are.

Mr. Tilley said that this would be the time to make any change. Hon. Mr. Baxter said the government could not consider this bill as amending the bill. To obtain the opinion of the committee he would suggest that the chairman call for votes on the amounts of \$20,000, \$15,000 and \$10,000.

\$20,000 AMOUNT FAVORED.

On a vote being taken the committee declared for an amount of \$20,000 by a vote of 14 to 11.

Hon. Mr. Reilly objected to the word "interest" in another section.

Mr. Brooks said that if the estate were all invested and did not exceed \$20,000, was the widow not entitled to all the interest?

Hon. Mr. Tilley said that accrued interest might increase an estate beyond the amount of \$20,000, thus giving relatives other than the widow a claim.

Hon. Mr. Baxter said he could see no reason for adding interest to the amount of \$20,000 which a widow would be entitled.

Hon. Mr. Reilly moved that the word "and interest" be stricken out. The amendment was carried.

SUB-SECTION EXPLAINED.

Mr. Harrison explained the subsection relating to the cutting off of collateral relatives. He said this provision would be a great improvement. He also explained the subsection, which provided that if a child had been advanced a portion of an estate during the life of the decedent, that portion must be deducted from his share.

Mr. Agar inquired concerning the sub-section relating to provisions for illegitimate issues.

Hon. Mr. Baxter in reply said that it had been decided to introduce a new bill which would go back to certain particulars to the Bastardy Act retaining some good features from the illegitimate children act. When that bill should come before the House this matter could be considered. It was his own opinion that provision should be made for an illegitimate child to share in the estate of the father. He also considered that the House had taken a step in advance in passing legislation which

legitimized by marriage of the parents. The bill was reported as amended. The committee took up much of the business concerning the maintenance of deserted wives and children.

CASES OF DESERTION.

Hon. Mr. Tilley said that all were acquainted with cases of desertion. Husbands when prosecuted would promise to pay and then not live up to their promises. This bill contained no provision for getting after real estate which a deserting husband might own.

Hon. Mr. Richards said there was a section which gave power of arrest and distress. He believed that would cover the matter.

Mr. Harrison said that the bill referred only to police magistrates. There might be cases which would not come under the jurisdiction of such magistrates.

Mr. Veniot said that was correct, and the bill might be allowed to stand for further consideration on that point.

Hon. Mr. Reilly suggested that provision be made for the service of notice on both parties.

The committee rose and reported progress.

The House resumed at 8 o'clock and resolved itself into a committee of the whole with Mr. Squires in the chair.

TEACHERS' PENSIONS.

Bill No. 6 to amend the act providing for the payment of pensions and disability allowances to public school teachers and officials was taken under consideration.

The House again resolved itself into a committee of the whole with Mr. Squires in the chair.

Bill No. 10, to amend the New Brunswick Elections Act, was considered.

Hon. Mr. Baxter explained that the bill also arose out of the illness of Sheriff McLeod, of Kings county. It provided also that in future the sheriff may, with the approval of the Lieutenant-Governor-in-Council, appoint a special deputy to perform duties imposed upon him by sections 23 and 24 of the New Brunswick Elections Act. The bill was agreed to as amended.

INDUSTRIAL DISPUTES.

Bill No. 11, an act respecting the investigation of industrial disputes within the province, was considered.

Hon. Mr. Baxter said this was an act similar to that adopted in Nova Scotia to make the Lemieux Act applicable to this province.

The bill was agreed to.

Bill No. 12, an act to authorize the disposal of lands held for the Provincial Hospital, and particularly a grant to Mrs. Isabelle Lowell, was next taken up.

The bill was agreed to.

Bill No. 13, an act to amend the school act, 1922, was next considered.

The committee rose and reported the bills to the House, and they were ordered engrossed and to be read a third time tomorrow.

MINOR BILLS AGREED TO.

Bill No. 7, an act to amend an act respecting the executive council, was next considered, and was agreed to.

Bill No. 8, to amend chapter 263 of the Consolidated Statutes of 1908 respecting landlord and tenant, was considered.

Hon. Mr. Baxter explained the principle of the bill, which was agreed to as amended.

Bill No. 9, respecting the signing of voters' lists of Kings county for the year 1926, was next taken up.

Hon. Mr. Baxter said this was a necessary case of the illness of Sheriff McLeod and it provided for the list being signed by a deputy appointed by him.

The bill was agreed to.

The committee rose and reported the bills to the House, and they were ordered engrossed and to be read a third time tomorrow.

STORES OPEN 9 A.M. CLOSE 9 P.M. DAILY

New Spring Millinery

A new Hat at Easter is a fashion necessity, and now would be a good time to make your selections from the large stock assembled here—soft crushable straws and felts are fashioned smartly into Reboux's creased turbans and the beret, draped in tam-like style, is most becoming. The new ribbon Hats are light and comfortable as well as exceedingly chic, other clever models, too, offer you a modish Easter selection.

(Millinery Salon—Second Floor.)

Special Sale Lingerie

All One Price, \$2.75

Ladies' Hand-made beautifully embroidered and drawn thread Night Dresses, Envelope Chemises, Step-ins and Princess Slips. Great value. Colors, white, flesh and honeydew. All sizes. All one price... \$2.75

(Whitewear Dept.—Second Floor.)

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From the New Spring Silks

Striped Luvisca—A very serviceable fabric which washes nicely, showing in medium broad stripes. 36 in. wide. \$1.25 yd.

Colored Silk Crepe in harvest, powder blue, rose, fallow, crab-apple, white, navy, black. 36 in. wide. \$1.80 yd.

Brocade Crepe—The season's newest fabric for summer frocks. Colors, Maitenon, Chevreuse, Planton, Coco, Black. 36 in. wide. \$2.95 yd.

(Silk Dept.—Second Floor.)

Smart Luggage For The Easter Trip

The right style of Luggage for any trip from the over-night bag to the wardrobe or steamer trunk for the more extended trip.

Leather Hand Bags—All sizes and grades in black and colors. Prices \$2.25 to \$47.50

Our Two Big Specials—Real leather. Week-End Cases, in leather and black enamel, with and without fittings. Without fittings, prices \$4.50 to \$37. With fittings, prices \$35 to \$75

Black Enamel Cases, with pretty cretonne or silk linings, with and without trays. Price \$4.50 to \$18.50

Suit Cases in fibres, keratol and real leather, all popular grades and sizes. Prices \$1.35 to \$54

Hat Cases—Round or square styles, with or without trays, pretty cretonne or silk lined, leather bound. Prices \$6 to \$19.75

General Purpose Trunks—All popular kinds. Many grades. Sizes 32 to 36. Several new kinds. Prices \$5.25 to \$36

Wardrobe Trunks—Steamer size. The new Pony size and 3-4 size. See the real Trunks—The new Dustproof and warpproof styles, also other improved styles. Prices \$33.75 to \$86

(Men's Furnishings—Ground Floor.)

that their predecessors had already arranged for.

The bill was agreed to.

VOCATIONAL BOARD.

Bill No. 17 and act to amend the Vocational Education Act, 1923, was dealt with.

Hon. Mr. Richards explained that the bill provided for the appointment of a Vocational Board consisting of eight members.

Mr. Brooks took the point that agricultural education should be under the supervision of the Vocational Board.

Hon. Mr. Veniot explained that the federal grant for agriculture had been very jealously guarded by that department and hence the reason for expending the grant under an agricultural director.

The bill was agreed to.

The committee then arose and reported the bills agreed to.

On the Speaker resuming the chair the bills were ordered engrossed to be read a third time tomorrow.

The House adjourned at 9 o'clock.

P. E. L. ESTIMATES DOWN.

CHARLOTTETOWN, March 24—The estimates were submitted in the Provincial Legislature this afternoon. At this evening's session the budget

speech was delivered by Premier Stew-

art. The reply was made by A. C. Saunders, leader of the Opposition.

DR. WATSON'S
Read What It Has Done For