

A DISPUTED SEAT.

PARISH OF MUSQUASH IN THE THROES OF AN ELECTION PROTEST.

The New Municipal Council Organized Tuesday, and Their First Problem Was a Hard One—Mr. Hargrove and Mr. Balcom Both Claim the Seat.

The municipal council met Tuesday afternoon and for the first time since the election. All the council members were present, in fact there were three from the parish of Musquash.

The records of the recent election were read. There was no doubt about any parish but Musquash, and the man named by the returning officer for the other three were sworn in by County Secretary Vincent.

In regard to the councillors from Musquash, Kenneth Officer James Reed reported that William J. Dean had received 130 votes, the highest number; John W. Hargrove, 127, the next highest number; Jas. A. Balcom, 114, the next highest number.

However, in the case of the election Mr. Hargrove held a county office and was therefore not entitled to run. In consequence of this he declared Mr. Dean and Mr. Balcom to be elected.

Mr. Hargrove moved that W. J. Dean be declared elected councillor of the parish of Musquash for the ensuing year. It was seconded by Coun. Lowell and carried, and he was sworn in.

Mr. Christie moved to bring out legal discussion moved that John W. Hargrove be declared elected. The case was a peculiar one. The returning officer returned one man with a greater number of votes than another and declared the man with the lower number of votes elected. There was no precedent to govern the case.

To save time Coun. Telford wanted the council to order that the county secretary be asked to decide the matter. The council refused to do this.

The county secretary, in answer to Coun. Telford's suggestion, stated that there were two candidates in the election, one named by the returning officer and one named by the council. The council had no right to interfere with the election of the returning officer. He held the returning officer had no right to interfere with the election of the council. He held the returning officer had no right to interfere with the election of the council.

Coun. Christie said the council had to decide at the present time that one of the two men was entitled to a seat on the board. The contest was a matter for the final decision of the court at any rate.

Coun. Robinson wanted to know as a matter of fact if Mr. Hargrove was legally qualified to run. He moved that the county secretary give an opinion on the case.

The warden called upon the county secretary for his opinion.

Secretary Vincent began by stating he was in a delicate position in the case. He would state the facts as he knew them.

He had been asked if the collector of Musquash could run for councillor. He had said no. Being asked if the collector was qualified to resign he had replied that he would have grave doubts as to the man's qualifications until his resignation was accepted. This point, however, was subject to legal argument, and his mind was still open upon it. At the present time he would say the resignation must have been accepted before the man was qualified.

The proper course, he thought, was for the council to accept the return of the collector and to deal with it. If the two men returned should be given their seats in the meantime, and if it were found one was not qualified he could be rejected. His opinion had been given the parties before the election. Still the gentlemen ran the election in the face of it.

Coun. Christie said that after hearing the county secretary he was willing to withdraw his motion and to let the council decide. Mr. Hargrove, the second said, he would not consent to the withdrawal of the motion. He cited as precedents a number of instances in which men had sent in their resignations from office and been declared elected before their resignations had been accepted.

Coun. Stachhouse moved, seconded by Coun. Sears, that James A. Balcom be declared elected and sworn in pending an investigation by a committee of the council.

In amendment to the amendment Coun. Caldwell moved that counsel be heard.

The warden stated that the legal representative for Mr. Balcom had left. It was stated that made no difference. It was his business to be present.

The amendment to the amendment was carried and Mr. J. M. Baxter was heard for Mr. Hargrove.

Mr. Baxter stated that the question was as to whether the parish clerk had a right to decide on the qualification of a candidate. He read and interpreted the election act to mean that the returning officer had to declare the two nominees having the highest number of votes elected. The nomination provided for the proper qualification of candidates. He had to take an oath as to their proper qualification and there was a penalty of \$100 for a violation. In this case there was a protest signed by two men against the election of Mr. Hargrove. The election act further provided that the returning officer should declare elected the two candidates having the greatest number of votes. As to qualification he held that Mr. Hargrove was properly qualified to be elected, and the county secretary had

said he was not prepared to say he was not. He further held that under the act while Mr. Hargrove might not be qualified to sit he was certainly eligible for election.

Coun. Macrae asked the county secretary if the council could declare the election void.

The county secretary said that he would not like to decide the question of hand.

Coun. Macrae said it would be hardly fair to take a vote after hearing only one side of the case.

Mr. Balcom was asked if his counsel was here, and said that he was not.

At this point Mr. W. B. Wallis, Mr. Balcom's counsel, responded and was informed that his counsel was ready to hear his side of the argument.

He said he was at a disadvantage, not having heard Mr. Hargrove's side and could not present his legal argument in fifteen minutes. He quoted the statute as providing that a man who received more than one vote was ineligible to be elected a councillor.

Further, he held that a man remained ineligible until his resignation was accepted. In the case of Mr. Hargrove, he held he was appointed a councillor, received a salary therefor, and that his resignation had not yet been accepted.

Mr. Balcom here demanded that he be sworn and allowed to take his seat.

Mr. Christie suggested that the two men might by consent run the election over again. It would save trouble and money.

Mr. Hargrove said he was willing to do this.

Mr. Wallace asked time to consult on the matter.

The discussion was then laid over and the rival candidates with their counsel retired.

While they were out Coun. Maxwell was unanimously chosen warden for the ensuing year.

When the candidates returned it was found that no agreement had been arrived at.

The financial report was then read and adopted.

A committee on the sale of a Lancaster fire bond reported its sale.

The commissioners of the public hospital called for authority to issue \$5,000 debentures to heat and ventilate the hospital.

The matter was referred with power to act to the financial committee.

An appreciation from Richard Rawlinson to be appointed constable at the Bay Shore was laid on the table.

Richard Whitehead was appointed auditor.

Mr. Thomas McPherson was appointed marshal and keeper of the dead house.

The county secretary was given authority to appoint lumber surveyors on their qualifying and giving bonds required.

The election of parish officers was then taken up and the results were as follows:—

SIMONDS.

Revisors—Joseph Lee, Daniel Horgan, Collector of rates—Jas. H. Bowes.

Assessors—J. Horgan, Jas. Lee, John Wallace.

Highway commissioners—Peter Graham, Martin Dulan, Robert McLeod, Byway commissioners—Wm. Adams, David Macdonald, Robert Stewart.

Parish clerk—Alexander F. Johnston.

LANCASTER.

Assessors—Thomas Wilson, Wm. Cunningham, Ham, D. Malloy.

Collector of rates—P. A. Allingham; No 2 district, Henry G. Ibrail.

Clerk—A. D. Gault; No 2 district, Jas. Gault.

Fire wardens—Robert Irvine, James Macdonald, Robert Harrison.

When it came to the naming of constables, that of Taylor appeared.

It was stated that he was the man who made to arrest in the Fairview yard, and his appointment was refused.

Coun. Lowell moved that Mr. Fox be substituted for Mr. Wilson for assessor.

Coun. Barnhill wanted Geo. Lingley named.

As there was a disagreement of vote of the whole council was taken on the assessor.

Coun. Barnhill nominated Thomas Wilson, William Cunningham and D. Malloy.

Coun. Catherwood nominated George Lingley.

Coun. Lowell nominated William Fox. On a ballot being taken Messrs. Wilson, Fox and Cunningham were elected.

ST. MARTIN.

Assessors—Wm. Smith, W. B. Rourke, Michael Kelly.

Highway commissioners—S. J. Shanklin, Wm. Wilson, Herbert Brown.

By way commissioners—M. R. D. Iy, Richard Davidson and Patrick McBride. Parish clerk—Thos. W. Mosher.

MUSQUASH.

Coun. Dean put in the following list of parish officers which were agreed to:—

Assessors—John A. Clark, James M. Wynn and Geo. L. Hargrove.

Highway board—W. J. Dean and H. N. Spence, Jr.

Commissioners of highway—David McAdam, Robt. J. James, Thos. Caracodder.

The election dispute was then again taken up and referred to a committee consisting of Coun. Lee, Christie, Millidge, White, Lowe, McLeod, Robinson and Macrae for investigation under oath.

It was decided to allow Simonds to assess \$1,500 in labor and money for highway purposes; St. Martin, \$1,000 labor; Lancaster, \$300 labor and money; Musquash, \$400 labor and money for highway purposes.

Lancaster was given authority to obtain an advance of \$1,000 for road; St. Martin \$50; Musquash \$200; Simonds \$400.

Standing committees were then appointed as follows:—

Finance and accounts—Coun. Christie, chairman; the warden, and Couns. Sears, White, Macrae, Seston, Telford, McMillin, Colwell, Catherwood, Lee, Barnhill, McLeod, Riddock, Dean, Stachhouse, Lowe and Catherwood.

County buildings—Coun. McMillin, chairman; the warden, and Couns. Robinson, Sears, White, Christie, Telford, Millidge, Macrae, McGoldrick, Lee, Riddock, Catherwood, Lowell, Dean and Fournier.

Bills for the legislature—Coun. Seston (chairman), the warden and Couns. Robinson, Sears, White, Christie, Telford, Millidge, Macrae, McGoldrick, Lee, Riddock, Catherwood, Lowell, Dean and Fournier.

Public and school lands—Coun. White (chairman), the warden and Couns. Robinson, Macrae, Waring, Christie, Cald-

Used daily, Abbey's Effervescent Salt gives Health

The Canadian Pharmaceutical Journal says: "We have tried Abbey's Effervescent Salt, and find it an excellent compound. A morning draught of this stimulating preparation will send a man to his daily occupation invigorated and ready for any task."

SOLD BY DRUGGISTS EVERYWHERE

SONS OF TEMPERANCE.

Grand Division in Semi-Annual Session at Moncton.—Afternoon Business Meeting with Reports of Officers—Public Meeting in the Evening.

MONCTON, May 10.—The semi-annual meeting of the Grand Division, Sons of Temperance, opened here this afternoon with about 30 delegates present. The reports of the grand worthy patriarch, grand scribe, and the officers were presented. A slight decrease in membership was shown.

The grand scribe, Major A. J. Armstrong, in his report on the work for the six months ended March 31st, told that from the reports handed in which were not from all divisions, 278 members had been added, 51 left, died or were expelled, leaving a dividend of 344 members.

One division, Never Despair, No. 426, at Wolford, had never organized, and two, Frances Willard, No. 373, at Sackville, and Crystal Stream, No. 191, at Salisbury, remained inactive.

An to the newspaper of the order, Fore and Aft, was presented by the grand scribe, G. W. Parich, Crisp, is referred to. Regret is expressed that the paper is not paying.

In young people's work the Loyal Crusade and Cadets of Temperance are both doing some work in our jurisdiction, but neither of them the amount they should do.

The Sons of Temperance National Mutual Relief Society is still flourishing and paying its death claims in full and very promptly.

Regret is expressed that prohibition was not to be had.

Rev. James Crisp, the grand worthy patriarch, in his report, said in part: "In fighting the great battle of prohibition in the future we may be called upon to fight on very different lines from any upon which we have fought in the past. This seeming ill may be the end of the storm—a stillness that may be felt before the coming of a storm that shall shake the political earth upon which we stand."

He said that the Sons of Temperance are a body of men who have taken a leading part in the councils of the order. He said that the Sons of Temperance are a body of men who have taken a leading part in the councils of the order.

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AMERICAN OIL TRADE.

PHILADELPHIA, May 8.—The exports from this city of petroleum to foreign ports for the first three months of this year shows a falling off of 23,000,000 gallons in the shipments for a corresponding period of last year. This fact coupled with the shipments for 1898, which showed a falling off of over 30,000,000 compared with 1897, has caused some alarm in shipping circles, and expression is given to the belief that the Borneo oil is being brought into direct competition in the far east with the product of the domestic market.

The statement is made among oil men that until 1898, when the Borneo oil fields were extensively developed, the export trade of this city for over a quarter of a century showed rapid gains. Comment is also made upon the fact that a large number of tank steamships have been withdrawn from this port and entered into the Borneo trade.

LOST FROM A FISHERMAN.

MEAR COVE, C. B., May 8.—Schr. Ruby, of Grand Bank, Nfld., was here today looking for a dory with two men which she lost last Wednesday while fishing off here. The dory was picked up here during a gale Thursday with nothing in it. The men, Benjamin Begg and John Scott, were drowned.

DROWNED NEAR YARMOUTH.

YARMOUTH, N.S., May 8.—Norman Harris and his eldest son, aged 19, of Sanford, were drowned yesterday while engaged in lobster fishing. Harris was 40 years of age and leaves a widow and nine children. The son who was drowned was the eldest of them.

Did you ever notice it, that what you'll be called rank blasphemy in a layman is often seconded by a fine show of humor in a clergyman?

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MISSING BOOKKEEPER HEARD FROM.

WOODBURY, May 9.—G. Fred Watson who so mysteriously disappeared last week, has been heard from in Boston. He wrote a letter to one of the directors of the Maritime Pure Food Company today in which he made a flimsy attempt to explain the origin of the fire that destroyed his home and business. He said that he was exhausted in his efforts to extinguish the flames. The directors of the company are very regretful and will not give any information in the matter. It is evident that Watson has got ahead of the company, but to what extent cannot be ascertained.

IMPROVEMENT TO SCHOOL GROUNDS AND ROADSIDES.

There are many indications that the observance of Arbor Day is becoming more general in this province, and that it is not being confined to school grounds but it is extending to the roadsides and vacant places.

In Charlotte county there is quite a movement in this direction. At the next county teachers' institute to be held in St. Andrews, one of the subjects for discussion will be "How may we induce people to take a greater interest in the school grounds, roadsides and vacant places?" As each school board in the county is to be invited to send at least one delegate to the institute, and as several have already expressed a willingness to do so, the subject is expected to be dealt with in a very practical manner.

Inspector Carter, in sending out his Arbor Day notices this year, suggested that the teachers secure the cooperation of the residents in as far as possible and with that object in view Mr. Charles A. Richardson, the capable principal of the Moore's Mills school, called a meeting of the inhabitants, at which it was decided that there should be a general observation of the day. Accordingly on May 5 about 20 men with five teams, assisted by the schoolboys, unrolled the work of cleaning up the roadsides. The teams thrown on upon the roadsides were placed so as to form a stone sidewalk, and the rubbish which had collected there was carried away. About 6.30 p.m. this village improvement association was summoned by the ladies of the place to partake of a supper which had been provided by them in the school house where a very pleasant evening was spent.

Before separating it was agreed that another day should be given to the work before the end of the month.

The present trustees of the district are Dr. George O. Dible, Wm. Gillespie and Wm. Connick, and the school grounds are a model of neatness and order. May the example set by the people of the beautiful village of Moore's Mills spread until the road sides of all localities cease to be a dumping ground for rubbish.

HISTORICAL EXHIBITION IN TORONTO.

TORONTO, May 10.—The Historical Exhibition is no longer a mere suggestion, but a practical working enterprise which is growing rapidly.

The energetic and enthusiastic heads of the various committees, however, need the hearty and sympathetic co-operation of ladies and gentlemen from all parts of the city, towns and the country, to help them make this exhibition the most representative and interesting that has ever been held in Canada.

To plan and complete such an exhibition is a very large undertaking, and all those interested directly or indirectly can assist materially toward its success by spreading an interest in it far and wide, and by being watchful not to let the interest flag. The Historical Exhibition, carried out successfully, will attract attention to Canada from all quarters, and will be a sufficient cause for no small surprise to many at home and abroad who are under the impression that Canada has little or no interesting history.

A BIG STEAMSHIP.

HALIFAX, N. S., May 9.—The monster steamer Brasilia, of the Hamburg-American Packet Company, arrived from Hamburg today carrying 1,400 passengers, the largest number of immigrants brought to this port since the arrival of the Donkubor. The Brasilia is a sister ship of the Famous Bulgaria. Apart from her size she is one of the finest ocean carriers afloat being fitted with all modern cargo equipment. Her gross tonnage is 11,500, and her net tonnage 8,370. She has twin screws with an indicated horse power of 5,000. The Brasilia is the third largest steamer which has ever visited this port, being smaller than the Pennsylvania and the Great Eastern. Her passengers are mainly Galicians bound to Manitoba and the Northwest. They will be forwarded by special trains tonight and tomorrow.

BURGLARY AT MONCTON.

Baptist Parsonage Broken Into—Steamer For Hopewell Cape—One of the New Dining Cars Damaged By Fire.

MONCTON, May 10.—The First Baptist church was burglarized last Saturday night and the police last night arrested Patrick Elliott, Geo. Cameron and Jack Watson, three young men belonging to Moncton, charged with the crime. It is reported that Rev. Mr. Hinson lost \$100 as a result of the burglary, besides some clothing and other articles.

The house was unoccupied at the time. The parties arrested were brought before the court this morning, but as there was no evidence connecting them with the affair, they were allowed to go on their own recognizance.

Capt. McDonald, of Hantsport, N.S., is here conferring with a number of business men relative to the advisability of putting a steamer on the Petitcodiac river this summer, to ply between Moncton and Hopewell Cape.

Mr. J. E. Price, chief superintendent of the I.C.R. left tonight on a two or three weeks' trip in the western states, to have a look over some of the big railroads.

A. W. Craine, of the I.C.R. engineers' office, left tonight for New York, where he has secured a position with the New York Central rail way.

Several of the new I.C.R. driving cars, which were recently turned out of the Wagner Car Works at Buffalo, arrived here this morning from Montreal. One of the cars had a narrow escape from destruction by fire on the way down.

It appears that a fire originated from a bucket of waste, and before it was discovered and extinguished one end of the car was badly scorched. As a result of the mishap the handsome new diner has been sent to the repair shop, where it will be kept some time undergoing repair.

ANOTHER FLOUR MILL.

HARVEY EVARTON, May 10.—Mr. James Laidlaw, the well known and popular miller of York Mills, is making arrangements to have a new grist mill for wheat erected near the site of the York Woolen Mills which were destroyed by fire some time ago. He will apply for the government bonus, and expects to have the mill ready for the fall grinding.

The grist mill which was destroyed in this locality, it is stated that last year upwards of 2,500 bushels of wheat were taken to the Kingscler mills from this parish, besides what was ground at the back wheat mill here, and such a mill would, it is believed, greatly encourage the growing of wheat among our farmers. Mr. Laidlaw deserves all the encouragement and help that can possibly be given him in this enterprise.

FATAL FIRE IN NEWFOUNDLAND.

HALIFAX, May 9.—Word has been received that a man named MacDonald, with his wife and two children, were burned to death in a camp at Chilly Head, Lochlight, Nfld., on Sunday, April 30th. One child, aged six years, escaped, but cannot give any definite account of the terrible tragedy. No person in the settlement knew any thing about the fire until the next day, as the camp in which this family lived was situated in the woods away from all other residents.

COOK'S COTTON ROOT COMPOUND.

Is successfully used monthly by over 70,000 ladies, who, without, ladies ask your druggist for Cook's Cotton Root Compound. It is a safe, reliable, and effective remedy for all diseases of the female system. It is sold in bottles of 25 cents, 50 cents, and \$1.00. It is sold in all drug stores and by mail order. It is sold in all drug stores and by mail order.

Sold in St. John by responsible druggists and in W. C. Wilson's, St. John, N.B.