

THE HERALD

WEDNESDAY, NOV. 1st, 1905.

SUBSCRIPTION—\$1.00 A YEAR, PUBLISHED EVERY WEDNESDAY JAMES McISAAC Editor & Proprietor.

We find it necessary to persevere in our knocking at the hearts (or the pocket-books) of those who have not yet remitted their subscriptions. Without any intention of being irreverent, we trust continuous knocking may effect what nothing else seems capable of accomplishing.

THURSDAY last, Thanksgiving Day, was generally observed as a public holiday in the city especially where business was practically suspended. The most notable event of the day was the excursion over the Belfast and Murray Harbor Railway. The running of the first passenger train from Charlottetown, over the Hillsborough bridge, and down the line to Murray Harbor South and return, was an event of unusual interest and importance in the history of the Province's transportation facilities. The train, consisting of four passenger coaches, the Superintendent's official car, a baggage car, and the engine and tender, left Charlottetown about a quarter past nine, having on board about a hundred passengers. Others were picked up at intermediate stations, and some left the train at one station or another before the terminus was reached. The train stopped at all the stations along the line and reached Murray Harbor South without mishap of any kind. The return trip was made with equal immunity from accident and the train reached Charlottetown early in the evening. This was duly inaugurated the passenger traffic over the Belfast and Murray Harbor Railway. The regular train service over the line begins to-day.

LATEST accounts from Russia indicate that a very important step has been taken towards establishing the liberties of the people, if the populace will only have a little patience and not prevent by some untoward act the realization of this new departure. According to St. Petersburg advices of Monday Count Witte has wrung from the Emperor such concessions as empower him to inaugurate a legislative assembly elected by a liberal and extended suffrage. The Imperial mandate appointing Count Witte first Premier of Russia has been published. This mandate confers upon the people fundamental civil liberties, including free speech, freedom of the press, the right of assembly and immunity of the person, including the right of habeas corpus. It grants full representation to all classes and urges that the people take advantage to send their representatives to the Duma which is so on to be elected. This is certainly a great boon for the Russian people; it gives them representative government; confers upon them the power of governing themselves. If the frenzied revolutionary spirit can only be kept sufficiently in check until these reforms have been fairly established all will be well. Latest advices indicate that the Imperial manifesto granting a constitution to Russia has made a deep impression on the people. There appears to be the greatest rejoicing over the event. Quiet seem to prevail almost universally, and military patrols have been withdrawn. This is a most happy augury of peace and progress resulting from the abrogation of autocratic power.

As shown in the account of the trial of the election petition, published elsewhere in this issue, Mr. Cummiskey, Commissioner of Public Works, has been unseated on the ground of corrupt practices by agents. This admission by Mr. Cummiskey's counsel put an end to the trial and prevented any further exposure of the reeking corruption with which the election appears to have been conducted

by the Commissioner of Public Works, assisted by the officials of his department. Only a small amount of evidence was taken, and only a glimpse has been afforded the public of the methods employed by the Commissioner to secure his election. But even this lifting of only a corner of the veil is sufficient to show the public that he scrupled not to prostitute his office and whip into line the officials under him in order to corrupt the electorate and by such means secure his election. The office which he holds and the officials therein employed are supported and paid by the taxes of the people, and the corrupt uses to which they have in this case been turned, shows how unworthily this public trust has been bestowed. The exposure, as far as it went, was certainly of the worst kind; but, no doubt the Commissioner of Public Works is blessing his stars that further light had not been let in on his election methods. The exposure is a most striking commentary on the hypocrisy and insincerity of the Government in the matter of prohibition. The Commissioner of Public Works is a member of the "Prohibition Government," but makes his office the headquarters of his corruption fund and employs his Secretary and his Messenger to manipulate this fund in the purchase and distribution of whiskey to debauch the electorate. The forfeiting of his seat is the lightest punishment that should be inflicted on any one guilty of such corrupt practices as have in this case been exposed.

The Election Trial.

The Evidence Taken—Mr. Cummiskey Unseated.

As stated in our last issue the trial of election petition, McCourt vs. Cummiskey commenced on Tuesday of last week. The trial was continued all day Tuesday and Wednesday, Thursday being a public holiday the court did not sit. Following is a summary of the evidence given:

When Mr. A. Newberry, Assistant Prov. Secy. was called to produce the writ of election and returns Respondent's Counsel objected claiming that such should be produced on an order of the trial judge or an order of the court. The order was accordingly granted and the documents were produced which Mr. Newberry testified were the official records. This ended the first objection, and the following witness was called: Thomas Burnett, Charlottetown. I am over 3 years since I lived at Fort Augustus. I am Messenger for the Provincial Government. Also work in the Public Works Office. I was there in 1904. I did work there. Got about \$100. Commissioner of Public Works is head of the P.W. Dept. I took some part in the local election campaign of 1904 I was home occasionally, at Fort Augustus. I was out in the country part of the time. I went on my own account. I don't know if Com. of Public Works permitted me to go. I got no person's permission. I was away for two days, at a time. I make my head quarters in the Public Works office. I was working during the election in the Public Works Office. I drove out. I had my father's horse. Cannot say how often I was in the third district. I went in boat once. I used a livery horse once. Got him at Large's, did not pay for him, Mr. Cummiskey was with me the time I had the hired horse. There was a meeting at Mr. Herbert. I had liquor in the wagon. I bought it myself. It was in bottles. We put the horse in at Match's, about 10 chains from ball. Got liquor at Byrne Bros. I paid for it. Don't know how much. No person told me to go to Byrne's. I can't swear if it was my own money. I got money from different friends in Charlottetown. I got money from Louis B. McMillan, Secretary of P.W. Can't swear if it was given to promote the election. I paid the money over to a private firm, the Leith House, kept by Angus McDonald. I don't know to whom I paid it. It was paid for liquor. I don't know how much money. It was paid to me in the office of the Secretary of Public Works. I did not go to him (Secretary) for it. He gave me the money, over \$30. Can't swear if it was that liquor I distributed. Got liquor at McDonald's after the 9th of November. Can't say how much I got. It was in cases. Don't know how many cases. Paid for part of it. Got the money to pay for this from private firms. I went on my own account. I got one order. It was on Fred W. Hyndman, for 1 or 2 cases. Don't remember who gave me the order. I got the liquor from George W. Gardiner. Mr. Hyndman told me to call in the afternoon. I took the liquor up to Fort Augustus. Order was for 2 cases. Only got one. Went out with my father. Took it to my father's. Might have been three days before the election. There were some cases of liquor at my father's during the election. Took more than that case to my father's house. Got other liquor at the Leith House, more than 2 cases. Don't remember that I gave liquor to James McKenna. Win Hayes was there that night. He may have got liquor in the house. I may or may have given him liquor. The day I was in Hayes' house was election day. I saw him building up there. There was quite a crowd at Hayes. James Dalton was there drinking. The pool was in Hayes' house. Saw a bottle on the kitchen table. Drove Thos. Cummiskey to the pool. Don't remember seeing C.P.W. in kitchen. You could pass from the body

of the house into the booth. Did not treat any one on election day. Had dinner at home. Gave some liquor to Mrs. McKenna and Mrs. Hagerly. There was some more liquor distributed. I gave Robert Duff, 5 Houses, liquor, perhaps more than a bottle. May have given Michael McGuirk, P. McGuirk—may have treated them. Treated Edward Trainor. I was at respondent's house 2nd Dec. I saw liquor there that night. Saw Michael McGuirk, Edward Trainor, John McGuirk, John C. Wisner, H. James Palmer there. There was a political meeting held in hall that night. The liquor in respondent's house was in a corner of a room on the floor. Did not see any person taking it away. May have told people to go and get some. Don't remember any at supper only Michael McGuirk, the respondent, H. J. Palmer and myself. The liquor in the house was part of what I took from town. It was taken up in the boat to Hickey's wharf. Bought this in the Leith House. It was taken to Webster's Corner. I bought the liquor myself and shipped to my own order. Paid no freight. I was told it was Frank McKenna who brought it to Webster's Corner. It may have been my intention to take this to the respondent's house. Did not see any liquor in Match's, Mr. Herbert. I had more than a bottle with me. Drove Mr. Cummiskey from there to his home at Webster's Corner. Don't know names of any who were treated at Mr. Herbert Hall (Continued on Wednesday.) I have desk and chair in the Public Works' office. Was employed by Mr. Rogers to do extra work. We paid on Rogers' order. Went out three times with Respondent. He told me to get the buggy. I left after hours. Stayed at his house. Next time I went up in boat, Saturday half holiday. There was some liquor sent up in that boat, I think a case, I bought the liquor and paid for it. McKenna was with me. Don't remember who took the liquor from the wharf. This was about a fortnight before the election. I did not. Part of the money I got from private firms. Can't say respondent knew I got money from private firms. I am his nephew. I got something over \$30 from L. B. McMillan, collected from private firms. I distributed the liquor I brought up. I can't say I treated them with the intention of corruptly influencing their votes. My services are required in all the departments.

F. W. Hyndman, I remember some one came to my office for whiskey I don't know Burnett, I told the boy would contribute to the fund. Mr. Cummiskey met me on the street and asked me to help him. I paid after the election \$20 or \$25. The boy did not tell me who sent him. Said some one from the Building. I told him I had no whiskey he had better see George Gardiner. I heard Gardiner had something to do with the expense fund. Can't say if I paid to Gardiner. I do business with three banks. That is all I had to do with the Cummiskey election. On the street Cummiskey asked me to contribute. I am called upon for contributions for elections. Mr. Cummiskey asked me if I knew there was an election coming on.

The Election Trial.

The Evidence Taken—Mr. Cummiskey Unseated.

George W. Gardiner, live in Charlottetown. Did not hear Mr. Burnett give his evidence. I remember Burnett got a case of whiskey on my premises. He had a paper with him. I met Mr. Hyndman on the street. He said something about promising money. My impression is that he had promised Mr. Cummiskey a case of whiskey. Think I got it for Burnett from one of the vendors I got the money from Mr. Hyndman to try it. Think it was from J. D. Morris. Had no funds in my hands for this election. There was another case, I think, for Mr. Palmer I got it for Palmer from the same place. I think I sent down a slip by a boy to Morris' and a truckman. Both cases came at the same time. The money came to me from Hyndman and I paid for these two cases.

Louis B. McMillan, I am Secretary of Public Works. My office is second entrance; The Commissioner's is first, I occupy one with a door of communication between them, I know Thomas Burnett. He makes his headquarters in my office. I won't swear he was in the office half the time. I knew he was going to the country sometimes. I gave Burnett in the vicinity of 40.00. He said he had spent all the money he had and asked me if I had any. He did not state purposes. It may have been about the election was being talked. This money he wanted for the election. I paid it to him in the office. It was either in the Safe of the Department of Public Works or in my pocket. I had a memo of it on a sheet of paper at the time. It contained the names and amounts contributed, somewhere in the vicinity of \$100.00 I got two subscriptions. Don't think I looked for memo since. I kept the memorandum in the Safe. I was telephoned for to go to Bruce Stewart, and see him. He gave me some money. I told the Commissioner of Public Works I got \$75 from Bruce Stewart, for his election. There was \$5 or \$10 got from Capt. Wisner. He gave it to me in the office. I got \$5 from Kenneth McKay. He is in the Public Works Department. I gave the money to Burnett to pay for the liquor he bought for the election. This was a week or 10 days after the election. The balance of the money after deducting \$40 credited to the Commissioner's private account. I kept his private account. I kept an account of the amount I received. Just kept a memo that I paid Thomas Burnett. Credited the balance to the Commissioner. Saw the memorandum in the Safe in April last. I know Richard Good. Think there was a payment made to Mr. Good, for public work. [Mr. McMillan was then allowed until Friday to produce the private memorandum also statement of amounts paid to Richard Good, and John Moynagh.]

When the court opened Friday forenoon, Mr. Hassard, of counsel for the respondent admitted corrupt practice by respondent's agents, sufficient to void the election. Mr. Johnston on behalf of the petitioner, stated that in view of the admission of respondent, and of the great expense of continuing the enquiry, and the inconvenience of witnesses attending court at this season of the year, as well as the possibility that some one acting for the petitioner, might have been guilty of an offence against the law, the petitioner would abandon his claim to the seat. Mr. Justice Fitzgerald then delivered the following judgment: I do determine and declare that the said James H. Cummiskey was not duly elected or returned at the election named in the petition, and that the election held on the 7th day of December, 1904, was null and void by reason of corrupt practices by an agent of the Respondent—but without his actual knowledge and consent. The Respondent to pay the petitioner's cost. This ends the case; the seat is vacant, and another election is necessary.

The Following Goods to be Cleared AT HALF PRICE.

Big Fire At Halifax.

One of the strongest and oldest forts which protect Halifax Harbor is Fort Charlotte on George's Island. Its frowning embrasures, facing seaward command the approaches to the city. It is the centre of the submarine mining operations which have been carried on extensively in the surrounding water. In the oil department of the Marine Stores Building on the Island, fire broke out last Friday evening, and in two hours the flames wiped out this building, devoured a great deal of valuable property and threatened the submarine mining building in which was stored a great quantity of supplies, officially

Germany and War. A Berlin despatch of Oct. 25th, says: Recent events have apparently turned the thoughts of Emperor William more than usually to the probability of Germany soon becoming involved in war. His speech at Dresden yesterday and in Berlin to-day contained pointed references to the probability of war and the necessity of being ready for it. Addressing the officers of a war academy Granadier said: "We live in a time when every young German capable of bearing arms must be ready to give himself to the Fatherland." At a banquet given in his honor in the Dresden Schloss last evening, the Emperor said: "If the German empire continues to prosper, then we can calmly, with raised vigor, and with the courage of free German men confront any one who should venture to cross our paths or disturb us in the promotion of our reasonable interests." After unweaving the statue of Field Marshal Von Moltke to-day His Majesty addressed the highest army officers, who were assembled around him, saying: "How matters stand with us in the world you have seen. Therefore, keep your powder dry and your swords whetted."

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The Most Nutritious and Economical.

E. F. RYAN, B. A., BARRISTER & ATTORNEY, GEORGETOWN, P. E. ISLAND. March 29, 1905.

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50 per cent. off

Men's and Boys' Caps and Waterproof Coats; job lot Fancy Shirts, worth \$1 to \$1.25, on sale at 50c each; 25 dozen Ties worth 25c to 50c, on sale for 10c each; job lot Linen Collars, 5c each. This is a grand opportunity to secure your fall and winter supply of Underclothing, Gloves, etc. Sale now on. For cash only.

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