

YEAR 86, NO. 101

KINGSTON, ONTARIO, WEDNESDAY, APRIL 30, 1919

SECOND SECTION

NICKLE'S DIVORCE BILL

TO GIVE JURISDICTION TO THE CANADIAN COURTS.

Dominion Under One Law—Two Causes for Divorce—Six Reasons For Nullification of Marriage.

Ottawa, April 30.—Though during men have occasionally in the history of Canada's Parliament braved the intense antipathy felt all through Canada to even the name of divorce by trying to ascertain the feeling of the Commons with regard to the advisability of having divorce courts in Canada, it is only this session that the movement has gone so far that a bill has been prepared, sponsored by W. F. Nickle, member for Kingston, to constitute divorce courts in Canada. If the bill passes, as there appears to be every probability it will, the question of divorce and nullification of marriage will for the first time come under the domain of law, and the dissolution of marriages will be granted only for the reasons set forth in the law.

To Place Canada Under One Law.

In contradistinction to the state of affairs existing across the line, this bill would place all Canada under the same law. The great importance of this law to all Canada demands explicitness as to reasons leading to dissolution. Divorce is allowed for only two reasons, proof of adultery or bigamy. Nullification of marriage may, however, occur for any of six reasons:

First, at the suit of the injured party for the incurable physical impotence of a party to a marriage if it existed at the time of the marriage;

Second, for duress, coercion, or want of consent, at the suit of the injured party, unless such party has by his or her conduct confirmed the marriage;

Third, for kindred within prohibited degrees, provided, however, that no marriage shall be declared null and void because the woman is a sister of a deceased wife of the man, or a daughter of a deceased wife's sister;

Fourth, for insanity at the time of the marriage of either of the parties thereto;

Fifth, at the suit of the husband when the wife is pregnant at the time of the marriage by a man other than the husband, if the husband was ignorant of the pregnancy at the time of such marriage, and has not, after the discovery by him of such pregnancy, by his conduct, confirmed such marriage;

And, sixth, at the suit of the injured party, when the other party wilfully refuses to consummate the marriage.

Collusion Fatal to Application.

Proof of connivance or collusion in any of the applications for divorce would cause the judge to refuse dissolution. Every decree for dissolution or nullity of marriage shall in the first instance be a decree nisi, not to be made absolute until after the expiration of not less than three months as the court shall by general or special order direct, and during that time any proof of connivance or collusion or any evidence of material facts will be admitted before the decree is made absolute or reversed. The court is given the power to order alimony within the power of the husband to pay, and later to increase or stop payment of the same on proper representations of inability to pay or for other good reason.

The court may also order the payment of interim alimony by the husband until the suit is heard, and order him to pay as well the cost of his wife's suit. Appeals are provided for from the Exchequer Court of Canada to the Supreme Court of Canada, or from the Superior Court of a province to the Appellate

VETERAN ONTARIO EDUCATIONISTS IN CONVENTION.



Among the prominent members of the Ontario Teachers' Convention in Toronto last week were the following members: Top row, from left to right, Dr. Pakenham, Toronto; Robert W. Doan, Toronto; Dr. Coleman, Kingston. Bottom row, J. J. Bell, Gananoque, Ont.; W. Houston, Toronto; Dr. Henderson, Clarkson.

Court or tribunal of that province, and a final appeal can be taken to the Supreme Court of Canada.

Re-marriage Allowed.

After the decree is made absolute re-marriage of both parties is permitted as if the prior marriage had been dissolved by death, but the bill very wisely adds with regard to religious difference in Canada: "But no clergyman or minister shall be liable to any penalty for refusing to publish any banns of marriage or to solemnize any marriage in any case where either of the persons desiring to be married has been so divorced, or has had his or her marriage declared null and void." It is also provided that the husband and wife shall each be a competent and compellable witness. As to domicile men and women are placed on an equal footing; the domicile of a married woman being governed by the same laws and rules that apply to a man, in this case the domicile of a married woman not being considered the same as that of her husband.

Took Alcohol From Tank.

Belleville, April 30.—Before Judge Wills, Roy Bovey, Roy Shlonski, John Coughlin and James M. Chase pleaded guilty to a charge of stealing alcohol from a railway tank at Tremont. Alexander Craddock, charged with a like offence, was found guilty after a trial. As all the accused were married men with families, fines ranging from \$50 to \$200, or in default, terms in prison were imposed.

Placed Tie Across Track.

Belleville, April 30.—A young man named J. Delino, of Marmora, was before Judge Wills found guilty of placing a railway tie across the C.N.R. track near Marmora. Owing to the mental condition of the accused, a suspended sentence of one year was imposed.

100-GALLON STILL IN WEST DURHAM

Officers Locate Complete Outfit With 600 Gallons in Process.

Bowmanville, April 30.—One of the largest "moonshine" whiskey stills ever known to exist in this part of the province was found this afternoon by the high constables of these united counties, Richard Jarvis, Bowmanville's chief of police, and the counties' license inspector, George Goodrich, Cobourg, in the northern part of West Durham, the famous local opium district. Chief Jarvis received a hint Sunday that something of special interest might be found in a farmhouse on the William Brown farm near Lotus. These two agents of the law, on arriving there, finding the doors locked and no person on the premises, forced a door open, and in the cellar found a complete whiskey still, with copper boilers, coolers, etc., with a capacity estimated at 100 gallons per day. They found in process of distillation over 600 gallons, contained in 12 barrels of 50 gallons each, which was poured out on the cellar floor. In another part of the cellar were found a 2-gallon keg and two 10-gallon kegs of whiskey ready for shipment.

Upstairs was found the bottling branch, with some 200 bottles, the dye for coloring whiskey the proper shade, etc. The good "moonshine" whiskey was taken to Pontypool station and expressed to the License Department, Parliament Buildings, Toronto.

The farm fronts on the town line of Cartwright and Manvers, about seven miles from Burketon. Two Jews are said to have rented the property from Mr. Brown, who resides in Toronto, and took possession some two months ago. From information obtained, another Jew, who runs an auto, is in league with the moonshiners and conveys the product to Toronto, his activities being carried on at night, too. The main traveled road is about a quarter of a mile from the house, which is in a secluded locality, where few people travel. The constable was informed that the occupants being Hebrews, were in Toronto attending a Jewish festival.

SMUGGLED WHISKEY

To be Sold at Auction at Gouverneur, N.Y.

Ogdensburg, N.Y., April 30.—Upwards of two hundred bottles of whiskey, high wines, alcohol, sherry and liquors of all colors and descriptions will be sold at public auction at the Custom House, June 3rd, by Henry Holland, collector. The liquors represent only a part of the activities of the federal customs officials in detecting liquor smugglers on the Canadian border. The entire lot of liquors to be disposed of was seized at Malone and Fort Covington.

A peculiar situation exists along the Canadian border, of Northern New York. With the exception of Ogdensburg there is no wet community on the American side from the head of the St. Lawrence to Lake Champlain.

On the Canadian side the Province of Ontario opposite Ogdensburg is dry. The Province of Quebec on the other hand opposite dry Malone and Plattsburg is wet.

At Prescott, the port of entry into the Dominion opposite this city, it is the Canadian officials who are active, while further to the east, it is the American customs officers who must be vigilant for importations of Canadian liquor. The sale by Collector Holland is evidence of their activity thus far.

PREACHED THE GOSPEL.

Didn't Get on in Church on That Account.

Hamilton, April 30.—Rev. E. Marshall Hawkins, rector of St. James' Anglican church, who has resigned his charge, says that a majority of preachers do not believe half they preach, and do not preach half they believe.

He says he came to the church marked as a dangerous man and has never been invited to fill the pulpit of any other church. He could not get on in the church because he preached the Gospel, so he decided to resign.

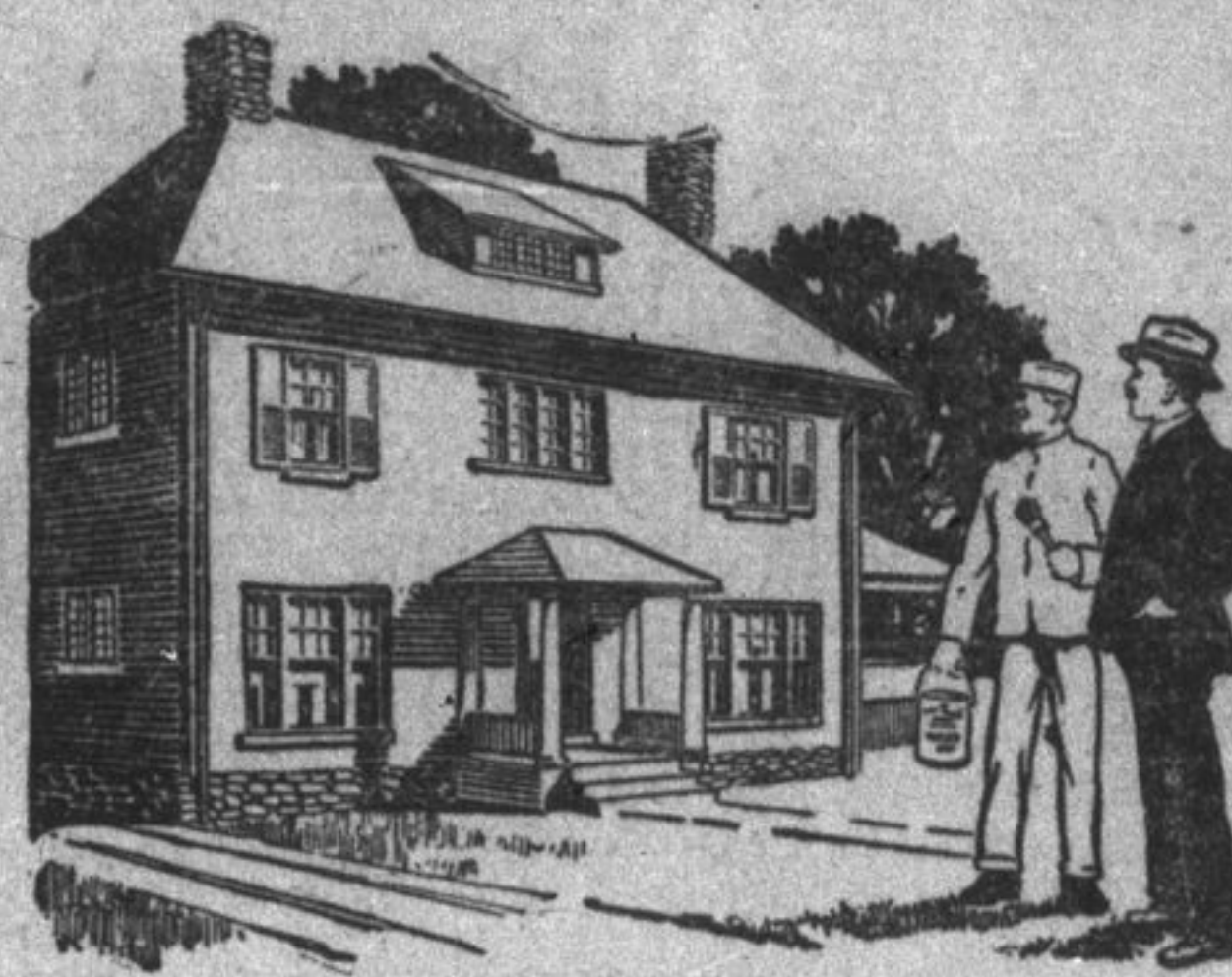
WAR PUZZLES

MAXIMILIAN HARDEN



MAXIMILIAN HARDEN WARNED GERMANY That America's entry into the war must be taken seriously, two years ago today, April 30, 1917. Find another writer.

YESTERDAY'S ANSWER Upper left corner down nose at right shoulder.



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Your home represents a large investment which should be protected against loss.

You insure it against fire - paint will insure it against decay.

Don't neglect your house. This is the painting season. Paint it.

If you need advice as to the best paints to use, artistic color combinations, proper treatment of surfaces, priming and finishing coats, stains, varnishes, drop into our store and we will give you the information you seek.

We will show you proper color arrangements; how oil and varnish stains are used; how easily graining can be done, etc.

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The highest standard paints made and the most economical as they cover more surface, are finer in texture, more brilliant and permanent in color and far more durable than ordinary paints.

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To find out the quantity of Lowe Brothers "High Standard" paint required, divide the number of square feet of surface to be painted by 700 for the priming coat and 425 for the two following coats. If the surface is already painted and in good condition one gallon will cover 425 to 475 square feet with two coats. Or, bring your measurements to us and we will figure the quantity.

How to use good paint

See that the surface to be painted is clean and in proper condition. If the surface is not in good shape we will tell you how to treat it. Outside painting should never be done in damp or frosty weather, or when the wood is not perfectly dry. Never thin with coal oil or benzine as you will kill the life of the paint. Ask for color cards giving complete painting instructions.

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TO GET BACK THEIR WIRES AND CABLES

Recommendation of U.S. Postmaster-General Burleson to President Wilson.

Washington, April 30.—Postmaster-General Burleson announces that he has recommended to President Wilson the return of the ocean cables to their owners and would recommend that the telegraph and telephone lines also be returned as soon as legislation could be obtained from Congress safeguarding the interests of the owners.

It was learned on high authority that both recommendations had been approved by the President.

No Steamers to Call.

Perth, Australia, April 30.—Owing to the protracted trouble at the wharves of Fremantle, the Commonwealth Government has intimated that no steamers will call there until the loyalist lumpers who worked during the big strike receive proper attention.

Fined For Intoxication.

Belleville, April 30.—W. Esmond, claiming Montreal as his home, was by Magistrate Masson, fined \$200 and costs for being intoxicated and having liquor upon his person.

In a way you boom your own business when you boom your town.