

LIBEL CASE
ADJOURNED

By November 23rd Mr. Scott Must Have His Plea of Justification Filed with Particulars or Else Change the Plea.

The case of H. W. Laird against Premier Scott in which the latter is charged with libel was again before the court last week.

On Thursday it came up in the Supreme Court at which Judge Johnson presided. When the case was called, Mr. Embury stated that the defence had filed a plea, and he had filed an application to have it struck out. Mr. Scott remarked that he had taken over the case only a few days ago and had found the plea of justification filed.

"The plea," he said, "is one of jurisdiction, as the evidence shows that the alleged offence was committed in the Moose Jaw judicial district."

Judge—What is the charge?
Mr. Ross—The charge is one of criminal libel.

Judge—I do not think that I will allow that plea. The charge is preferred by the attorney general and I think he could lay it anywhere in the province.

Mr. Ross—As I said, I came to the case only a few days ago, and I am instructed by my client that we wish to plead justification. This is one of the most serious pleas that can be raised and one which cannot be offered without a great deal of consideration and examination of what evidence is to be adduced. In the short space of time at my disposal I have been unable to prepare a plea in accordance with understood practice. I am unwilling to file any one particular charge, for while we have abundant material at hand, I am unable to say that I can prove anyone in particular, and I don't want to plead anything that I cannot prove. It is only under these peculiar circumstances that I ask for any more time, as I realize the patience of the court has been sorely tried already.

Judge—The case is scarcely in a position to ask for any more time. There is a demurrer filed. I will allow the demurrer, Mr. Ross.

Mr. Embury—With reference to this question of time, I will just point out that the alleged charge is a criminal offence. My client has been under this charge since August 5, as the evidence at the preliminary investigation shows. It is certainly very unfair when he is charged with

a criminal offence, that he is unable to obtain particulars of that charge. Judge—If I instruct them to file a plea of justification, they file a general plea and then you have to make application for particulars. Would it not be better to take 10 or 15 days and file a plea with particulars.

Mr. Embury—Yes, I may say that the plea they have filed is a demurrer, and I have a right to ask it to be struck out altogether. I am instructed not to do that, however. We want this case tried My Lord. They had 15 days before in which to file their plea, and I think they should have the usual time of eight days and no more. Mr. Scott did not turn up at the time the case was first tried, and I have granted every indulgence. I think they should be called upon to give their plea now. The practice is to call upon the defendant to plead immediately, and why should he have any more indulgence than any other person? I do not mind giving them two or three days to plead, but why should they have 15 days? They have made the serious charge that my client received \$5,000 on a waterworks contract, surely they can come up and substantiate it.

Judge—How many days do you want Mr. Ross?

Mr. Ross—I cannot see that I have instructions before the fourteenth. Mr. Scott is out of the city and I don't want to take the responsibility of filing a plea without consulting him.

Judge—If I grant you until the fourteenth it will be on the understanding that the plea will set up justification with particulars.

Mr. Embury—I am satisfied with that.

Judge—Then I will ask you to file your plea tomorrow and I will then order particulars to be filed by the fourteenth.

Mr. Ross—There is no provision by which you can order particulars for that. I can order particulars when I choose.

Mr. Embury—My learned friend is going to file a plea that is no good. Mr. Ross—My plea is good and I think I can make it stick before I get through.

Judge—Mr. Laird is entitled to know what he is charged with and this court will adjourn, when the business of the day is done, until tomorrow morning when you will file the general plea, and I will allow the other side to file demurrer asking for particulars immediately.

SHELVED TO NOV. 23.

When the case came up on Friday, Mr. Ross for Mr. Scott said that it

was impossible for him to provide particulars at once and asked for three weeks. Mr. Embury maintained that the time should be as short as possible. The judge found that Nov. 23rd was the first date he had open and he ordered that Mr. Ross must file his plea with particulars on that date or else the plea of justification would have to be changed. The case was then adjourned.

How Laurier Won

Montreal, Nov. 5.—Le Nationalist, the Bourassa organ, asserts that Sir Wilfrid Laurier carried the country on October 26 simply because he was a French-Canadian.

"There are in Ontario and the lower provinces several hundred thousand of our compatriots, the greater number of whom voted for Whitney in Ontario and for Hazen in New Brunswick. When, however, the federal elections came round, these same electors voted as one man for Sir Wilfrid Laurier."

The Nationalist gives a table showing that out of twelve constituencies in Ontario, where the French-Canadian vote is heavy, not a single one went Conservative, the names of the counties being Prescott, Ottawa, Essex, Russell, Nipissing, North Garry, Cornwall and Stormont, Algonquin, Simcoe East, Kent, Renfrew South and Essex North.

In twelve counties in the Maritime provinces, where the compatriots are in large numbers, an identical state of things is shown. These twelve counties are Gloucester, Kent, Westmoreland, Victoria, Northumberland and Restigouche in New Brunswick; and Prince in Prince Edward Island. One county out of twelve (Digby, N. S.) elected a candidate to support Mr. Borden.

In a word, out of twenty-four counties in the English speaking provinces, where the French vote is very numerous, Sir Wilfrid Laurier carried twenty-three.

"We have, therefore, very little difficulty in explaining this result, when we see that fifteen hundred, a thousand or only five hundred ballots fall into the ballot box for the same candidate," says Le Nationalist.

"Take away this influence, however, and suppose that the vote was about equally divided in the French Canadian counties and in the rest of the country and the defeat of the government was assured. These are the brutal facts against which all the speeches in the world cannot prevail."

Minard's Liniment Cures Colds, etc.

CZAR OF BULGARIA

How Ferdinand Built up a Dynasty—The Creation of a Middle Class—His Dreams of an Empire Composed of all the Slav States.

Ferdinand I., Czar of the Bulgars, who occupies so prominent a place in world politics at the present moment, is a very admirable personality, according to Alfred Stead, who writes about him in the Review of Reviews. He has been the prince of Bulgaria for twenty-one years, and to his unrelenting efforts are due the great advances Bulgaria has made in the past two decades.

From the time he came to the throne he has stood as a missionary of western culture and western civilized ideas, and by his example has led his people along the path of progress.

Ferdinand's task was a difficult one, especially at the beginning, for it took him years to conquer the suspicion and distrust of his people. The Prince is a Roman Catholic, and the Bulgarians belong to the Greek Orthodox Church. There was, therefore, the religious obstacle to hearty co-operation. Another difficulty was presented by the extremely democratic character of the Bulgarians. But there was one thing that tended to win for the Prince the sympathy of his people, and that was the fact that the great powers were at best coldly tolerant of Ferdinand. This taught both ruler and subjects to be dependent upon each other. At the time Prince Ferdinand was disheartened by the action of the powers, but later on he recognized the blessing in disguise.

In the early years of his reign the Prince was overshadowed by Stamboul, the greatest patriot and statesman that Bulgaria has yet produced. He was to Ferdinand what Bismarck was to the present emperor of Germany, and the analogy may be continued by remarking that Ferdinand determined after Stamboul had passed from the scene, that thereafter he himself should be the greatest Bulgarian statesman. His earliest work was to begin the creation of a middle class. Bulgaria was composed entirely of sturdy agricultural peasants. They were extremely independent, not to say self-sufficient, and one man was as good as another to a degree unknown, perhaps, in any other nation.

Realizing that to found a real dynasty on such subjects was an impossibility, the Prince set himself the task of dividing the nation into the classes that make up other countries—the aristocrats, the peasants, and the middle class. Industries were started, and outside capital, chiefly from Germany, was interested. Improvements were made in the educational system. The army was remodeled, and a large body of men drawn off from the industrial pursuits. These causes and others working over a period of twenty years, have had the effect the Prince hoped and although Bulgaria is still democratic in sentiment, a landed aristocracy and a middle class have been created. Whether the change has been for the better, so far as the people are concerned is an open question. It is certain that Bulgaria today is a soil in which the seed idea of a reigning house sprouts readily. The Prince has had his way.

But Ferdinand, it must be remembered is a Bourbon. A grandson of Louis Philippe, he bears a striking resemblance to the last emperor of the French, and his nose is the joy of cartoonists. Although he has made Bulgaria a nation, as the last phrase goes, it is not for the outside world to praise and admire his work. His monuments belong to Tirnova. In his dealings with the other powers he has shown many of the Bourbon characteristics, for his manners are not more gracious than his professions are insincere. As a "wiggler" he can compare favorably with the Sultan of Turkey. His love of pomp and ceremony, carefully concealed all through the earlier years of his reign, of late has blossomed like a rose. He never goes out unless attended by a brilliant cavalcade. His marriage alone cost the thrifty Bulgarians \$600,000, and when he pays a royal visit the municipal tax rate gives a nervous jump.

That feature of Ferdinand's foreign policy which has been most conspicuous is his pro-Russian sentiment, which was inspired, no doubt, with the hope that some day Russia would back his coup to throw away the hated tax which he wore on visits to the Sultan, as a symbol of his dependence. Now his evident ambition is to play his own game. He dreams of an empire of Bulgars, that shall include all the Slav states of the Balkans. The vision may be a distant one, but Germany was built up on just such a foundation. Bulgaria is far from popular with other Balkan countries, but Prussia, too, was unpopular in the German confederation; and for some of them it must be a choice between Bulgaria and a worse fate.

The many changes which the result in Ontario has brought about is shown by the fact that there will be no less than twenty-nine new faces from that province in the next house—thirteen Conservatives and sixteen Liberals.

CAMPAIGN ECHOES

W. Gallagher ex-M.P. who was at a position on the railway commission when Thomas Grenville was appointed, is said to be renewing his claims.

There is little probability that parliament will be called until after Christmas. There is no particular pressing business, and if it were summoned before the holidays little could be done before adjournment.

Honest John Herron, with all polls in, has won a majority of 303, a substantial increase over 1904. The Socialist candidate lost his deposit. The vote stood: Herron, Conservative, 2983; MacDonald, Liberal, 2632; and Harrington, Socialist, 662.

The official figures for Ottawa have been given out, which show that Sir Wilfrid Laurier has a majority of 427. The official figures of the vote are: Laurier, 6587, McGivern, 6388, Birkett 5959 and Chalor 5890.

The successful Liberal candidate in North Cape Breton, D. D. McKenzie, stepped down from the bench to run. Until another appointment is made County Court Judge MacGillivray of Antigonish, is acting in his place. Judge MacGillivray will also preside over the recount which is to be held in that riding.

Premier Hazard of Prince Edward Island, encouraged by the Liberal victory in the Dominion and the fact that three out of the four local seats went for the government, has sprung the provincial elections. They will be held on November 18. Premier Hazard's platform includes the pressing of further claims against the Dominion for restitution of federal representation in the house of commons.

North Waterloo was promised that McKenzie King should be advanced to cabinet rank, and it is possible that he may be taken in, which could be done without an increase in numbers. If Sir Frederick Borden is got rid of E. M. MacDonald of Pictou, would probably get the position of minister of militia. He feels that his heroic work as a blocker on the public accounts committee and the Hodgins enquiry entitles him to some reward.

The stories are being renewed that J. G. H. Bergeron will stand in Carleton county and R. L. Borden will keep the Halifax seat. The recount, however, in Beauséjour, where Bergeron is only 25 behind, has yet to take place, and it is a possibility he may yet hold the seat. Even if he does not stand for Carleton, it can be taken for granted that Bergeron will not be long out of parliament. He is too useful a man and too good a fighter.

Rumors of cabinet reconstruction are frequent, and in view of the pointed remarks that are being made by Liberal papers it seems likely that Sir Wilfrid will be forced to do something. Two ministers whom the Liberals make no bones about they would like to see retired are Sir Frederick Borden and Sir Richard Cartwright. However, that is easier said than done. The defeat of Hon. Wm. Templeman, of course leaves one vacancy that will have to be filled. The aspirants for the position are numerous. W. W. B. McInnes, the defeated Liberal candidate in Vancouver is said to be especially aggressive in pushing his claims. It can be depended upon that Ralph Smith who has been angling for something for four years, is also not backward in demanding that he get the portfolio.

While the election figures are still very incomplete in many constituencies the total vote goes to show that the popular majority of the government has been cut down by many thousands and that although the government has some fifty odd more seats than the opposition that it has but a small percentage more of the total vote cast. In Ontario the Conservatives only hold two more seats than they did in the last parliament yet the popular Conservative majority has been increased from 3,580 to 24,000. This is due to the fact that in nearly every constituency held by the Liberals the majority has been either cut in two or reduced almost to the vanishing point. For instance, that old Liberal stronghold, North Oxford, which could always be depended on for 1500 majority, only gave 118, and West Middlesex, another Liberal stamping ground, only gave Whip Calvert a bare 18 to the good. The Conservative majority on the other hand, are in nearly every case, doubled, and sometimes trebled. So small a tenure have many Liberals that 500 votes would have made a difference of nine seats, meaning an increase in the Conservative majority of 18.

The Liberals in Quebec retain the same number of seats as in the last house, but the popular majority has been cut down several thousand. Nevertheless, another Liberal stamping ground, only gave Whip Calvert a bare 18 to the good. The Conservative majority on the other hand, are in nearly every case, doubled, and sometimes trebled. So small a tenure have many Liberals that 500 votes would have made a difference of nine seats, meaning an increase in the Conservative majority of 18.

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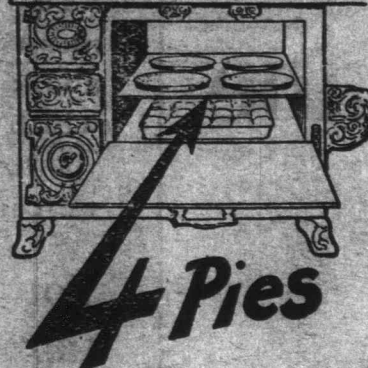
Get from any good pharmacy one-half ounce Fluid Extract Dandelion, one ounce Compound Kargon, three ounces of Compound Syrup Sarsaparilla. Shake these well in a bottle and take in teaspoonful doses after each meal and at bedtime; also drink plenty of good water.

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1,500 to the good. The Liberal majority in New Brunswick, on the other hand, increased to approximately 3,000. In the last election there was a popular Conservative majority of 345 in Prince Edward Island. This has been probably reversed. Manitoba reflects an enormous change in sentiment. In 1904 the Conservatives despite the fact that they held only three seats, had a popular majority of 118, now there is a popular majority in the province of no less than 4,356. The Alberta and Saskatchewan popular majorities remain about the same. There are still several elections to be held in British Columbia, so that any estimate is only a vague approximation, but at present there is a Conservative majority of 2,350, as against a Liberal in 1904 of 1,142.

FAITHFUL CONSTITUENCIES

A review of the political arena after the battle shows that there are fourteen seats, seven Liberal and seven Conservatives in Canada, which have stuck persistently by one party or the other during the forty-one years of confederation. Ministries may come and ministries may go, but these fourteen seats have remained true to the cause of either Conservatism or Liberalism. Never have they wavered in support of the political principles which they have so long cherished. Carleton, South Lanark, East Middlesex, East Grey, South Simcoe and East Hastings in the province of Ontario and Sherbrooke in the province of Quebec, are as much the strongholds of Conservatism today as they were forty years ago. Carleton county, at the door of parliament, has the unique distinction of having never returned a Liberal member since it received parliamentary representation over 70 years ago. On the other hand Lotbiniere, Berthier, Chateaugay and St. Johns in the province of Quebec, and North Oxford, South Oxford, and South Perth, in Ontario, have been equally constant in their adherence to the Liberal cause.

CANADA'S POOR CONSUMPTIVES.

A Story more Touching than anything from the Pen of the gifted Ian MacLaren.

In the current issue of the DOOR OF HOPE, published by the National Sanatorium Association, 317 King Street West, Toronto, a page is given over to letters received from the many persons from all parts of the Dominion seeking a cure for the Muscular Free Hospital for Consumptives.

Seldom have we read anything more pathetic. Here, for example, is a letter from a physician in Greenore, Ont., asking for the admission of a patient by the name of Morrison. He says:—"I would like to urge strongly upon you the great claims of this patient. He has no home—mother dead—father working as a farm laborer. The boy has been living with an uneducated uncle, a housekeeper—work, cooking, etc., being done by the uncle. The boy has absolutely no place to go where he might be given any reasonable care, and he can get none where he is."

Another case is from Thorold, Johnston, Welton, Ont. He writes:—"I am a young married man, twenty-three years of age. For several years I have been sick, but always able to keep my feet. Now I have come to the time when I cannot work, and cannot get medicine without means. My lungs are affected, and I am writing now to see if you can get me into the Muskoka Free Hospital for Consumptives. My young wife is here, and her parents have kindly opened their doors to her if I go away."

Just one more of the many we might quote. This is from a physician in Campbellford, Ont. He writes:—"I have a patient suffering from pulmonary tuberculosis, who has been laid off work for about three months now—was in bed part of that time, but latterly both his pulse and temperature have kept down and his weight going up. He is the only support of the family, and his wife is a young woman, but his neighbors are trying to raise a small amount of money to help him."

We have sometimes thought that if Ian MacLaren, who has given to us the character of Dr. McClure, were alive today that in letters such as these he would find material for a book more touching and pathetic in many particulars than his *Door of Hope*. It is on behalf of cases like these, of which there are scores reaching the Secretary of the Sanatorium every week, that the Muskoka Free Hospital for Consumptives makes its appeal to-day for funds.

This institution has not at any time, since its doors were first opened in April, 1902, refused a single patient because of the applicant being unable to pay. Contributions may be sent to Mr. W. J. Gage, 84 Spadina Ave., Chairman of the Executive Committee, or to J. S. Robertson, Secretary-Treasurer of the National Sanatorium Association, 317 King Street West, Toronto, Ontario.

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