

CHARLOTTE HAS A STRONG TEAM

Government Supporters Name Strong Ticket ENTHUSIASM HIGH Hon. S. J. Clark, Hon. W. C. H. Grimmer, Dr. Taylor and Carry Standard of Fleming Administration to Victory

Special to The Standard.

St. Stephen, May 27.—The convention of government supporters held here today was largely attended, enthusiastic and characterized by the utmost harmony. G. W. Ganong, Flewelling secretary, E. D. Harvey of St. George, H. W. Smith of Milltown and J. W. Richardson of St. Stephen were appointed to the committee and while they were at committee brief addresses were made by the chairman, Hon. G. W. Ganong, Hon. S. J. Clark, Hon. W. C. H. Grimmer and Dr. Taylor. The recent members, Dr. Taylor being unable to attend by reason of a professional call at the last hour, Mr. Ganong's address was characterized by the announcement that while the election of last September in which he had his first vote, among the liberals, he was now not only a supporter of the Fleming government, but was a supporter of the Borden government as well, whether it should be nominated by this convention or otherwise.

The credential committee reported present, out of a possible one hundred and thirty-eight, Mr. Watson Grimmer was elected chairman and J. M. Flewelling secretary of the permanent county organization. Formalities completed the nomination of candidates. Hon. W. C. H. Grimmer was nominated by J. E. Ganong and John Webber, Hon. Geo. J. Clarke and F. M. Maitland by Chas. E. Huelsa and F. M. Maitland, Dr. H. I. Taylor was nominated by E. D. Harvey and Geo. E. Frauler. Scott D. Gupitll was nominated by Arthur Mitchell and Fred J. Martin, Frank C. Murchie was nominated by H. W. Smith and Dr. W. H. Laughton. Five candidates were in nomination for four places on the ticket, the first in many years that delegates to time in many years that delegates to a Conservative convention in Charlotte county had been called upon to cast a ballot.

Resolved, That the convention of the supporters of the local government in Charlotte county place on record an expression of its appreciation of the statesmanlike manner in which the affairs of the province have been administered during the past few years, of its belief that every interest of the province has been carefully safeguarded by the present government, and of its recognition of the fact that the policy of the government has been one of progress and conducive to the best interests of the people of the province. Also resolved, That this convention express its continued confidence in the Hon. J. K. Fleming, premier of the province, and of the representatives of the county in the legislature.

Resolved, That our hearty and unanimous support will be given in this campaign to the nominees of this convention. Resolved, That the convention place on record an expression of its deep regret at the news, recently received that the federal representative of the county, Thomas A. Hart, M. P., is seriously ill, and of its earnest hope that he may be speedily restored to full health and strength. Brief addresses were made by R. W. Grimmer and J. M. Flewelling, and the most successful convention has been brought to a close.

MANAGER OF HOCHELAGA IS DEAD IN MONTREAL. Montreal, May 27.—J. A. Prendergast, 63 years of age, general manager of the Bank of Hochelaga, died this morning about ten o'clock. The cause of death was Bright's disease. Mr. Prendergast had been for 27 years with the Bank of Hochelaga. Previous to that he was engaged in journalistic work.

CANDIDATE CALLED AWAY, WHITE TO RUN

F. C. Squires Must Return to Harvard, Finds an Able Successor. G. L. Everett White Previously Declined Place on Government Ticket, Consents to Run—Certain of Election.

Special to The Standard.

Woodstock, May 27.—Owing to the fact that the election is called on earlier than anticipated and that Fred C. Squires, one of the government candidates in this county will graduate from Harvard on June 5th, he has retired from the contest in favor of G. L. Everett White, of Centreville, who has accepted the place on the ticket. Mr. White was unanimously asked to take the third place on the ticket at the convention, but declined for personal reasons. Under the circumstances that Mr. Squires must return to college for his degree, Mr. White will take his place and doubtless will be elected with the other members of the ticket. The following letter speaks for itself:

"Hath, N. B., May 27, 1912. Hon. J. K. Fleming, Premier of Province of New Brunswick, Woodstock, N. B. Dear Mr. Fleming—Since the convention which was held at the town of Woodstock on Wednesday last, for the purpose of nominating candidates to represent this county in the next local legislature at which I was pleased to have the honor to be present, I have been thinking of the various circumstances that have surrounded the nomination of Mr. Squires, and I have concluded to accept a position on the ticket. I am glad to inform you that Mr. White will accept a position on that ticket. I can assure you that it gives me great pleasure to withdraw from the contest under these circumstances, as I believe it will be the means of carrying out the expressed wishes of the convention and will be in the best interests of our party in this county.

"I realize that I am a young man and have many years before me, and while it was a mark of confidence that I thoroughly appreciate to have this nomination tendered me, yet under the above circumstances, I feel that you should seriously consider this letter of withdrawal and place before Mr. White my intentions as early a date as possible. In doing this you may rest assured that I am in full sympathy with the policy of the administration, and it will give me the greatest pleasure to assist in every way that I possibly can the election of the full ticket.

"Wishing you success throughout the province in the coming election, I remain Yours sincerely, (Signed) 'FRED C. SQUIRES.'

GOVERNMENT WILL SWEEP POLLS OF RESTIGOUCHE CO.

Rousing Meeting at Jacquet River Testifies to Popularity of Honest Administration—Candidates Spoke.

Special to The Standard.

Jacquet River, May 27.—The rousing meeting held here last evening by supporters of the local government, but another indication of the sweeping victory that will be accorded the government candidates at the polls June 5th. The meeting was among the most enthusiastic held in this vicinity for years, and the speakers were accorded a striking ovation. Hon. John Morrissey, commissioner of public works and W. H. Montgomery addressed the meeting and were followed by the two candidates, Arthur Cullis and D. Stuart, all of whom made an excellent impression. The hall was crowded to capacity, and the enthusiasm of the audience testified to the popularity of the present local government.

REBELS DESTROY PLANTATION.

Santiago, Cuba, May 27.—A coffee plantation belonging to Juan Betta, a German subject, in the vicinity of El Cobre, ten miles west of this city, was destroyed by a rebel band. The buildings were burned and the horses and cattle carried off. Protest has been lodged with the German consul.

MARRIAGE LAW DEFERENCE WILL LIKELY OCCUPY ENTIRE WEEK

Supreme Court Asked to Define Extent Of Authority of Dominion Parliament To Regulate Matrimony MANY INTERESTS REPRESENTED

Counsel For Provinces and Dominion, Promoters of Lancaster Bill and Its Opponents Present—Argument Promises to Prove Lengthy—Quebec Particularly Interested, Seeks to Show Legislation is Beyond Power of Federal House.

Special to The Standard.

Ottawa, May 27.—When the court rose for the day, counsel for the promoters of the Lancaster marriage bill had not completed the presentation of their case, Eugene Lafleur, K. C., followed Hon. Wallace Nesbitt, K. C., being still in the midst of his argument. The hearing will probably last a week.

The vital question involved is whether it lies within the competency of the parliament of Canada to legislate and enact a law on the subject of marriage, and for the hearing of the question the government has engaged the most prominent counsel in the country to support the promoters and to oppose them.

Heretofore the provinces have legislated alone on the solemnization of marriage, and following the agitation ensuing the promulgation of the "Temere Decree," the Lancaster bill, which is the cause of the present hearing, was introduced in parliament. The bill provides that any marriage shall be valid, without regard to the religion of the officiating clergyman, or officer of the contracting parties, or the question arose in consideration of certain sections of the British North America Act as to whether parliament could constitutionally legislate on the question and the supreme court has been asked for a special pronouncement on the question.

The Province of Quebec disputes the jurisdiction of the court to hear the matter at all. Hon. Wallace Nesbitt and Mr. Lafleur quoted many authorities in support of their contention as to the right of parliament to legislate on the subject, and the latter dealt especially with questions two of the conference, and went deeply into the provisions of the civil code of the Province of Quebec. In effect, Mr. Lafleur held that according to the code the religious ceremony is not necessary for the performance of a marriage in the province.

Edmond L. Newcombe, K. C., deputy minister of justice, appeared for the minister of justice, Wallace Nesbitt, K. C., and Eugene Lafleur, K. C., for the promoters of the bill. I. F. Hellmuth, K. C., and P. E. Mignault, K. C., for the opponents; Almo Geoffrion, K. C., R. Smith, K. C., and Auguste Lemaire, K. C., for the province of Quebec; Edmund Bayly, K. C., for the attorney general; and the other provinces were not represented.

One Absentee.

There was one absentee from the bench—Mr. Justice Brodeur. As he was a member of the late government when the two candidates, Sir Allan Aylesworth, gave the opinion that the federal parliament could not legislate on the question, and as he himself is disqualified to sit. Preliminary objections by counsel for Quebec were not argued on the merits.

Mr. Newcombe appeared for the attorney general of Canada, to present the court the reasons for the reference. "The bill was introduced in parliament early last session," he said. "The government, after considerable debate, considered it advisable to have the supreme court pass on the constitutionality of its authority in the matter. So that the various interests might be protected, the government allowed the promoters of the bill to name counsel, and at the same time named counsel to argue the other side. All the provinces had answered the invitation to participate but Prince Edward Island, and the Yukon would not take part and did not attend."

Valid Anyway.

He said the bill was capable of being read as predicated, that a marriage was valid no matter who were the participants and that the Dominion government had control of the solemnization of marriage, although the civil rights, or laws to do with marriage with regard to the manner in which the ceremony would be carried out under the Dominion law.

"It is interesting to note," as noted in the factum of the opposing counsel, that if a marriage between two Catholics is not legal when performed by other than a priest, then the Dominion government clearly has the right to legislate on this impediment," stated the Hon. Mr. Nesbitt. "The Dominion government, he held, has power to legislate over the provincial restrictions of this kind, unvindicated by the British North America Act. Hon. Mr. Nesbitt read a number of authorities showing that marriage was a mere consent of both parties and that the words, 'I take you for my husband' or 'I take you for my wife' was sufficient to validate a marriage.

"You are meaning to say that marriage might be held to be necessary where it is necessary to be necessary," asked Justice Iddington. "These authorities establish beyond peradventure, that unless a contract is made in support of a marriage, unless accompanied by ceremony, that it is a valid marriage," he replied.

"All this is very interesting literature," remarked Justice Iddington when Mr. Nesbitt had read a further number of authorities in support of his contention. "But we are not trying a case here, we are only asked to answer certain questions." "The question of solemnization was then taken up by Mr. Nesbitt. "I beg to refer to No. 66 Missouri," he said. "That's not a Reno volume," quired Sir Louis Davies.

"No, Sir Missouri," replied the learned judge, "and Reno is in Nevada." "Solemnization, Mr. Nesbitt declared, merely implied the presence of others at the ceremony."

"Merely words pronounced in the presence of a witness," commented the Chief Justice. "I cannot see where my learned friends can find anything which will nullify and void that which the Dominion government has clearly a right to enact." "The provinces may have any form of ceremony they see fit for the purpose of complying with the law," he said. "What has public policy to do with this?" asked the Chief Justice. "With regard to perfect proof of marriage," replied with counsel for Quebec, "I am not quite clear as to whether the Province and Dominion are not equal in power. There are curious questions in the B. N. A. Act," Justice Iddington interjected. "Who may marry, and who may not and their capacity to do so is for the Dominion to say," Mr. Nesbitt stated.

"But one legislature may have ideas regarding people becoming parents," Justice Iddington commented. "In reply to Justice Duff, Mr. Nesbitt briefly stated that his point was that the provinces had nothing to do as to what shall be the elements essential to validate the contract of marriage. "And as to civil rights," asked Sir Louis Davies. "The rights of lower succession can be handled by the provinces under civil and property rights," Mr. Nesbitt replied. "Counsel stated that owing to the discussion he would pass from the historical aspect of the case, which he had intended to take up. Annulment of marriage was then turned to, and if it was under the head of marriage or divorce that the Dominion could legislate. It had to first determine what a marriage was before there could be divorce, he submitted. Annulment and divorce were quite different, and the whole subject of divorce included annulment and divorce for cause. "Do I understand you to say that while the solemnization of marriages is exclusively assigned to the provinces, they have no effect if they attempt anything which might prejudice or affect the decree validated by the Dominion of Canada," asked Sir Louis Davies. "The legislature can legislate as to the matter of form, but not as to the substance, if it means validity," responded Mr. Nesbitt. "That is, they may play around

GRADUATES OF LADIES' COLLEGE

Anniversary Exercises of Colleges at Mount Allison University. Enjoyable Programme and Wide Interest Packed Hall to Capacity — The Graduates and Winners of Prizes.

Special to The Standard.

Sackville, May 27.—The most successful anniversary exercises in the history of Mount Allison Ladies' College Memorial Hall tonight. The weather was fine and the hall was filled to the doors. After devotional exercises by Rev. Dr. Morton of the Nova Scotia conference, an excellent programme was carried out.

Mistress of Liberal Arts.

Edith Lizette Hunton, Sackville, N. B.; Mary Humphrey Lockhart, Moncton, N. B. Household Science. Two Year Normal Course. Annie Elizabeth Reed Blenkinsop, Nappan, N. S.; Lena Laura Hunley, Upper New Horton, N. B. One Year Normal Course. Vivian Alice Annis, Nictaux Falls, N. S.; Margaret Florence Burgess, New Brunswick, N. B.; Jennie Marie Burpee, Nashwaak, N. B.; Susie Maude Margeson, Berwick, N. B.; Amy Ann Patterson, Montreal, N. B.; Mary Alice Patterson, Salsbury, N. B. Continued on page 2.

with public policy as to raising money, etc." Sir Louis commented, "but as to validity they have no powers." "The legislatures cannot make, and no matter of form can affect the contract," asserted Mr. Nesbitt. "If they can, then the Dominion has no right to enact this act. The legislatures may presuppose rights in their provinces with regard to certain officers. He maintained that there was no such legislation in the Province of Quebec, as was stated in the factum of the opponents of the bill.

"Well, if there is legislation, then why is this act needed?" asked Justice Anglin. "It is so much waste paper," Mr. Nesbitt then practically stated that if the court did not answer question 2 of the reference, which asks the Dominion Parliament the right to enact marriage law covering the provinces, he would not answer it. He did not want the other questions answered at all. It is admitted that the task before them and the trend of the cases piled by the justices leads to the belief that they will give great attention to the Quebec view of opposition to the jurisdiction owing to the Quebec act antedating Confederation. Mr. Nesbitt had not completed his presentation of the case when the court rose for luncheon.

Afternoon Session.

At the afternoon session taking up the question of the Quebec civil code, Mr. Lafleur held that no ambiguity could be read into any of the sections of Section 128, which reads: "Marriage must be solemnized openly by a competent officer recognized by law." "All priests, rectors, ministers, and all other officers authorized by law to keep registers of acts of civil status, are competent to solemnize marriage. "But some of the officers thus authorized can be compelled to solemnize a marriage to which any impediment exists, according to the doctrine and belief of his religion, and the discipline of the church to which he belongs." "Wherein is there any ambiguity in the first paragraph?" asked Mr. Lafleur. "These are merely precautions taken to enable the officiating clergyman to prevent clandestinity. An outsider, that is a competent officer outside the participants' parish may marry them, but that he must make sure that in Quebec marriage is essentially a religious ceremony. He failed to find anything in the civil code to this effect. Their lordships were referred to the recent judgment of Mr. Justice Charbonneau in the now famous Hebert case at Montreal and a lengthy and historical finding by Sir Louis Jette. Mr. Lafleur had not completed his presentation when the court rose and will be heard again tomorrow morning.

THE WEATHER Fair and Warm

PRICE TWO CENTS

REMAINS OF LADY TUPPER BURIED

OPPOSITION HOPELESSLY DEMORALIZED

Organization in Kings County Ready to Give Up the Ghost. Copp Struggles Vainly to Secure Suitable Candidates—Ticket Put Up as Possible Sacrifice Faces Defeat.

Special to The Standard.

Sussex, May 27.—The opening of the provincial campaign finds the opposition in Kings County in a hopelessly demoralized condition. The party is torn asunder by dissensions and jealousies. It is common street talk throughout the county that none of the old stalwarts attended the convention at Hampton. Men grown old in the service refused to attend. Perhaps the most influential opposition workers in the county absolutely refused to go to the convention. "What is the use," he said, "Copp and E. B. Carter have already selected the ticket and it is now up to them to elect it." The people had no choice.

Mr. Carter has selected himself to run things in Kings county but he will find no response from the old guard. The people of Kings county have no use for the exordium of a sensational journal of the Hearst type; they have not forgotten the episode and final demise of that notorious sheet. It is a well known fact that Mr. Copp made three trips to Sussex before the convention and three times he got on his knees to Dr. McAllister, but that astute politician could not be caught by the craft Mr. Copp had to offer. The doctor knew too well the condition in this county at the present time and Mr. Copp had to be contented with two disgruntled Conservatives on the ticket. No sane opposition candidate can go on the platform in this campaign and say that the roads are not greatly improved. The people of this county would need no better proof of the false canyases being used.

Friends of Mr. Wetmore are disgruntled because he was turned down at the convention a year ago and then accepted now as a jack-in-the-nich. In fact the whole ticket is put up as a public sacrifice. The opposition candidates face certain defeat and they know it. It is up to Doctor Pearson to explain why he changed his mind so many times before the convention. It will be remembered he announced in "The Telegraph" a year ago and then accepted now as a jack-in-the-nich. In fact the whole ticket is put up as a public sacrifice. The opposition candidates face certain defeat and they know it.

PASSENGERS WILL BE DETAINED BY HEALTH OFFICERS

Quebec, May 27.—The steamer Tullaghan of the Allan line reached Quebec at 5 a. m. today after a delay of twenty hours at Gross Isle, where she left 750 of her passengers, all stevedores in the quarantine station. A case of amplex was discovered on board. A number of stewards were also landed together with some provisions. The passengers will have to remain at Gross Isle for at least sixteen days.

BLACK KNIGHTS OPEN SESSION IN CAPITAL

Grand Chapter Meets in Fredericton—First of Organizations Affiliated With Grand Sovereign Orange Lodge to Assemble—Order Making Material Progress Throughout Dominion—Presentation to Sir Knight Thos. Gilday.

Special to The Standard.

Fredericton, May 27.—The Grand Black Chapter of the Royal Black Knights of Ireland of British America opened their session in the Y. M. C. A. hall here this evening, being the first of the organizations affiliated with the Grand Sovereign Orange Lodge to commence their sessions here this week.

It is the 38th annual session of the Grand Black Chapter, and was opened with the usual ceremonies by Deputy Grand Master Sir Knight Thomas Haw. Their lordships were referred to the recent judgment of Mr. Justice Charbonneau in the now famous Hebert case at Montreal and a lengthy and historical finding by Sir Louis Jette. Mr. Lafleur had not completed his presentation when the court rose and will be heard again tomorrow morning.

Sir Charles Overcome With Grief At Funeral TWO SONS PRESENT

In Constant Attendance Upon Father and Assisted Him to Carriage After Sad Rites—Prime Minister and Gov't Represented

Special to The Standard.

Halifax, May 27.—The funeral of Lady Tupper which took place this afternoon was a notable event. The weather was warm and bright and the concourse of citizens who were present in carriages was one of the greatest seen in years. The service at the former Halifax home of Sir Charles which was conducted by Venerable Archdeacon Armitage, rector of St. Paul's church was that of the English church and the three hymns sung favorites suggested by Sir Charles, were as mentioned in despatches of yesterday.

During the service Sir Charles sat at the head of the casket quite immobile except that occasionally the aged statesman displayed keen emotion, particularly during the brief remarks made by the Archdeacon. His eye was bright and his manner alert, but he was evidently feeble and after the body was removed to the hearse Sir Charles had to be assisted to a carriage by two of his sons, who were in constant attendance on their father. At the grave Sir Charles wore the ordinal very well and took part in the responses to the services in a distinct but very quiet voice. The sun was warm and a seat was brought for Sir Charles who sat for nearly an hour at the grave surrounded by a few intimate friends who meanwhile spread a great profusion of beautiful flowers over the newly made mound.

The Prime Minister and Dominion government were represented respectively by Sir Joseph Pope and Hon. J. D. Hazen, the Liberal-Conservative Association, the Halifax Club and other organizations were officially represented. Sir Charles went aboard the private car placed at his disposal by the Dominion government. He will leave for Vancouver tomorrow morning.

CANADA WILLING TO HELP PROTECT LAKE PASSENGERS

Philadelphia, May 27.—At the International Navigation Congress today William T. Anderson of the Department of Marine and Fisheries of Canada, said the Dominion would be very glad to confer with the United States as to the best method of protecting the lives of passengers crossing the Great Lakes or any other body of water separating the two countries.

Official of Marine Department, Tells Navigation Congress Dominion Will Participate in Conference on Subject.