THE SEAT

Mr. Macnish, West Elgin, Dieclaims It.

Irregularities in the Last Election Admitted.

Mr. Macnish Not Culpaple but His Agents Were Mixed Up in Bad Practices-The Sheriff Imposed Upon.

St. Thomas, June 27.-The West Elgin election trial, held here yesterday, ending in the unseating of Mr. D. Macnish, the Reform member. The latter occupied the seat in the Local House during the whole of last session, but during the whole of last session, our recently, on investigating charges made by Mr. John Munn, of St. Thomas, on behalf of the defeated Conservative candidate, Mr. F. G. Macdiarmid, he filed a disclaimer. Local Conservatives, however, determined to proceed with the protest, while at the same time admitting that so far as Mr. Macnish was personally concerned there was not the slightest evidence or suspicion of wrong-doing. This view of the case was amply borne out in the evidence submitted at yesterday's trial. In the case of County Sheriff Brown, who was returning officer for the election, and a respondent with Mr. Macnish, the trial judges, Justices Osler and Meredith, commented strongly upon his conduct, and several times during the hearing of the evidence characterized his actions as showing a grave lack of ordinary

ADMISSIONS MADE.

Before adjournment Mr. Macnish and his solicitor, after consultation with the solicitors for the other side, signed the following letter: St. Thomas, June 26, 1899. Messrs. Crothers & Price, barristers, etc., St. Thomas. Dear Sirs,-Re West Elgin election petition. We beg to advise you that Mr. Macnish has discussed at length with his solicitors the charges contained in the petition which has been filed against his return as member of the Legislative Assembly of Ontario for West Elgin, and that they have to a considerable extent investigated the charges contained therein and other matters which come to their knowledge in connection with the election. And the subscribers hereto make the following statements and admissions respecting the same:
"(1) That a large number of persons

were specially sent into the constitu-ency by men working on behalf of the Liberal party for the express purpose of taking part on Mr. Macnish's behalf in the election held Jan. 12, 1899, and we believe that fraudulent and corcupt means were used by some of such

persons to secure his election.
"2. That several of the said persons illegally and without authority acted as deputy returning officers at the said election, and in at least three cases acted in the names of reputable local men, having, under assumed names, been introduced to the returning officer by local agents of Mr. Macnish.

3. That in many of the polling subdivisions of the riding there were grave irregularities connected with the return of the ballot boxes and their con-tents, the voting and the counting of there, purporting to be Montgomery, the ballots thereat.

"4. That there were large numbers of persons brought into the riding 10 the express purpose of personating legitimate voters, and, assisted by some of Mr. Macnish's local supporters, such persons did personate qualified voters in voting for Mr. Macnish.

"5. That the declared number of votes for Mr. Macnish largely exceeded the bona fide votes cast for him.

"6. That a large number of ballots cast for Mr. Macdiarmid were in some nefarious and corrupt manner manipulated, whereby the result of the election was rendered doubtful, and that in this connection the voting at Shedden and Middlemarch and in several divisions at St. Thomas where said strangers so acted as deputy returning officers, merits special mention.

"7. That there are good reasons to believe that there are many specific well-authenticated cases where agents of Mr. Macnish concealed at their homes some of those strangers, who there paid large sums of money to electors to induce them to vote for

"8. That Mr. Macnish will forthwith deliver to the Speaker of the Legislatve Assembly his resignation as memthereof for the said electoral dis-

THE JUDGES DIFFER.

Mr. Justice Meredith expressed the opinion that if Mr. Macnish admitted irregularities nothing more was needed, and the election should be voided. Mr. Justice Osler did not concur, remarking that so far as he was concerned he could not give his consent to voiding an election in which the majority (over 200) was so large, without first hearing some substantial evidence. If it was not desired to give evidence the petition should be dismissed.

Mr. Wallace Nesbitt answered that he had no evidence to disqualify Mr. Macnish in regard to personal cor-ruption. He could give positive proof of the irregularities mentioned by his learned friend and evidence of corruption by party workers, but did not know if it was wise in view of the admission made to take up the time of the court. Mr. Justice Meredith reiterated his opinion that so far as he was concerned the matter might end at once, and again Mr. Justice Osler remarked that he could not concur, adding that so far as he was concerned ford, Rev. Henry Rockhold; Niagara

he would never void an election on mere admission; the petitioner must prove his case.

THE PROCEEDINGS. Messrs. A. B. Aylesworth, Q. C., Toronto and Mr. I. F. Hellmuth, London, appeared for Mr. Macnish; Mr. Wallace Appeared for Mr. Macmsn; Mr. Wallace Nesbitt, for the petitioner and Mr. Mc-Diarmid, and Mr. J. M. Glenn, of St. Thomas, for Sheriff Brown. When the court opened Mr. Ayles-worth, on behalf of Mr. Macnish, said that his client had been returned at

the election, and had occupied a seat in the house during the session. On the present charges being made, Mr. Macnish, aided by his solicitor, had investigated them, and on so doing became satisfied that the election had not been properly conducted. There were at least three instances in which men had acted as returning officers, although holding no authority to do so. In each of these cases the parties had assumed names of reputable constituents, and had acted under such names. Not only were there these cases of wrongdoing at the polling subdivisions, but there had been corrupt practices to a certain extent in other directions. In view of these circumstances Mr. Macnish had taken the course of filing a disclaimer of the seat, and notifying his opponents of his action. He (Mr. Aylesworth) had been instructed by his client not to defend the action and thus avoid expense to both sides. If, however, any personal charges were to be made against Mr. Macnish, they were

to be defended. EVIDENCE HEARD.

Sheriff Brown, returning officer, was the first witness. Mr. Brown said he had appointed two men for No. 4 and No. 11 subdivisions, who were introduced to him as Albert Montgomery and Christopher Stratford, but after the election he discovered that these were assumed names, and that he had been imposed upon. These impersonators did not bring back their ballot boxes, which were brought in, that of No. 4 subdivision by one Langman, and that of No. 11 by one Casey. Asked if he had administered the oath to the persons, he answered in the negative, his explanation being that he had no forms for that purpose.

Mr. Justice Meredith-Forms were not an absolute necessity; the oath could have been administered without

them. Witness said that for No. 6 subdivision. Southwold, a man claiming to be Marshall B. Johnson was appointed, and here again witness found, after the election, that he had been duped. In this subdivision Duncan Bole, poll clerk, acted as deputy and brought in the ballot box the next day. No oath was administered to Bole.

Cross-examined briefly by Mr. Aylesworth, witness said he had been sheriff of the county for fifteen years. He was well acquainted in the rural districts, but not in the city. On being shown three documents asking him to appoint Montgomery, Stratford and Johnson as deputies, he said he recognized Mr. Macnish's signature, but did not know the handwriting in the body of the hue was to have acted in No. 8 sub-

in Sault Ste. Marie on election day, and the alleged protectionist policy main-could not have acted as deputy. W. Trump, St. Thomas, poll clerk

was one Martin J. Cahill.

could not have acte das deputy. his signature, were signed by him unhanded to him by the secretary of the Liberal Club of St. Thomas, and he had not read them, believing that all were of the same nature. So far as he was concerned he emphatically denied any wrong-doing or any knowledge thereof, and on discovering the irregularities mentioned, had acted in the manner described by Mr.

Mr. Justice Osler asked if Mr. Glenn desired to say anything on behalf of the sheriff. Mr. Glenn replied that the sheriff had been imposed upon.

Mr. Justice Meredith-There were many irregularities. The sheriff, as returning officer, does not seem to have acted with care. He seems to have been easily imposed upon.

Mr. Justice Osler said Mr. Macnish had not been guilty of any improprieties. There were, however, gross irregularities, for which, I think, the sheriff is largely responsible, owing to his carelessness, to say the least. Costs the petitioner, and payable by the sheriff as well as the respondent. The court then adjourned.

B. M. E. CONFERENCE

The Ministerial Appointments Decided Upon.

Brantford, June 26.-The B. M. E. conference was brought to a close here today, the last important item of business being the appointments, which take place as follows: Windsor, Rev. Henderson Davis; Buxton, Rev. W. R. Drake; Dresden, Rev. R. Holden; Harrow, Rev. G. R. Blount; Chatham, Rev. Herbert Wright; London, Rev. R. R. Ball; Woodstock, Rev. J. W. Brown; Guelph, Rev. Peter Brooks; St. Catharines, Rev. R. A. Ball; Brant-

\$0000000000000000000000 Falls South, Rev. Dr. Oliver; Montreal, Rev. Robert Brown; Toronto, Rev. W. H. Snowden; Liverpool, N. S., Rev. J. Morley. Revs. Wright and J. W. Brown were ordained into the church on Sunday.

The Vatican has obtained a municipal majority in Rome for the first time

Mr. Davin Charges the Government With Breaking Faith.

Wants Greater Reductions-Civil Servants' Debts - The Day in Parliament.

Ottawa, June 27 .- Mr. Davin's motion, declaring that the house is of opinion that raith had not been kept with the farmers of the west, since the tariff has not been reduced upon certain articles, and that the preferential tariff is delusive, was the subject of discussion at the afternoon sitting of the house yesterday. The debate was

not concluded. Mr. Foster was informed by the premier that up to June 3 the sum of \$192,541 had been expended on the prohibition plebiscite, and it was estimated another \$1,000 would cover outstanding accounts.

The premier, in reply to a question by Mr. Quinn, said that no person had yet been named to the vacant Montreal postmastership, and no appointment would be made until a report had been received of the investigation into the affairs of the office. Sir Wilfrid Laurier informed Mr. Prior that the government was aware that 14 statutes passed by the Legislature of British Columbia contain a clause prohibiting employment of Chinese and Japanese in various undertakings. As to the government's policy in the matter, the premier said the question was "under considera-

The minister of militia informed Mr. Clarke that 41,078 applications for the Canadian general service medals and clasp had been received, of which 4,291 had been approved by the claims board. In 152 cases decision had been reserved, pending further particulars. All applications, with the exception of 441 received during the last few days, have been investigated, classiand recorded for consideration by the board. The question as to how and when the distribution shall take place has not yet been decided.

THE TARIFF QUESTION. Mr. Davin moved "that in the opinion of the house, faith had not been kept with the farmers of the west since duties have not been reduced on agricultural implements, and have been increased on the cheaper cottons. and that the quarter per cent preference on goods of English manufacture document. Again questioned by Mr. has, in the case of many staples, of Nesbitt, the sheriff said that Dr. Dona- which all the people are consumers, been rendered delusive by raising the division, St. Thomas, but did not. One who gave his name as John Kilroy, of St. Thomas, acted. He had not been in support of his motion, Mr. Davin able to find Kilroy afterwards, and so far as he could ascertain there was no such person in the city.

Mr. A.F. Montrement and his been all support of this motion, Mr. Davin cited the tariff declarations of the Liberal platform, the free trade speeches of Sir Wilfrid Laurier and his Mr. A. E. Montgomery swore he was supporters, and contrasting those with tained by the party in power, showed that the Northwest farmers have been badly deceived. Evidently Sir Richard Cartwright was not pleased with the prospect, as he had left the house about Christopher Stratford testified that the middle of the session. The last ne was not in St. Thomas until late in straw which had broken Sir Richard's the afternoon of election day, and so, back was the iron bounties policy, and fice in Detroit some years ago. Her latest he had seemingly come to the conclu-Mr. Macnish said the documents re- sion that the "robbers great and robferred to by Sheriff Brown as being bers small" had grabbed the whole thing. Mr. Davin concluded by quotder the impression that they were au- ing from the trade and navigation rethorizations for the appointment of turns showing that the importation of scrutineers in his behalf. They were agricultural implements under the remixed up among a lot of such authori- ciprocal tariff had been absurdly small. Sir Wilfrid Laurier claimed that if Mr. Davin was in earnest he would

have brought in his motion on the budget. But Mr. Davin, or at least those associated with him, had been complimenting the government that they had turned protectionists, and declaring that nothing further was required. Speaking of Mr. Davin's poetical allusions, the premier presumed he was, when complaining that cotton was not cheap enough, speaking of the subject nearest his heart, like a certain poet who wrote a sonnet to his nightshirt. The discussion was continued by

Messrs. Davis (Liberal, Saskatchewan), and Mr. Davin up to six o'clock. After recess the bill respecting the Northern Commercial Telegraph Compay was read a third time and passed. CIVIL SERVANTS' DEBTS.

The house then went into committee on Mr. Richardson's bill "respecting the attachment of salaries of public officers and employes of the govern-

Mr. Bell (Lib., Prince, P. E. I. having secured from the promoter of the bill an agreement to restrict its operations to seizure for debts contracted subsequent to the passage of the bill, gave his support to it, declaring there was no valid reason why the civil servant should be in a position different from other citizens in respect to liability for their debts. Sir Louis Davies said he was not in favor of the bill last year and was not in favor of it yet, therefore he wanted to see its evils minimized and not extended. A simple declaration in the bill that salaries of civil servants should be liable to seizure the same as those of other citizens, be sufficient, leaving it then to the laws of the several provinces

to do the rest. Sir Charles Hibbert Tupper pointed out that the bill was giving the creditor a wider right over the salary than the civil servant himself, inasmuch as the former could sue the civil servant for what the civil servant could not sue the government without

Sir Louis Davies again pointed out that with all the machinery proposed to be provided in the bill was an infringement of provincial jurisdiction, be a matter of civil procedure.

Mr. Richardson agreed to amend the clause under consideration so as to apply only to "salaries and wages." He had it on the authority of the minister of justice that the not unconstitutional and other lawyers in the house possibly not so eminent as the minister of marine, were of the same opinion.

After some further discussion, Sir Louis Davies moved that the committee rise and report progress, in order that the opinion of the minister of justice might be obtained.

Mr. Richardson protested that this meant that the bill would never be heard of again, and insisted upon a The motion carried by 26 to 17. Then the committee rose and the house ad-

The East End Incline Railway and about 40 acres of land adjoining it on the mountain top at Hamilton will be sold by auction on July 14 to satisfy reditors who hold mortgages.

journed at 11:15.

WHISPERINGS OF THE WIRES

Bartley, Neb., has been visited by a destructive rain and hail storm. The terra cotta works of Wm. Galloway, Philadelphia, burned. Loss \$100,000.

A sawmill at Fernie, B. C., was swept away last week by a freshet on the Elk River.

In Chili a Liberal ministry has been formed in succession to the Conserva-tive cabinet, which resigned June 2. Additional Cuban army rolls bring 10,000 more claimants for a share in that \$3,000,000. About 12,000 have been paid thus far.

The U. S. transport, Grant, from San Francisco, carrying the Sixteenth Infantry, 40 officers and 1,665 men, has arrived at Manila.

Joshua Gray, inventor of many things, from rubber-tipped lead pencils to an automobile, is dead at Medford, Mass. He was 75 years old.

A report of the examination for discovery of Nelson Monteith, Conservative member-elect for South Perth, has been filed at Osgoode Hall. Masked burglars entered the resi-

ship, on Saturday night and used Mr. Lyons roughly. They only got \$7. During Archbishop O'Connor's visit to St. Catharines, Rev. Dean Harris expressed his wish to retire from his present charge, and his grace promised

dence of David Lyons, Onondaga town-

to consider the request. Sir Wilfrid Laurier states that the cost of the prohibition plebiscite up to June 23, 1899, was \$192,541, and that about \$1,000 additional would, it was estimated, meet all outstanding liabili-

The government has consented to allow the Carson Guards of the Jefferson Avenue Presbyterian Church, Detroit, to enter British soil with their arms. A few months ago the Toronto Cadets visited the United States under similar circumstances.

Drunken Cubans at a Havana club

were cursing the United States, President McKinley, and Uncle Sam's whole outfit, when an American officer struck one of them in the face. The Cubans are prominent, and declare

they will have satisfaction. Al. Page, who lives on a farm near Muskegon, Mich, was severely injured by being shocked by lightning. He was standing near the telephone in his house when the shock came, and was prostrated. He has been unconscious ever since the mishap, which occurred last Thursday.

"LITTLE LOU" IN THE TOILS

Famous Windsor Pickpocket Who Owns Houses and Lands.

Detroit Free Press:-Word has been received in Windsor that "Little Lou," the famous Windsor pickpocket, had again been arrested, this time in Brooklyn, N. Y., last Saturday, on the charge of attempting to pick the pockets of some shoppers in one of the stores. The woman is well known in Windsor, which she has made her home for many years under the name of Mrs. Tom Bigelow. She owns a number of residences here and is well off. She was also married to James McGuire, the man who robbed the safe in the Michigan Central ticket ofmatrimonial venture known to the public happened in Windsor about two years ago. James Gow, a young man, married her one evening, but next morning the woman contrived to get him out of the house and she then refused him admittance and has not since lived with him. She has been absent from the city for some time, but her father, William Jordan, attends to her business affairs during her absence.

Delaware Council.

Council assembled as a court of revision, as arranged, and after taking the oath of office transacted the following business: The following parties had dogs struck off the list, Dunn, Joseph Howlett, B. Kilbourne, James Scott, David Ryckman, John McEwen, J. Ballantyne, John Auld, R. Gibson (number of dogs reduced from ten to seven), and Robert Harris, assessed with one.

The following names were added to the list: E. Bodkin, R. Pincombe, J. Cox, J. McCulloch, Charles Daniels Wm. Aberem, J. Swan and sons, Cecil and Edwin Borley, Robert Harris. The following were struck off the list: John Hill, sen., John Wilson, Mr. Stringer, Wm. Paine.

Christopher Maier appealed against assessment; no action; Wm. Burt appealed against assessment, no action. Court adjourned sine die.

Council assembled after close of court. Minutes of last meeting read and confirmed. The following grants were made: J. Allen, \$10, for gravel; Wm. Robinson, \$15, for gravel, agreeing to give a like amount; Henry Jones, \$15, for gravel; John Monteith, \$25, for gravel; Wm. Jones, \$10, for gravel; Wm. Boker, \$10, for gravel, \$5 for tile, \$25 for repairing village sidewalk, \$50 for Gomett and McFarlane side road, each, for gravel, \$10; \$20 for gravel, to Fred Kennedy; \$2 to Jos. Howlett for tile and labor; \$15 to Wm. Bignoll for gravel; \$15 to James May for gravel; \$10 to Wm. Vickory for gravel; \$10 to Joseph Boker for gravel; \$50 to R. Stevens. Fred Kennedy applied to have fence ditch straightened on 3rd con.; Daniel Lockwood produced an award made in 1880, between Ireland and Nichols, re drain; R.Brown applied to have drain through his property cleaned and repaired. was read from Meredith, Judd & Co., acting for G. Cudney, claiming damages for injuries received on 2nd con., lot 5. The reeve, Stevens and Burt were appointed a committee to consult the solicitor in reference to the above, and report at next meet-

Messrs. Murray and Piper addressed the council, re county matters. The council recommended them to endeavor to obtain from the county the money spent re approach to Kilworth bridge. The culvert on the 1st con. was left in the hands of committee of work. Stevens & Elvidge were order-ed to interview the Westminster council re the Blynn Hill. The reeve and clerk were instructed to sign' orders for paying the gravel contracts when the work is completed, also to pay the road boss for overseeing same. It was voted that ten cords of gravel be put on Longwood road, at \$2 40 per cord, and that the contract be awarded to John Ackland; \$25 was voted for improving the Komoka road where the washout occurred; \$8 was allowed Mr. Harmer for goose-neck for road scraper. The treasurer, Mr. Vail, was reappointed to office, at an increase of

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From any other doing trade in tea, inasmuch as we grow, pack and market all our own teas. Is it not possible that we give you a better tea for the money than you can buy from others?

WE GUARANTEE MONSOON TO BE THE BEST.

AS THE MERCURY GOES UP

then is the time when Molina Rolled Wheat should go down, because it doesn't heat the blood. Begin the day right in this hot weather with Molina for breakfast.

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does not heat the blood. It is very healthful. It has a rich, delicate flavor. "As the mercury goes up" Molina ought to go

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Buying a Summer Stove? If so buy the Cheapest and Best. Don't fail to call at our factory and show

CANNOM STOVE & OVEN GO., Limited

Economy Stove with extra Burner for Oven. \$5, and the clerk was reappointed at the same salary. Accounts to the amount of \$801 25 were passed. Council adjourned, to meet June 26, 1899. W.

C. Harris, clerk.

IS A MAN OLD AT FORTY? A very touching conference was held yesterday, a conference of men who are growing gray and who cannot get work in consequence. Their experience in the humbler callings of shopman, clerk, and the like, is that employers will hardly look at them when once they have turned forty. They do look once, just long enough to see the first telltale hair, and then they shake their heads. So the Psalmist is thrown out in his calculations and the labor and sorrow of having no labor to perform begins a good thirty years before his

allotted term. There is some talk of a demonstration in Hyde Park. Could anything be more mournful than to see them carrying their gray hairs to the reform-er's tree and expounding their grievances, perhaps to a jeering crowd of boys and girls who have taken their places? The association would be best employed in providing them with gratutious hair dye. It is notorious on the recent showing in these columns that the great consumers of this product are not the vain rich, but the

prematurely aged poor.

If the pun may be pardoned, these unhappy beings dye to live. They sometimes go without a breakfast before they set out on their weary tramp for a situation, but they never go without their touch of rejuvenation for the outer man. As age increases and the terrible revelation extends to the joints, they must try new expedients in subterfuge in their port and gait—only, of course, they betray their ghastly secret the more effectually.-London Daily Times.

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Can be accommodated with Ice Cream and Cold Drinks at . . FRIEND'S Parlors Upstairs.

Take it all around, for price, quality and good results. SWETT HOME SOAP has no superior as a household necessity. A large new list of premiums Read the wrapper.

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A REMEDY FOR IRREGULARITIES

THE writer will send, absolutely free the for goose-neck for road the treasurer, Mr. Vail, was to office, at an increase of the follows of youth, which caused a failure of the vital forces, and nervous exhaustion. If you are really in need of treatment. I will you are really in need of treatment. I will gladly send the formula free to weak, suffering men. Geo. McIntyre, Box C-12, Fort Erie, ampton. In the control of the wital control of the walk of the formula free to weak, suffering men. Geo. McIntyre, Box C-12, Fort Erie, ampton. In the control of the walk of the control of the walk of the control of the walk of the formula free to weak, suffering men. Geo. McIntyre, Box C-12, Fort Erie, ampton. In the control of the walk of the control o

StomachTroubles And Deranged Kidneys and Liver-In a Terrible State-

Could Find No Cure-Made Well by Less Than Two Boxes of

Dr. Chases Kidney-Liver Pills

Mr. Joseph Blackwell, Holmesville, Huron County, Ont., writes: used Dr. Chase's Kidney-Liver Pills with more benefit than any medicine I ever used, and can highly recommend them for stomach troubles. I was in a terrible state with dyspepsia and deranged kidneys and liver, and could scarcely work at my trade. I tried all kinds of medicines and doctors, until I was tired of doctoring. Before I had used all of one box of Dr. Chase's Kidney-Liver Pills I could see that they were helping me, and after taking

one box and a half I was cured." To permanently cure stomach troubles it is absolutely necessary to keep the kidneys and liver right. There is only one preparation that acts directly on the kidneys and liver, and tones and invigorates them, and that is Dr. Chase's Kidney-Liver Pills. You cannot possibly be disappointed if you use this popular remedy. One pill a dose. 25c a box, at all dealers, or EDMANSON, BATES & CO., Toronto.