



# The Union Advocate



VOL. XLVIII

NEWCASTLE, N. B., WEDNESDAY, AUGUST 11 1915

NO. 33

## August 4th Celebration By Newcastle Citizens

Patriotic Mass Meeting in Opera House in Afternoon and Grand Parade in The Evening

The celebration of the anniversary of the Declaration of War by Great Britain, held by the citizens of Newcastle and surrounding districts, on Wednesday afternoon last, was a success, and was attended by about two thousand people.

The day itself was all that could be wished for, and the early morning brought many visitors to town, who were eager to share their feelings of patriotism with those of the citizens of Newcastle.

The different committees appointed to look after affairs for the day's celebration, got busy directly after the noon hour, and soon flags and banners began to float in the breeze. Stores and offices, too, began their work of decorating, and the town did indeed present a very patriotic appearance.

About two o'clock the Newcastle band opened up the program by escorting the soldiers from the garrison to the square and then to the boat landing, where the Hon. L. J. Tweedie was met, and together with Hon. Mr. Powell, was escorted to the opera house, where speeches were delivered by Hon. Mr. Burchill, Hon. Mr. Powell and Hon. Mr. Tweedie.

The mass meeting opened with the National Anthem, and was presided over by Mayor Stothart, whose address of welcome was in part as follows:

### MAYOR STOTHART

I have much pleasure this afternoon in welcoming you all to this meeting, a meeting called by our Lieutenant Governor to carry that spirit through our country here, that spirit which was in evidence in England some two months ago, when our Prime Minister voted a vote of thanks to the British Empire beyond the British Isles on the splendid support they had rendered. All had united with one thought to liberate ourselves and our Empire from that land of oppression which Germany has about us, and which for some years has been the feeling in the British Isles that England should and must build ships great and greater to protect us from that that was to come. Now, while this has come, and while we are in the midst of it today, it is our duty to resolve that we will carry this war, this conflict, on until a satisfactory peace is assured. We are well aware that within the last twelve months the war has taught us that Germany has no regard whatever for sacred rites or laws, and I am sure it is our duty and our privilege to carry this war to a successful end.

### HON. MR. BURCHILL

Hon. J. P. Burchill, of Nelson, was the first speaker, and spoke in part as follows:

Your Worship, the Mayor, ladies and gentlemen, when I acceded to the request of His Worship, the Mayor, to take part in the proceedings this afternoon, I did not for a moment expect, and I hope you are not expecting me to advance anything new on the subject which we are considering. There has been so much written upon the subject of the war in which we are engaged, and upon the circumstances which have led up to the subject, that it is impossible for me to say anything new.

In accordance with the resolutions of the land we are asked to meet together today on the Anniversary of the Declaration of War, not for the purpose of celebrating any event, nor for the purpose of spending it in pleasure, but for the purpose, as I take it, of giving due consideration to the position in which we, and others of our Empire, are now placed, and to take a review of the past year to see what we have done, and if necessary to renew our pledge and vows to stand behind the Empire, and I think, Mr. Chairman, that this is the purpose of the meeting and the purpose of the demonstrations which are taking place in the town and other towns and cities throughout the Dominion.

When the Declaration of War was made by England one year ago, some people expected that five or six months at least would end the war; they looked back at the wars in which England had been engaged and which had always resulted in victory, and they were led to believe that England was as unconquerable

## MISS PARKER STILL AHEAD IN ADVOCATE CONTEST WITH OTHERS FOLLOWING CLOSELY

Respective Position of Contestants Remains the Same as Last Week--Prizes Will be Placed on Exhibition This Week in Commercial Hotel--Contest Closes Two Weeks From Tomorrow--Thirteen More Working Days

With a slightly greater plurality of votes than she had last week, Miss Florence Parker, of Derby, still retains her leadership in the Advocate Voting Contest. At the close of the first period of the contest last Thursday, Miss Parker turned in an even 200,000 votes, while none of the other workers attained such a result. Miss Zaida Hinton, of Doaktown, very nearly equalled the leader's achievement, however, with a report totalling 190,000 votes for the week. Miss Margaret Appleby, of Newcastle, was but 4,000 votes behind the Doaktown representative in her showing for the week. Miss Nan Benn, of Nordin, who was expected by many people to make material gain upon the other contestants, failed to do so, and this week remains in fourth position. The results so far accomplished leave each of the four leading contestants in the respective positions occupied by them last week, although the difference between the various contestants in votes has been altered in every case. Miss Parker is further ahead than last week; Miss Hinton is nearer second position, and farther away from fourth place; while Miss Appleby and Miss Benn are relatively farther behind the contestants immediately ahead of them than they were on the last publication of votes. Both of these contestants are hard at work, according to reports that find their way to the Advocate office, however, and no one is warranted in assuming as a matter of course that they will remain in their present respective positions.

As will be observed by comparing the figures representing the standing of contestants, the contest has developed into a very close race, especially among the first three contestants. Miss Benn, while in fourth place, is not by any means so far behind the rest that it would be impossible for her to rush to the front, and the friends of this young lady say she will reach that enviable position before the contest is over. That remains to be seen, however, and no one can forecast the final results with any positive assurance. Whether or not Miss Benn will finish at the top depends upon just two factors, namely, the results she accomplishes, and the results the others do not accomplish.

"Oh, you can't tell anything about it," the contestants are holding back their votes," is an assertion frequently made by those who are interestedly watching the progress of the various contestants. That may be so. It is possible. But it isn't at all likely. Last Thursday the first period of the contest closed, and Friday morning the vote schedule was reduced twenty per cent. If a contestant had desired to do so she could have held back all the business she had secured last week. But if she had done so she would have lost twenty per cent. of the votes earned on that business. Any worker who deliberately throws away 20,000 out of each 100,000 votes must either have a peculiar conception of the value of votes in the Advocate contest, or must have "votes to burn." In view of the above explanation it

may be assumed that no contestant has held back any votes.

**Prizes to be Displayed**

This week the various prizes to be awarded the winners in the Advocate Voting Contest, it is expected, will be placed on exhibition in the window of the old Commercial Hotel, on Jail Street, fronting on the Town Square. The window is sufficiently large to permit a conspicuous display of all the prizes and contestants, their friends, and the public generally, will be able to see at close range just what sort of prizes are to be awarded.

The appearance of the Lonsdale \$400 piano to be awarded the lady securing the highest number of votes during the contest, can not fail to impress anyone with the simple beauty of design of the instrument. The beautiful, and perfect tone of the piano will be demonstrated by some of Newcastle's musical talent, and the public generally will be cordially invited to inspect, examine, and test the piano in every particular. The Lonsdale Piano Co., of Toronto, the manufacturers of this instrument, exercise such care in the selection of the materials that go into its construction, and build each and every piano bearing their name with such skill and art, that they know that no test or comparison can detract in any way from the guarantee that the Lonsdale is as fine a piano, in all the essentials that go to make a first class piano, as money can buy. The company's absolute guarantee goes with the Advocate first prize, and every other piano manufactured in the factory of the Lonsdale Piano Co.

More than one contestant has remarked that they would as lief have the second prize, as the first. It might reasonably be assumed that such a remark is made as a form of self consolation. Be that as it may, it will be apparent when the cabinet of flat silverware is placed on exhibition that the second prize will in fact be very substantial consolation for any contestant's failure to win first prize. This handsome oak cabinet contains more than a hundred pieces of the highest grade, heaviest-plated knives, forks, spoons, etc., manufactured by the Canadian Wm. A. Rogers Limited, of Toronto, and bearing that million dollar company's iron clad guarantee as to the quality and value of the collection.

The third prize will necessarily occupy a conspicuous place in the exhibition of prizes. A tea set of five pieces, of extra heavy silver-plated will constitute this prize. This is also a Canadian Wm. A. Rogers Limited product, of the same high quality as the second prize, and as fully guaranteed by the manufacturers. An illustration of the coffee pot, with burner, which will be one of the five pieces composing this exceptionally beautiful and valuable prize, is shown on page 2 of this issue of the Advocate. The winner of this tea set will receive a prize which should be a long way towards helping her to overcome the disappointment of not winning first prize.

Fully as attractive in appearance as any of the other prizes in the exhibit will be the fifty-one pieces of genuine cut glass which will make up the fourth prize. This cut glass is manufactured by the Wallaceburg Cut Glass Works, of Wallaceburg, Ont., the only manufacturers of light ware cut glass in Canada. The design of the cut glass is simple and pretty, and will surely appeal strongly to women possessing that nice sense of discrimination which is called "taste." Not the least important characteristic of this prize is its usefulness, as every piece in the collection is meant for service, and the number and variety of pieces in the collection will provide dishes for use on a wide variety of occasions. This prize, like all the others, is absolutely guaranteed as to quality and value. The retail value is \$50.

### THE STANDING THIS WEEK

MISS FLORENCE PARKER, Derby,	352,000
MISS MARGARET APPLEBY, Newcastle	323,000
MISS ZAIDA HINTON, Doaktown	292,000
MISS NAN BENN, Nordin,	174,400
MISS EVELYN DALE, Blackville,	153,000

### COMPLIMENTARY BALLOT

This ballot, if returned into the Advocate Campaign Department, in accordance with the rules of the contest, on or before August 21, 1915, will be good for

#### 100 VOTES

to the credit of the contestant whose name and address is filled in below.

Contestant's Name .....

Address .....

NOTE—These ballots will be received and credited in groups of ten only. By fastening the ballots together in groups of ten it will be necessary to have the contestant's name and address written only on the first ballot in each group.

she has driven the Russians back, but it is a question whether the retreat was forced upon them, or is it military tactics.

Where is Germany's pledge? She has been afraid to come out in the open; she has taken advantage of her submarines to sink a ship occasionally and bombard ports where there is nothing to kill but defenceless men and women. Where is her shipping which a few years ago meant so much to her? Disappeared. She has lost over a million square miles of territory in Asia, Africa and the Pacific, and she expects to lose more. Her foreign freight trade has ceased to exist, and will be ceased for some time to come under the most favorable circumstances. Her financial conditions must be getting bad.

Although we hear reports from Germany that all the people are at the Kaiser's back, and they are united as the British Empire, I am convinced that if a free press and a free press were allowed, a different story would be told. Five or six hundred democrats have called upon the Government to make peace, but if the people themselves were allowed a free hand, we would hear a different story from Germany today.

What about Great Britain? She has been in the fight for a year, has been called upon for a great number of men and money. What about her at home? She is pursuing the even tenor of her way, and is continuing her business as usual. Her industries are in active operation. All we have to do is to glimpse at our own river; freights are being sent as before the war began, the only difficulty being, the obtaining of tonnage. Somewhere, about 1,700 car clear from the ports of Britain each week—her goods are sent to every quarter of the globe, she is still Mistress of the Seas and her ships are sailing all over the ocean. Notwithstanding the submarine blockade, the imports of the last year show an increase of fifty million pounds; this does not show that

the war is injuring her trade. Our business is going on as usual, we move about as we please, and but for the fact that we see the soldiers about, we would not suppose there was any war at all.

Besides financing our own war, which is costing about fifteen millions a day, Britain is assisting the Allied Nations with her. The people of her colonies are all united to crush the military power which is threatening the peace of the world. With these facts before us, I do not think we have any ground to feel pessimistic. Realizing what we started out to accomplish, let us do what we can, to help along the Empire, to which we belong—everyone can do something—everyone has done something—some have gone to the front, some have contributed their money and support and everyone can assist in some way or another.

A hearty applause was given Mr. Burchill, after which "The Maple (Continued on Page 5.)

## Supreme Court of Canada Renders Important Judgment

Interesting Land Case, Mersereau vs. Swim, Decided in Favor of Mr. Swim

The case of Mersereau vs. Swim, which excited a great deal of interest in this county especially in Doaktown and vicinity, was decided a short time ago by the Supreme Court of Canada in favour of the defendant, Mr. Swim.

The case is a very interesting one. A large tract of land consisting of a strip extending about twenty miles in length along the southern bank of the South West Miramichi, being substantially a mile wide, was laid out for settlement in the early part of last century. The tract was not actually run out at the time and a grant of the most of it, known as the Betts grant, was made by dis- tances and courses. A plan was made of the tract and put on file in the Crown Land Office in Fredericton. Some few of the lots into which the tract was divided were not included in this Betts grant. Two of these excepted lots numbered 33 and 34 were afterwards granted to John Green, but even they were not run out at the time; in fact they have never been run out. The title to these two lots passed from the original grantee, Green, through several owners to the plaintiff, John A. Mersereau. The Crown for a long time licensed the land in the immediate rear of these lots to different licensees until finally they were licensed to the defendant, Frank D. Swim.

The point in contention in the suit was the ownership of this land in the immediate rear of Lots 33 and 34 which Mersereau claimed he and his predecessors in title (who were the owners of 33 and 34) had used for a long time in connection with lots 33 and 34. Mersereau claimed he owned these lots by virtue of his conveyance and possession and Swim claimed that he owned them by virtue of the license from the Crown.

The case was tried in Newcastle in June 1913, and occupied a number of days. The defendant sought to establish title by possession against the Crown which under our New Brunswick Statute of Limitations must be for sixty years. He also claimed that the land in question had been used in connection with lots 33 and 34 and that certain points up to which Mersereau and his predecessors had cut had been recognized as the rear line by the Crown and by the Licensees of the timber under the Crown. The plaintiff also claimed that the Crown had, through its officers, recognized this line and that Swim was stopped from setting up title to the property.

The defendant claimed, on the other hand, that there never was possession of the property in Mersereau or his predecessors, and even if the acts relied upon by the plaintiff as proving possession amounted to possession, they did not extend back for the full period of sixty years required by Statute. He also claimed that the rear line of the other grants could not be pushed back so as to cover one hundred and thirty acres, the amount of land which Mersereau claimed in the rear of the lots. The further objection was taken that the officers in the Crown Land Office and the Deputy Crown Land Surveyors could not pre- judice the rights of the Crown by anything they might do or say or put on paper; the only way the Crown could part with this property being by grant.

Mr. Lawlor was solicitor and Mr. Tweedie counsel for the plaintiff, and Mr. Davidson was solicitor and Mr. Powell counsel for the defendant at the trial.

Several questions were left to the jury by Mr. Justice McKeown, the presiding Judge, and all of these were answered in favour of the plaintiff. Mr. Justice McKeown accordingly entered a verdict for him. Mr. Swim was advised by his lawyers that the trial had not injuriously affected his rights; the plaintiff had made out no case and on appeal to the Supreme Court the judgment would be entered for the defendant notwithstanding the verdict of the jury and the order of the trial Judge.

Appeal was accordingly taken to the Supreme Court at Fredericton, where it was argued by Mr. Powell and Mr. Davidson for the Appellant Swim and by Hon. Mr. Tweedie and Mr. Lawlor for the Respondent Mersereau. The Court having taken time to consider, ordered the verdict to be set aside and verdict to be entered for the Appellant Swim with costs.

From this judgment the plaintiff's counsel appealed to the Supreme Court of Canada and the case was heard at the Sittings of that Court in the month of June last. Mr. Teed and Mr. Lawlor appeared on the part of Mr. Mersereau and Mr. Powell on behalf of Mr. Swim. The Court having taken time to consider has confirmed the judgment of the Supreme Court of New Brunswick which gives the land to Mr. Swim. This judgment will be of great interest to people along the river who have been occupying lands which are ungranted. The judgment of the Supreme Court of New Brunswick, which was affirmed by the Supreme Court of Canada, decided that the cutting of logs, poles and timber in the winter time for any number of years did not constitute such a possession as would destroy the title of the Crown; that it was not necessary for the Crown to engage in acts of possession to preserve its rights—it could remain inactive and it required an open, visible, continuous and adverse possession of sixty years to divest it of its right to land. The position taken by the plaintiff's counsel at the trial that the Crown Officers had by their action prejudiced the rights of the Crown was not upheld by the Court.

It would be well for the occupants of ungranted Crown Lands to take notice of this decision of the Court. The costs of all three Courts were ordered to be paid by Mersereau.

### Elderly Lady Killed by Train

Mrs. Pierce Quilty Killed by Shunter at Barnaby River

A shocking accident, resulting in the death of an aged lady, occurred at Barnaby River on Saturday morning, about 9:40 o'clock, when Mrs. Pierce Quilty, mother of Station Agent John Quilty, at Barnaby River, and Station Agent Hugh Quilty, of Newcastle, was struck by the shunter and instantly killed.

The deceased lady had left her home and had gone to the home of Thomas Gilks for milk. She was returning, and just as she was nearing the track, her son, Station Agent Quilty, came out on the platform to signal the shunter not to stop. He saw her approaching the track, and fearing an accident, called to her to go back. She apparently did not understand, for she came upon the track and had crossed over and was clear of the rails when the engine which Mersereau claimed in the rear of the lots, the further objection was taken that the officers in the Crown Land Office and the Deputy Crown Land Surveyors could not pre- judice the rights of the Crown by anything they might do or say or put on paper; the only way the Crown could part with this property being by grant.

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The funeral was held at Barnaby River on Tuesday morning.

**Pure Toilet Paper**  
Epsom Pure Tissue Boudoir paper, flat, for sale at the Advocate Job Dept. 10c per package.