The Chatham Daily Planet.

VOL. X.

CHATHAM, ONT., MONDAY, APRIL 1, 1901

THE CIVIL LAW IS ABOVE

Montreal, April 1 .- A most import-

ant judgment affecting the claims of the Catholic Church in Quebec in re-

gard to marriages was rendered here

Saturday by Judge Archibald, sitting

in the Supreme Court. In May, 1893,

Unitarian Church, celebrated the

Rev. W. S. Barnes, a minister of the

marriage of E. Delpit, private secre-

tary to the Lieut.-Governor of Que-

bee, with Miss Cote, and after the |

bee, with Miss Cote, and after the parties had lived together as husband and wife for several years, three children having been born, Mr. Delpit asked the ecclesiastical tribunal of justice to declare his marriage null and void on the ground that he and his consort being both Roman Catholics, the Protestant minister who had married them was not a competent person to perform the ceremony, and his act was of no effect. The ecclesiastical court granted Mr. Delpit's demand, and he then asked the civil court to confirm that judgment. Mrs. Delpit contested the action, claiming that at the time of her marriage she was a recognized non-Catholic, and Mr. Delpit had also declared himself a non-Catholic; that Rev. Mr. Barnes was a competent officer to perform

a non-Catholic; that Rev. Mr. Barnes-was a competent officer to perform the ceremony, even if both parties were Catholics; that the ecclesiastical tribunal had no jurisdiction to inquire as to the validity of the marriage; that the defendant contracted said marriage in good faith, relying on said plaintiff's declarations, and be-lieving that she was marrying before

and received the surrender of 93

Boers, as already announced in press despatches. Lord Kitchener also re-ports recent wrecking of trains at

has captured 1,000 head of Boer cattle. Some of the men met a party of Boers consisting of a commandant and several other officers. They ordered the Boers to throw up their hands. Two who were slow in obeying the order were winged, whereupon the party surrendered. Later a number of snipers were captured. The regiment then captured a convoy of 26 wagons and a number of cattle, sheep and horses. Later another convoy of ten wagons was captured.

wagons was captured.

The process of hunting down the down the Boers still under arms drags along. The despatches received last night related mainly to the movements of marauding bands south of the Orange River, in the Cradock and Steynberg districts. Several of these bands have returned to the river, after being in the mountain sec.

er, after being in the mountain sec-tions of Cape Colony for three months. Hertzog, Kritzinger, Scheeper, and

.. For Sale..

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1st—2 Story Frame House, with mod-ern conveniences, barn, on part park lot 15, 54 feet front, 288 feet deep, \$1600,

2 Story Frame House, on part same lot, 64 feet front, 180 feet deep, \$1500.

several points.

BRITISH ARE SWEEPING

In the Province of Quebec-The Court's Decision in the Famous

Delpit Case-Decision Will be Appealed.

NO. 94

An Unrivalled Display of Carpets

1500 yds. more have just been passed in stock, which makes not only the largest, but the most artistic display Chatham has ever seen. Carpets are the foundation of Homefurnishings, and you want to be sure the foundation is right. We invite you to come and see our showing, for In no other way can you get an idea of the superior quality and beauty of designs. So ne sug-

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people of Chatham and County of Kent for the past thirty years, and those using it will tell you that it will wear longer and look better than any other Carpet made.

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Furniture Covering and **Drapery Goods**

A se are special lines with us. If you want artistic Drapery, our Furniture Covering—and if you want your furniture covered our experts in this line are at your dispos-

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Every kind is here and every price represented. We can sait you whether you want to pay 50c or \$25 for them.

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Carpet Tacks, in all sizes and kinds, per package 3c, 4c and Carpet Tack Pullers, 5c. 10c and

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Hugh McDonald

Chatham's Millinery Store

-Spring-

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HE IS EXTREMELY

HIGH CHURCH

Toronto Anglican Clergyman Who Believes in the Real Presence, the Confession and Fasting.

Toronto, April I .- Rev. "Father" Davenport, the extremely ritualistic Church of England clergyman, who came from St. John, N. B., lately to became assistant rector at St. Thomas Church, is provoking intense hostility in this city by his views-He has already declared his belief in the real presence and in the confessional, and last night he preached a special sermon, strongly insisting that at the approaching Easter communion those partaking should fast from the midnight previous. He quoted St. Augustine approvingly on the point.
The Saint said it seemed good to the Holy
Ghost that the body of God should enter the mouth before any other food." St. Thomas's Church people have not been given to fasting, and the sermon roused

HE FAVORS THE BY-LAW

Mr. Ball Strongly Urges the Ratepayers to Vote for It.

Claims flore Factories Will Follow

Th s One if We Secure it. To The Planet,-The ratepayers of our good city will be called upon on

the 4th to accept or reject what is called the Dowsley By-law. I, as a moderately heavy ratepayer would like if you will grant me a little space to give a few of my views why we should support this by-law. In the first place, I think all will admit that Chatham, in the way of factories, is far behind a great many smaller cities and the only way in which we can hope to increase our population and wealth is to get in more factories and by so doing build up a city. Now, I look upon the proposed factory as being one of the best that we could get located here. It does not in any way come into competition with any of our present factories and quite a large percentage of the output will be consumed at home by the Wm. Gray Co., Chatham Mig. Co., Robt. Milner and Mr. Martin. It is admitted that the Dowsley spring is the best on the market and therefore there is no doubt about the disposing of all that can be turned out by the proposed factory. Some may say, and do say, the taxes are so heavy now in Chatham we are not in a position to make such loans as the one proposed. My reply to this is, get in more people to help pay them and by this means reduce them. As far as I am personally concerned I would be willing to grant ten such loans as is asked by the Dowsley Co. if by so doing we could get ten good factories located here. Now, Mr. Editor, what does the cost of the proposed loan mean to the average ratepayer, to a man who is assessed for Continued on Fifth Page. that we could get located here. It Continued on fifth Page.

British Trade—About the Boer Movements. London, April 1 .- A special from | Van Reenan are the principal leaders, Standerton says the Imperial Light and their commandes, while in feeble force, seem to be hunting for fording Horse have captured Commandant places where they can cross. De Wet Prinsloo and a convoy of 28 wagons. Prinsloo and a convoy of 28 wagons. who was less fortunate in his invasion Commandant Englebrecht, the de-Vaal, and is collecting the scattered Boer forces in the Standerton district The War Office has received advices. with a view to joining Botha. Serious as have been the blows dealt by Gens. French and Babington, no military from Lord Kitchener, dated Pretoria, March 30, reporting the capture of expert ventures to predict that the Dutch powers of resistance will be ex-72 Boers in Orange River Colony and officially announcing that General hausted. Yet there is a growing feel-French has taken fifty-one prisoners

THE ECCLESIASTICA

HE WAS NEVER

ing that the British must impose ra-

ther than offer terms.

the Daily Mail says:—"Dr. Leyds and his colleagues have sent a private notification to Mr. Chamberlain Rev. Mr. Knowles' Tribute to the Late Dr. McColl-A Sermon in Memoriam.

notification to Mr. Chamberlain warning him that a powerful combination of European and American merchants intends to boycott English goods systematically unless independence is granted to the Boers. The British are sweeping the Eastern Transvaal clear of everything useful to the Boers. All standing crops have been destroyed, but the women and children be being cared for. Five hundred of tem have been conveyed to Utrecht, where their wants are well attended to. "And the Lord said unto him, Well lone." Such was the text selected last evening by the Rev. Mr. Knowles for his sermon in memoriam to the late Dr. McColl, formerly pastor of the First Presbyterian Church. wants are well attended to.

The Second Imperial Light Horse, which is made up of Natalians, is busy in Swazziland. The regiment has captured 1,000 head of Boer cattle.

"The highest and greatest blessing that we can hope for is to receive such a verdict at the close of our life. Our only object should be to so spend our lives that we may be ready for meeting with our God. Some people spend their lives in satisfying their own desires and ambitions. In marked contrast we see the life of a man in whose inds the Lord put a talent

and he used it.

"Life is a stewardship and there will come a, time when we will have to give an account of how we spend every hour. Let all so live that in that day they may hear the coveted words, Well done, good and faithful servant.

"Such was the life of Dr. McColl. He made his life arduous when he might have made it easy. He took the taients that came from God and used them all the time. He battled for the right, dared to stand alone and feared nothing but God's displeasure. He was willing to battle against all odds in life, and his greatest desire was to win the coveted words of approbation from the Lord.

"I have no desire to speak smooth."

win the coveted words of approbation from the Lord.

"I have no desire to speak smooth words of the dead, but as a minister. Dr. McCoil was never found wanting. I speak not of what I personally know, but I have conversed with members of his flock, and I have heard of many a midnight drive, many a lonesome journey, and many a visit to the sick in rain or shine. You who knew him best, know that he did nothing without an end. All his ministry had the one great purpose not to exalt himself but to bring Christ and men together, that the latter might be saved from their sins. For 53 long years he labored in your midst, preached the gospel and told you the story of Jesus and His love. Some of you have grown old and gray under him. He has laid many of your mothers and fathers away to rest. You loved him.

"His life, however, has not been in

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Just drop in and take a look through our stock. We will not press you to buy. Many new lines have arrived this week. Our comfort shoes for uncomfortable feet are just the prope

Easy Walking Shoes Easy Slippers for the House Easy Prices on the Pocket Easy to Buy Easy to Wear

Judge Archibald, in giving judgment, remarked that the plaintiff's claim was that the marriage bond is parely spiritual and religious, and all that remains for the civil authorities is to consider and admit the enactments of the church authorities on the matter. Judge Archibald said he could not see how such a view could be maintained. In England the consent of the individuals pledged to one another was recognized as constituting an actual marriage, without the intervention of a clergyman, which intervention merely added the sanctity of a sacrament to the marriage contract. No ecclesiastical courts were ever established here, and the Church of England is not the established church of Canada. Under the common law of England, certified by George III., there could be no doubt, the judge said, that any marriage solemnized by any minister in holy orders, of whatever denomination he may be, such marriage is recognized ders, of whatever denomination he may be, such marriage is recognized as valid. This applies to Canada, and that statute constituted a great victory to religious liberty, not merely as between Catholic and Protestant, but more especially between Anglican and other Protestant denominations. There can be no doubt, the court hinted, that ministers given the right to keep registers of civil status are thereby given the right to use such registers. Delpit's action was therefore dismissed and the marriage was decided to be valid. An appeal will be taken against the judgment, and the case, it is expected, will be carried to the Privy Council in England. 4 Doors West of Market Trunks and Vallees.

sad occasion. The choir sang as, an anthem, Rock of Ages, Miss Jessie Taylor taking the solo parts. During the offertory, Mrs. Jno Cooper, Miss Ross, W. H. and Robert Brackin rendered as a quartette Tenpyson's dered as a quartette Tennyson's beautiful "Crossing the bar." At the conclusion of the service, Mrs. Cooper, and Misses Ross, and Taylor gave without accompaniment, the exquisite trio, "Gone to his rest." The pulpit was draped in black and

EVERYTHING BEFORE THEM SOME VERY OLD CITIES In the Eastern Transvaal-Dr. Leyds Makes a Threat Against

French Explorers Have Found Them in Asia Minor.

Records and Inspectors Found Going

Back to Nearly 4000 B. Paris April J .- The French government has published the first volume of the memoirs of Jacques de Morgan, which deal with his explorations for the site of the city of Susa. M. de Morgan ran a series of tunnels into a mound at various levels and found traces of five distinct settlements. One of these he found to be the site of the Graeco-Parthian city, which existed between 300 and 200 B. C. Beneath this he found the Persian city of the Achaemenian kings, which existed between 500 and 300 B. C., and beneath this the older city, which had been almost wholly destroyed in 640 B. C. He proved that the city, although wrecked had not been totally destroyed by the Assyrian Asurbanital Sar-danapalus. In the debris he found a cylinder of Nebuchadnezzar the Great, showing that the city had been occu-pied during the Jewish captivity and possibly that Daniel had visited it, for tradition says that he was buried there.

DISCOVERY OF BRICK RECORDS. The memoirs go on to say that the discovery of brick records and charters of the Kassite rulers show that this city probably dated from the year year 1800 B. C., or about the time when the Kassite rulers conquered Babylonia. One inscription supplies the whole details of the Covers extents. whole details of the Corvee system Inscriptions of much older date were

found in one chamber, the most im-portant of which was a fine stele of portant of which was a fine stele of Narramisa, a son of Sarder, who reigned in 3880 B. C., proving incontestibly the historical character of the ancient rulers. The king is represented as wearing a horned helmet, carrying a bow and spear, and wearing a long beard. His countenance was of the Semitic type. He has a foot on a dead foe, is falling, wounded, while he is trying to draw an arrow from his breast. The work is most spirited.

Further down M. de Morgan found traces of a wooden city, which had been destroyed by fire. This contained stone maces, a flint sickle and handmade pottery. Where was no handmade pottery. Where was a Still lower, thirty feet above the virgin soil, there was found an older settlement, containing rude flint instrument, containing rude flint instruments and pottery. The date of the two primitive settlements M. de Morgan is unable to determine.

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