

# COMPLETE EXONERATION OF MURRAY GOVERNMENT

## THE FORMER VALLEY RAILWAY DIRECTORS AND MEMBERS OF MURRAY GOVT INDICATED

### Commissioner Stevens in Exhaustive Report on St. John and Quebec Railway Enquiry Unable to Find that Any Public Money Was Wrongfully Diverted by Old Government—Sees No Ground on Which to Base Suits Under Criminal Code.

(Continued from page 1) Special to The Standard.

**Evidence Examined.**  
Fredericton, March 12.—Having stated the material facts, giving proper consideration to the many contradictions regarding them, and having arrived at certain conclusions herein before set forth, I now come to that part of my duty which requires me to examine the evidence so far given for the purpose of ascertaining in the words of the commission directed to me, whether or not the public money under the control of the said directors, officials, contractors and sub-contractors have been properly and honestly expended, and I find with reference to the \$120,000 and the \$20,000 paid by the Nova Scotia Construction Company, Ltd., to W. B. Tennant as follows:

The Nova Scotia Construction Co., Ltd., engaged the services of W. B. Tennant to represent the said company in the province on the recommendation of Hamilton Lindsay, vice-president of said company, for the reasons stated in the correspondence which passed between them in the month of October, 1915, and because of his recognized ability and influence as a financial agent and broker in handling large transactions requiring skill and shrewdness in manipulating and of his political sympathies at the time. Engaging his services on the eve of calling for tenders with knowledge that such a call was to be made, leads me to the conclusion that his services were primarily engaged with a view of securing the contract for said company to build the uncompleted sections of the Valley Railway, and that an understanding was then had between Mr. Tennant and said company and if successful in securing the contract, he was to receive half the profits.

#### No Understanding.

I cannot come to the conclusion so far offered, that there was an understanding between any member of the railway or of the government with said company, or any one representing said company, that said company would receive the contract, or that tenders of responsible concerns were lower than the tender of said construction company, Ltd., but all things being equal, I have no doubt that Mr. Tennant was able to secure the contract for said company, that his influence and friendliness with the proper parties was strong enough to secure the contract for the company. That notwithstanding, I am of opinion, in which Mr. Tennant talked the necessary or advisable for him to see, if possible, that the tender of said company was the lowest, or at least as low as any other tender put in, and his manoeuvring, if that be the proper word, with reference to other likely competitors on the mileage basis, is rather corroborative of this.

#### Tender Made Up.

I also find the tender of said company was made without any assistance or suggestion from Mr. Tennant, and without taking into consideration to any material extent that Mr. Tennant would have to share in half the profits. It is my opinion, from the evidence, that had the tender of this company on the mileage basis been accepted, the profits would not have been of much value.

The change from the mileage basis to the unit basis of building the railway was adopted not with any view of favoring the Nova Scotia Construction Co., Ltd., but because of the change in route and also because it was felt, and perhaps rightly so, that the construction of the railway on the mileage basis was not a satisfactory or economical way to build the said railway. The fact, however, that the tender of said company on the mileage basis in competition with other independent, reputable and responsible railway contractors, was the lowest, is evidence to my mind that no provision was made for extra profits on account of the arrangement made with Mr. Tennant.

#### The Unit Basis.

When the call for tenders on the unit basis was made, there is the same if not greater evidence of zeal and manipulation on behalf of the Nova Scotia Construction Co., Ltd., to see that the tender of this company would be the lowest. The impression was created and spread abroad on behalf of this company, that this company and this company only could secure the contract, but there is not sufficient evidence to justify me in arriving at the conclusion that any member of the railway company or of the government were in any way a party to this scoring for position, so to speak. The payment in advance on account of prospective profits, of the sum of \$100,000 by the said Nova Scotia Construction Co., Ltd., to Mr. Tennant, practically secured a government contract for the lowest tenderer who was known to be a responsible railway contracting company, has a suspicious look about it, and is a most unusual transaction, and however honest the transaction may have been, tends to cast unpleasant reflection on the public life and fair name of our province, but the fact is consistent with the understanding and agreement entered between said company and Mr. Tennant, it is not to be considered that in order to secure this advance or the promise of it, Mr. Tennant may have led the company to believe, perhaps without any foundation, that in order to secure the contract, this money had to be distributed in some improper way, but neither Mr. Tennant or Mr. Lindsay have gone that far in their evidence. It is a reasonable presumption considering the deceptions that were practised in other respects in connection with the whole matter, and Mr. Tennant has sworn that all his money went into his legitimate business and is not in some form or other, and no sufficient evidence to the contrary has been produced so far to justify me in finding otherwise.

#### Contract of Feb. 1917.

With reference to the contract of February 8th, 1917, which gave an improper and unjustifiable increase, as a result of the tender of \$10,000 to said company, following the next day by another advance of \$20,000 from said company to Mr. Tennant, under the contract existing between them and amount two days later, the proceeds of which were given for political purposes, the circumstances are again suspicious, more so than with reference to the \$120,000 payment because there is direct evidence that this \$20,000 if not directly at least indirectly went for political purposes. I view the discounting of the note even with other names on it, as a mere subterfuge to enable Mr. Tennant to secure the contract for said company, and in my opinion, in which Mr. Tennant talked the necessary or advisable for him to see, if possible, that the tender of said company was the lowest, or at least as low as any other tender put in, and his manoeuvring, if that be the proper word, with reference to other likely competitors on the mileage basis, is rather corroborative of this.

#### The Final Report.

The final report in part is as follows: "With reference to the payment by Wm. B. Tennant of the sum of \$20,000 mentioned in the amended commission directed to me bearing date of December 19, 1917, I find that Mr. Tennant paid this money, which was done up in the shape of a package or parcel, to George B. Jones, M. L. A. for Kings county, with instructions to deliver it to Thomas Bell of the City of St. John; that Mr. Jones went to the office of Mr. Bell and Mr. Bell was not in; that Mr. Jones then went to the office of the Hon. J. B. M. Baxter and placed this parcel in the vault in Mr. Baxter's office; that Mr. Baxter was not present, but Mr. Jones told one of his clerks in the office that the parcel was for Mr. Bell and that Mr. Bell would call for it; that Mr. Bell did call for it and got it from one of the clerks in the said office and took it away with him and then mixed it up with other campaign funds for the use of the local government party in the provincial election which took place in February, 1917; that moneys from said campaign funds were distributed by Mr. Bell for use in the said election to favor the resignation of candidates supporting the local government of that day. The report gives the amounts mentioned in evidence and then continues:

"The presumption is that this money was used in the different counties for the purposes for which it was distributed. There is direct evidence of this in the case of one or two counties and it was not considered necessary in the public interest that the money should be followed further. "With reference to the disposition by the said William B. Tennant of \$40,000 withdrawn by him upon a cheque payable to cash on or about the day on which he cashed or deposited a cheque of the Nova Scotia Construction Company, Ltd. for \$100,000 as mentioned in the amended commission directed to me, I find that the said William B. Tennant, according to his testimony and there is no evidence to justify me in finding otherwise, disposed of this sum in his business. Not Improperly Expended.

During the term of office of the board of directors of the St. John and Quebec Railway Company, of which Irvin R. Todd and Fred W. Sumner were presidents, the one succeeding the other, there was no evidence submitted in this inquiry to justify me in finding, and I do not find that any of the public moneys of the province under the control of the said board of directors were improperly or dishonestly expended, and the same may be said of all officials, contractors and sub-contractors thereunder.

"Regarding Mr. Todd's resignation, the commissioner found that it partly was due to ill-health, partly because he found the work uninteresting, partly because of the prospect of the inclusion of one member of the government, but largely because he was opposed to the letting of any contract for the east side route until provision had been made for the connecting bridges. "In addition to the \$120,000 received by Mr. Tennant from the Nova Scotia Construction Company and covered by the commissioner in his interim report, Mr. Stevens finds that Mr. Tennant received \$100,000 from the Nova Scotia Construction Company on the construction company. He finds that Mr. Tennant used some of this money to promote the election of candidates to the provincial legislature in the election of 1917, and that Mr. Tennant also made use of this money. Mr. Tennant at that time was financially interested in the contract of May, 1916, between the Nova Scotia Construction Company and the St. John and Quebec Railway Company and that the construction company had claims against the railway company and that the capital stock of the railway company was vested in the government and the railway's directors appointed by the government.

#### Campaign Funds.

"Under these circumstances Mr. Tennant was guilty of improper conduct in having employed to secure the campaign funds even for legitimate purposes during the said election, or while he was interested, directly or indirectly, in the said contract. In the commissioner's opinion Mr. Tennant's conduct was reprehensible as tending to prevent or stifle competition and to offend against public policy, that in connection with the tender of the Nova Scotia Construction Co. dated May 4, 1916, and the tender of Kennedy & McDonald, dated May 1916, there was collusion between the Nova Scotia Construction Company, Thomas Nagle and Kennedy & McDonald, but whether or not such collusion and other circumstantial evidence in support thereof, viewed in the light of all the evidence presented in this inquiry amounts to a conspiracy to defraud the public or any person, either at common law or in virtue of any statute of this province, the commissioner says he has devoted much attention, and he has concluded that, while there is evidence in support of such a charge (which was strenuously denied), the manner in which some of the witnesses gave their evidence, yet without additional evidence, of which I assume there is at present none available, and applying the recognized principles applicable to the trial of persons, accused of crime, such evidence is insufficient, in my

judgement to justify a conviction thereon." Kennedy & McDonald. The commissioner finds that while the Kennedy & McDonald tender of May 1916, as before stated, he is not satisfied that it was used to evade the results of fair competition or with any intention of defrauding the public or any person. He says, "I think I see an above attempt to give the appearance of competition where, finally none was expected and soften public comment, perhaps to avoid or lessen the risk of new tenders being called for or demanded because only one was filed, and possibly also in furtherance of the agreement whereby Kennedy & McDonald were to get a sub-contract at agreed or favorable prices and divide the profits with Mr. Nagle." The commissioner then cites cases bearing upon that question. The commissioner finds that while the evidence submitted does not warrant a conviction for any offence, that any member of the government or of the legislature was improperly concerned in the negotiations which were carried on with reference to the two contracts awarded to the Nova Scotia Construction Co. and the sub-contracts awarded to Kennedy & McDonald, and Smith & Merrithew, yet he has a suspicion that possibly "some members of the government or of the legislature, while in a main contract, was by Mr. Jones, while a member of the legislature, friendly to Smith & Merrithew, Ltd., whose prices with the exception of those allowed Kennedy & McDonald, were better than those allowed other sub-contractors, and the forgetfulness or worse of other witnesses, rather tended to strengthen that suspicion, and the denial of Mr. Nagle with reference to the Kennedy & McDonald contract as well as some of the statements made by Mr. Lindsay were not at all convincing.

## N. B. FEDERATION OF LABOR MEETS

Prominent Men Address Delegates at Opening Session—St. John Aably Represented.

Fredericton, Mar. 12.—The annual meeting of the New Brunswick Federation of Labor, which always synchronizes with the session of the Legislature began today. It will continue tomorrow. This morning was devoted to the appointment of committees and preliminary work.

The formal opening took place this afternoon. About 60 delegates are in attendance from the various sections of the province.

The program follows:—Address of welcome, His Worship Mayor Hanson, on behalf of the City of Fredericton; address, W. C. Kierstead, representative in New Brunswick of the Food Controller; address, Hon. J. F. Tweeddale, Minister of Agriculture; address, Rev. G. M. Young; James L. Sgurue, St. John, president of the federation, replied.

Tonight, the visiting delegates were guests of the Labor Council at a smoker which was in the Labor Hall, where the sessions are being held. The delegates from St. John are: John Kemp, George Melvin, J. E. Tighe, F. W. Daley, S. Bradshaw, Ira Terrie, F. Campbell, C. E. Harrison, W. H. McDonald, T. Taylor, J. Brittain, R. McCann, J. Hennoberry, J. Macaulay, W. Trearthen, H. T. Campbell, W. Lawson, Hugh Beck, and Thomas Tracey.

## WILL TAKE OFF ALL EXCESS FAT

Do you know that there is a simple, harmless effective remedy for overweight that may be used safely and secretly by any man or woman who is losing the slimness of youth? There is; and it is none other than the tablet form of the now famous Marmola Prescription, known as Marmola Prescription Tablets. You can lose the excess weight without dieting or exercising. Marmola Prescription Tablets are sold by all druggists at 75c. for a large case, or if you prefer you can order direct from the Marmola Co., 364 Woodward Ave., Detroit, Mich.

## MURDERER SENTENCED

Goderich, Ont., Mar. 12.—Justice Masten yesterday sentenced James McCracken, a young Morris township farmer, to fifteen years in Kingston penitentiary for the shooting of his wife.

## OBITUARY.

Edward J. Cosgrove. The death of Edward J. Cosgrove, the nineteen year old son of Mr. and Mrs. Thomas J. Cosgrove, occurred yesterday morning at the St. John Infirmary after an illness of two weeks. Cerebro-meningitis was the cause of death. Besides his parents, he leaves three sisters, Miss Ella of the West-end Union, and Misses Dorothy and Winnie at home. The deceased was a member of St. Peter's Y. M. A. and was a member of the C. P. R. staff, King street. The funeral will take place on Thursday morning at St. Peter's church.

ment which provides that the amount to be expended for the purchase of aeroplanes shall be fixed by the lieutenant-governor-in-council. The bill was agreed to as amended. House adjourned at five p.m.

## Chill Starts Cold Was Sick Four Weeks Just Able to Crawl About

Mr. Weidon T. Hawkes, Curryville, N. B., writes: "Last spring I was taken very ill with a severe cold. I got wet and it started with a chill. I was sick for weeks, and was just able to crawl about. People all said I had inflammation of the lungs, and it killed me. I told a friend to get me two bottles of Dr. Wood's Norway Pine Syrup, and before the first one was taken my cold and cough were broken up, and the second did it completely. I am raising a family and I find that it is a good medicine for the children."

There is no remedy that will cure stubborn colds or coughs, the kind that won't let go, like Dr. Wood's Norway Pine Syrup. It always the inflammation, soothes the irritation, heals the diseased mucous lining of the lungs and bronchial tubes, and rids the system completely of all the bad effects of lingering coughs and colds.

There are so many spurious "Pine" preparations on the market that you should see you get "Dr. Wood's" when you ask for it. Put up in a yellow wrapper; three pills from the trade mark; price 25c. and 50c.; manufactured only by Dr. W. Milburn Co., Limited, Toronto, Ont.

## WOMAN DRUGGED IN N. S. CAPITAL

Merchant Sailor in Jail Charged with Offense—Robbery Alleged.

Halifax, Mar. 12.—A merchant sailor named Darling is in jail here charged with theft of \$40 and administering drugs, and Mrs. Mary Baird of Market street, who laid the charge against him, is in the Victoria Hospital dazed and speechless. Yesterday the landlord of the house in which Mrs. Baird lives found her lying on her bed unconscious but speechless. The woman told the police by writing that Darling who was in the same house, had gone out for some food on Saturday night. She partook of it and almost at once became ill and was unable to speak. She charges Darling and an accomplice with having then stolen some of her money. At the hospital this morning her condition was considered serious.

Piles Cured in 6 to 14 Days. Druggists refund money if PAZO OINTMENT fails to cure Itching, Blind, Bleeding or Protruding Piles. Instantly relieves Itching Piles and you can get restful sleep after the first application. Price 50c.

## CASUALTIES

Ottawa, Mar. 11.—Casualties:—INFANTRY. Killed in Action: J. A. Myot, Glace Bay, N. S. N. David, Fort Felix, N. S. Presumed to Have Died: A. J. Bourdeau, Petit Rocher, N. B. CYCLIST CORPS. Died: J. H. Rogers, New Glasgow, N. S. MOUNTED RIFLES. Killed in Action: L. McLeod, Point Prima, P. E. I. RAILWAY CORPS. Presumed to Have Died: Sapper R. W. Anderson, St. John, N. B.

## AT ONCE STOPS STOMACH MISERY AND INDIGESTION

"Pape's Diapiesin" makes sick, sour, gassy Stomachs feel fine. Do some foods you eat hit back-taste good, but work badly; ferment into stubborn lumps and cause a sick, sour, gassy stomach? Now, Mr. or Mrs. Dyspeptic, get this down: Pape's Diapiesin digests everything, leaving nothing to sour and upset you. There never was anything so safely quick, so certainly effective. No difference how badly your stomach is disordered, you will get happy relief in five minutes, but what pleases you most is that it strengthens and regulates your stomach so you can eat your favorite foods without fear. Most remedies give you relief sometimes—they are slow, but not sure. "Pape's Diapiesin" is quick, positive and puts your stomach in a healthy condition so the misery won't come back. You feel different as soon as "Pape's Diapiesin" comes in contact with the stomach—distress just vanishes—your stomach gets sweet, no gas, no belching, no eructations of undigested food, your head clears and you feel fine. Go now, make the best investment you ever made, by getting a large fifty-cent case of Pape's Diapiesin from any drug store. You realize in five minutes how needless it is to suffer from indigestion, dyspepsia or any stomach disorder.

## ALEXANDER SIGNS UP.

Chicago, March 12.—Grover Cleveland Alexander, star pitcher with the Chicago Nationals, who has been holding out for \$10,000 as a bonus for his transfer from Philadelphia, advised President Wegman, of the club today that he would join the team en route to the Pasadena, California, training camp at Kansas City tomorrow.

## St. John Standard "Heart Songs" Story No. 9

Bridal Chorus, from Lohengrin RICHARD WAGNER. The Opera from which this Chorus is taken is perhaps the most popular of all the works of Wagner. And the Bridal March, which appears on page 95 of "Heart Songs," is today heard the world over at weddings. To hear its strains is to recall in thousands of hearts the happiest moments of life. The words printed in this book are a very beautiful translation from the original German—and the music is that written by the great Master.

MOTHER'S SONGS. Do you remember how mother would cuddle you up close to herself in the rocking chair, or tuck you in one of those dear old cradles of the time when it wasn't a crime to have rockers on the cradle? And as she rocked and sang "In the Sweet Bye and Bye,"

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Kindly look at this advertisement as a personal letter to you, an individual invitation to come in and see these advanced Spring styles in special suits for young men.

Not too early in the season to look and not too early to buy if you want to be a leader.

Gilmour's, 68 King St.

## THE WEATHER.

Maritime—Fresh winds, mostly south and southeast; mild with some light snowfalls or rain, but partly fog. Washington, Mar. 12.—Northern New England—Fair Wednesday, except snow in Maine; somewhat colder in New Hampshire and Vermont; Thursday fair. Fresh west to southwest winds. Toronto, Mar. 12.—Light snowfalls have occurred over Lake Superior and from the Ottawa Valley to the Maritime Provinces. In the peninsula of Ontario the weather has been fair and very mild.

	Min.	Max.
Victoria	32	46
Vancouver	34	44
Calgary	4	36
Edmonton	0	32
Battleford	22	34
Medicine Hat	10	38
Moosajaw	8	25
Winnipeg	6	20
Port Nelson	30	2
Port Arthur	20	36
London	31	53
Toronto	30	50
Ottawa	13	16
Montreal	12	24
Quebec	2	20
St. John	6	28

—Below zero.

## MINIATURE ALMANAC.

MARCH—PHASES OF THE MOON.	
Last Quarter, 5th	8h. 44m. p.m.
New Moon, 12th	3h. 52m. p.m.
First Quarter, 19th	9h. 30m. a.m.
Full Moon, 27th	11h. 33m. a.m.

Date	Mo. of W.	Rises	Sets	Water am.	Water pm.
13 Wed	6.45	6.22	11.53	5.47	11.13
14 Thu	6.43	6.23	11.52	6.35	10.00
15 Fri	6.41	6.25	1.01	13.33	7.24
16 Sat	6.39	6.26	1.51	14.24	8.14
17 Sun	6.37	6.28	2.45	15.17	9.06
18 Mon	6.35	6.29	3.34	16.02	9.51

## JESS WILLARD SIGNED.

Jacksonville, Fla., March 12.—Col. J. C. Miller, a retired ranchman and 600 magnate of Oklahoma, announced last night that he had closed a contract with Jess Willard for a fight to be promoted by Miller on July 4. Willard's opponent has not yet been selected, and Colonel Miller did not announce the terms of the contract. He said he would go to Kansas City for a conference with Fred Fulton's manager, but if he could not arrange a match between Willard and Fulton, he would open negotiations with Jack Dempsey.

## DEATHS.

WILLIAMS—At her residence, 241 Douglas Avenue, on the 12th instant, Charlotte Elizabeth Williams, widow of the late Joseph L. Williams, in the 75th year, leaving one son, and one daughter to mourn. Funeral notice later. BUTT—At North Duxbury, Mass., on the 11th inst. Elizabeth, widow of the late W. F. Butt. She had closed a contract with Jess Willard for a fight to be promoted by Miller on July 4. Willard's opponent has not yet been selected, and Colonel Miller did not announce the terms of the contract. He said he would go to Kansas City for a conference with Fred Fulton's manager, but if he could not arrange a match between Willard and Fulton, he would open negotiations with Jack Dempsey.

**ASTHMA COUGHS**  
WHOOING COUGES SPASMODIC CROUP BRONCHITIS CATARRH  
**Vapo-resolene**  
A simple, safe and effective treatment avoiding drugs. Used with success for 25 years. The air carrying the essential oils is cooled with every breath, makes breathing easy, soothes the throat, and stops the cough, clearing the lungs. Causes less irritation to mothers with young children and is a sure relief for sufferers from Asthma. Sold by all druggists. Price 25c. per bottle. Made in Canada.

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