

LIBERAL-CONSERVATIVE CANDIDATES.

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Prince County. FIRST DISTRICT Edward Hackett, Councillor H. W. Turner, Assemblyman SECOND DISTRICT Peter McEwen, Assemblyman THIRD DISTRICT Charles S. McDonald, Councillor J. F. Arsenault, Assemblyman FOURTH DISTRICT John Anderson, Councillor M. O. Delaney, Assemblyman FIFTH DISTRICT James E. Wyatt, Councillor James A. McNeill, Assemblyman

Queen's County. FIRST DISTRICT William Campbell, Councillor Donald Nicholson, Assemblyman SECOND DISTRICT Dougald Currie, Councillor Thomas Doyle, Assemblyman THIRD DISTRICT Peter McCourt, Councillor Leonard Wood, Assemblyman FOURTH DISTRICT Henry Wood, Councillor S. A. Nicholson, Assemblyman CHARLOTTETOWN R. McNeill, M. D., Councillor P. S. Brown, Assemblyman

THE HERALD

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JAMES McISAAC Editor & Proprietor.

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The Fishery Award.

(From the Examiner.)

As to the Fishery Award case the Premier says that it will be disposed of by the Privy Council and a Court of Arbitration; and, if so, it will not matter which party is in power in this Province. In order that there may be no room for doubt about the matter we shall quote that excellent romancer, the Patriot, the speech of the Lieutenant Governor at the last session of the legislature, and other indisputable authorities.

It will be remembered that Premier Peters, being then "pretty hard up," began to "work" this claim in 1902. In April of that year, the Patriot reported the Premier as stating that "he expected to receive from Ottawa, in payment toward the claim for Fishery Award, a sum sufficient to carry in the government without any taxation." Deputations accordingly went to Ottawa. But the Premier's expectations were not realized. In the month of October, 1903, the Patriot said:

"We are glad to see that Premier Peters has been pressing the claims of the Province to our share of the Fishery Award upon the Dominion Government, and we are pleased to hear from him that the matter is coming to a conclusion. Much correspondence has passed between the Premier and the department, and he finally claimed from the Dominion the right—although the other Provinces did not proceed alone in this matter. And, so far as the Fishery Award is concerned, if the Federal Government would not amicably settle the claim the Premier asked to be permitted to state a case for the decision of the Supreme Court at Ottawa as to our rights to a share of this Award."

At the opening of the session of 1904, the government put these words into the mouth of the Lieutenant Governor:

"It has been arranged that a

case shall be stated for the opinion of the Supreme Court of Canada, as to the rights of the Province interest to their share of the Award. This will finally dispose of this vexed question, and will, after payment of the fishery bounties, as heretofore, yield a large sum of money for the use of the Province."

In the course of his budget speech Premier Peters said: "One of these claims will, I think be recognized before very long, that is our claim for our share of the Fishery Award. That case is now before the Supreme Court of Canada."

And again,— "But if the Dominion of Canada received it as our money, in right, in justice and equity and in every other principle that is known to law or justice, they are bound to pay that money over to us, and if they are bound to pay it over to us, then, sir, they are bound to give us the income of that money. If they held that money since 1899, the year the award was made in Halifax, and kept that money for themselves, placing it, I presume, on interest or any other consolidated fund, then they must account to us for the use of money by paying interest. Therefore I claim if the decision of the Supreme Court be in our favor—it will be decided next month—we are not only entitled to our share of the Award, the capital paid over, but to the interest for all the time the Dominion Government have held our money. I do not think any lawyer or other person who has studied the question at all will deny that fact. I believe the Supreme Court will decide in our favor next month, and if we get that, it requires but pencil and paper to calculate on what that would be."

The speech in which these strong and decided statements were made was delivered on the 20th of April 1904. After the close of the session Premier Peters and others went to Ottawa. There they got new light. For the Patriot of the 21st of May 1904 reported the leader of the government as stating that,— "The matter was fully discussed before Sir Wilfrid Laurier and the members of the Cabinet, and it was found, that the Minister of Justice did not feel inclined to put questions to the Supreme Court as desired, and as we felt they ought to be put. The objection he raised was, perhaps, not without foundation. One of the questions we desired to put was, whether the Dominion Government was equitably bound to pay over the amount of the Fishery Award with interest from the time it was paid to the Dominion Government, to the provinces. The Minister of Justice objected to the word "equitable" saying that, in the first place, he did not think that the statute which authorized these questions to be put to the Supreme Court to be answered by them, empowered him to put anything but questions of a strictly legal nature and that he had no power to ask the Court whether there was any equitable liability on the part of the Dominion Government to pay over the money. Mr. Pugsley and myself refused to consent to the question of the mere legal liability being put, as if it came down to a strict question of law, there was no legal liability existing between the Dominion Government and the Provincial Government to pay over this money,—our only claim being that the money was paid by Great Britain to the Dominion Government previous to the decision of the Privy Council, and was really paid to the Dominion Government under a mistake of fact, believing as they did at that time, before the decision of the Privy Council, that all these Fishery rights and privileges belonged to the Dominion Government,—whereas the decision of the Privy Council reversed that belief, holding that the property in all these fishery privileges and rights belonged, not to the Dominion Government, but to the Provinces and therefore as a matter

of law there would be no legal liability from the Dominion Government to pay over this money, the claim being, as before, if anything, an equitable one. Finding, therefore, that we could not agree upon a case to the Supreme Court it was suggested by Mr. Pugsley and myself that the matter should be referred to arbitration with power for the arbitrators to consider as well the legal as the equitable liability. After some discussion Sir Wilfrid intimated that he saw no objection to the matter being referred to arbitration, and the Minister of Marine and Fisheries, on being appealed to, concurred in Sir Wilfrid's decision. As far as the Fishery Award is concerned this will go before arbitration."

On the second of June, the Patriot announced another jaunt to Ottawa on which the Premier was to be accompanied by those great legal luminaries and authorities upon constitutional law, the "Hon. Benjamin Rogers and the Hon. George W. Simpson." All were to attend a conference to be held on the 8th, "relative to the final arrangements concerning the arbitration that is to deal with the Fishery Award and

other matters of importance to this Province." Well, they all went. But when the Patriot, on the 14th of June, announced the return of the luminaries, it had also to announce that:— "So far as the Halifax Fishery Award is concerned, it was decided on the suggestion of the Minister of Justice to refer the matter first to the Privy Council of England to determine whether the Dominion Government—in equity or good conscience should pay the provinces the share of the Award. Should the question be decided by the Privy Council in favor of the Province receiving the Award, the question of the amount payable to each province by the Dominion will be decided by an independent arbitration, to be selected by the provinces and the Dominion. The above course was decided upon, owing to the fact that Nova Scotia could not be persuaded to join with the other provinces in holding an arbitration as at first intended. The matter is being referred to the Privy Council under the statute which authorized the Dominion Government to ask the opinion of the King-in-Council as to any constitutional or other matter by which the Dominion Government will be bound. This question will, if possible, be submitted immediately to the Privy Council."

And there the matter stands. It is evident that Premier Peters and his colleagues cannot do anything further about it until after the Privy Council shall have given its decision, and we submit that the event of the

election cannot affect the result in any way—unless perhaps it may secure more successful counsel than those who managed our Representation case.

The Garden of Canada. The waters of St. Catharines Well are of the mineral saline order and a great specific for rheumatism, gout, neuralgia, or a splendid tonic for those afflicted with nervous prostration. The use of the waters is accompanied by massage, electricity, etc., given by skilled attendants. Situated on the southern slope of Lake Ontario, the climatic conditions and environment are excellent for recuperating. This region is known as the Garden of Canada, and a happy hunting ground for health or pleasure seekers. Guard against the ills of modern life by visiting these famous springs. The Welland will be found a comfortable, homelike, rest cure establishment, with sun room, library, music room, roof promenade, and a corps of skilled attendants. For further particulars apply to G. T. Bell, G. P. & T. A., Grand Trunk Railway System, Montreal.

Warning. It has come to our notice that the Ottawa Business College has been sending out letters to different parties, and stating as facts the most glaring falsehoods, concerning the Teacher, and work done at the Union Commercial College. We wish to give these statements our emphatic denial. They are misleading, and we advise persons receiving such letters and information, to look carefully into the truth of the matter before acting.

News of the War. St. Petersburg, Nov. 28.—General Kurapatkin telegraphs a description of the Japanese attack near Etchokobethon, on the front of his left flank. "The fighting, Kurapatkin says, "was fierce almost amounting to a bayonet engagement." But the enemy were everywhere repulsed and suffered severely.

"The attack was renewed the following morning, the Japanese having been forced. But again they were repulsed and at four o'clock in the afternoon a blizzard and fog prevailed greatly hindering the fire. The Japs continued to advance under the cover of the fog. But our forces held their positions and fire slackened. The Russian losses were nine killed and fifty seven wounded.

"On November 25th, the Japs resumed the offensive and endeavored to envelop our left flank, whilst advancing against our centre. I have received no later reports.

Political Meetings. Meetings will be held in the Second District of King's County as follows:— Morell, Monday, Nov. 28, 6.30 p. m. St. Peter's, Tuesday, Nov. 29, 6.30 p. m. Monticello, Thursday, Dec. 1, 6.30 p. m. Cherry Hill, Friday, Dec. 2, 6.30 p. m. Peake's Station, Monday, Dec. 5, 6.30 p. m.

The Opposition Candidates are requested to be present. ARTHUR PETERS, J. D. McINNIS. The Opposition Candidates will be there. Nov. 23, 1904.

Nov. 18, 1904.—21.

No Breakfast Table complete without

EPPS'S COCOA

The Most Nutritious and Economical.

POLITICAL MEETINGS

Meetings will be held throughout the Third District of Queen's County as follows:— Mount Stewart Hall, Monday, 21st at 7 p m Tracadie Cross, Tuesday, 22nd, at 7 p m Corran Ban, Wednesday, 23rd, at 7 p m Little York, Thursday, 24th, at 7 p m Brackley Point [Harrington Hall] Friday, 25th, at 7 p m Winsloe Road, Monday, 28th, at 7 p m Mt. Herbert, Wednesday, 30th, at 7 p m St. Albion, Thursday, December 1st, at 7 p m Webster's Corner, Friday, 2nd, at 7 p m

The Opposition are invited to attend. Equal time will be given to all candidates.

JAMES H. CUMMISKEY H. JAMES PALMER

In addition to the above the undersigned will meet the electors as follows:— At St. Augustus Hall, on Saturday, Nov. 26th, at 7 p m At Stanhope Hall, on Saturday, Dec. 3rd, at 7 p m At Donagh School, on Monday, Dec. 5th, at 7 p m At Pisquid East school, on Tuesday, Dec. 6th at 7 p m

The opposing candidates are invited to attend. P. McCOURT L. WOOD

Nov. 18, 1904.—21.

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All German make, age 3 to 15 years, in short and Ulster lengths, navy, fancy piping, \$2.00 each for small size, and up according to size.

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A better grade in navy frieze with shoulder cape, trimmed red felt, small size \$4.50 and up to \$6.75.

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Short lengths up to the long Raglanette.

89 Men's Ulsters, \$5.00 to \$12. 96 Fur Lined and Leather Lined Overcoats and Reefers. 33 Dark Grey Raglanette and Rainproof Coats, \$10, \$12 and \$14. 15 Blanket Coats, red hoods, for boys. 55 Youths' Overcoats, same style as father's, velvet collar and swagger style, all prices. 159 Boys' Reefers, all grades from the cheapest to the best, \$1.90, \$2.50, \$3.50, \$4.50 to \$6.50. 298 Two Piece Suits from \$1.30 to \$3.75. 189 Three Piece Suits with short pants, from \$3.75 to \$18. 110 double and single breasted Worsted Suits, best make, \$14. 55 double breasted, double and twisted Island, Nova Scotia and New Brunswick made tweed in this suit. Good value, \$12. Yours for \$10 each. 80 Men's Reefers, \$3.75 to \$10.50. 63 Rainproofs from \$3.50 to \$18. 1/4 off the \$ on this line for cash. Come quick if you want one. 83 Canadian made Tweed Suits, \$3.75, \$5, \$6.50 and 8. Big lot of sample suits made to sell at \$14 for \$10. 400 pairs odd pants for men and boys. Come this way for Ready-made Clothing.

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