



Fifty Years Ago.

President Polk in the White House chair, while in Lowell was Doctor Ayer; both were busy for human weal. One to govern and one to heal. And, as a president's power of will sometimes depends on a liver-pill, Mr. Polk took Ayer's Pills I trow for his liver, 50 years ago.

### Ayer's Cathartic Pills

were designed to supply a model purgative to people who had so long injured themselves with gripping medicines. Being carefully prepared and their ingredients adjusted to the exact necessities of the bowels and liver, their popularity was instantaneous. That this popularity has been maintained is well marked in the medal awarded these pills at the World's Fair 1893.

50 Years of Cures.

## Piles of It.

(Continued from Page 1)

that Forkey had been paid no money by Graydon, Richardson, or any other person whatsoever. The words "any other person whatsoever" were struck out by Forkey's request, said the witness.

Q—Did you get Forkey to get a room in the London House after the interview with him in your office during the last sitting of the court?

A—Yes, I board there.

Q—And it was so late you had to show him a room at the London House?

A—Yes.

Q—Was it as late as 11:30 p.m. when he came to your office?

A—I could not say; I think he was there before that.

Mr. Osler said it was on the night of the first day of the trial that Forkey arrived in London and was seen by Tothie. Forkey had been subpoenaed for the second day.

Mr. Osler—When was the former interview in your office with Forkey?

A—About ten days before the first sitting of the court.

Mr. Osler questioned witness about the statement made by Ivey to witness, after the witness Brock had given his evidence. Next day witness lent Ivey \$3.50. (Laughter.)

Q—Had he ever repaid it?

A—No. (Laughter.)

Q—No account rendered?

A—No. (Laughter.)

Q—You searched for him diligently?

A—Yes.

Q—But not to get the money?

A—Partly.

Q—Why this hunger to see Ivey?

A—I heard he was going to swear that Gray had ordered him to go on the door.

Q—You wanted to see if this horrible rumor was true? (Laughter.)

A—I thought he had been tampered with. (Laughter.)

Q—Had you known Oliver Richardson before that evening you and Tracey together saw him?

A—Yes.

Q—You knew he was a voter?

A—Yes.

Q—Did you canvass Richardson for his vote?

A—I don't think so.

Q—Did you ever speak to him about election?

A—He said there ought to be work going now and he would like to get some.

Q—And you gave it to him?

A—Yes; delivering notices.

Q—You were with Sherlock and Tracey together?

A—Yes.

Q—MONEY FOR WHISKY.

Q—You knew Springer, the barber, was a voter?

A—Yes.

Q—You lent him \$3 prior to the election?

A—You may call it a gift.

Q—You had given him money before?

A—Yes.

Witness admitted he gave Springer money in the Conservative Club office to the extent of about \$3. Witness knew Springer was a voter all the time. He was on a spree at the time.

Mr. Osler—And you gave him whisky money?

A—I gave him money to get rid of him.

Q—Did you hear before the election that Springer had a new suit of clothes?

A—Yes.

Q—Did Tracey tell you?

A—I cannot say.

Q—Hadden't you a talk with Tracey about the clothes?

A—Not a word.

Q—Had you any financial transactions with Tracey about that time?

A—No.

Q—MISERIOUS PAYNE.

Witness was questioned about the witness Payne, whom he had given a ticket to Detroit. Witness knew Payne was a voter. He denied that he gave Payne a cent.

Q—Who is the Payne entered in your book?

A—I can't place him. (Laughter.)

Q—Describe him to me?

Witness couldn't.

Mr. Osler showed that Mr. Payne had been paid \$4.25, according to Mr. Tothie's books.

Q—When did you pay Payne the \$4.25?

A—June 2.

Mr. Osler—I want this Payne produced.

Witness said there were a great

many young men paid for work, and he could not remember them all. He had seen Payne around the rooms.

Q—And was he a stranger when you gave him work?

A—Yes; somebody asked me to give it to him.

Q—For how much work?

A—It may have been all done in one day.

Q—How much was Payne's ticket?

A—\$3.45.

Q—And \$3.40 and 75 cents which Payne says you gave him, comes perilously near \$4.25, doesn't it?

A—Yes.

Q—Was he an old or young man?

A—I don't know.

Mr. Tothie got very angry at this close questioning, and protested his total ignorance of the kind of man he was—whether old or young—though he had previously spoken of Payne as a young man.

Q—You had no interest in Payne the waiter?

A—No.

Q—Did you make a memorandum of the payment of the ticket?

A—Yes.

NO VOUCHER FOR A BIG PAYMENT.

Q—I want to see your vouchers for the payment to Frank McVean?

A—I have none.

Q—How much did you pay him?

A—\$5.

A discussion here took place between counsel as to the propriety of going into evidence relating to charges yet to be taken up.

Mr. Osler said it was better to have evidence of this kind out, so as to judge of the credibility of the witness as well as of all the facts.

Mr. Robinson said there were probably 50 distinct charges of bribery against Tothie, and it would be better not to cross-examine him on any but the three groups already taken up.

The judges thought such view was reasonable.

Mr. Osler said that cross-examination should not be restricted. The books produced by witness enabled him to take this course, but if anyone objected he would wait for further investigation into greater sums.

THE FINANCES.

Mr. Osler asked witness how much money he had received altogether.

Witness said \$1,155, besides \$24 from Graydon, in return for money advanced.

Two or three other items were subsequently added, making \$1,177, as witness' total receipts.

Mr. Osler learned these from Mr. Graydon's cash book.

Q—How much were the disbursements?

A—\$1,174.70, including \$233.09 for myself.

Mr. Osler—That makes \$94.61 paid out, in addition to your own salary?

A—Yes.

Mr. Osler asked witness to find Ivey's and Payne's account in witness' private memorandum book. This was done, and the book put in as evidence.

SWALLOWED THE OATH.

Mr. Osler—Did you vote and take the oath?

A—Yes.

Mr. Osler then read the oath, showing that witness had sworn he had received no money or the promise of any to induce him to vote; neither had he received any expenses for any services or loss of time.

Mr. Osler then finished his cross-examination, and Mr. Hellmuth took witness in hand again. Witness said he received no money to induce him to vote. He was promised payment for his services by the Conservative Association, and had not received all he was to get.

Witness' memorandum book was produced and showed a payment to Payne of \$3.40 between May 28 and June 8. Witness maintained it was a different Payne who had been paid \$4.25 for work. He produced the receipt, signed F. C. Payne.

Witness generally paid persons who delivered notices the same as it would cost by post—two cents per notice.

BAD TIME TO LEND MONEY.

Mr. Hellmuth asked witness about the money he lent Springer.

Judge Ferguson—I think it has been expressed in some election courts that during election is a very unfortunate time for men to lend money.

Mr. Osler—I think that is your lordships' ruling.

Judge Ferguson—I may have thought it.

Mr. Robinson—I think the judgment referred to church subscriptions.

A REMARKABLE EXPOSURE.

For some time Mr. Osler had been intensely examining Mr. Tothie's private memorandum book with two microscopes. Mr. Osler then caused a sensation by rising, book in hand, and saying: "We propose to argue that the two entries in this book have been altered."

Judge Ferguson—In relation to whom?

Mr. Osler—Ivey and Payne.

Every eye was turned on Mr. Tothie. The witness said he had first entered \$3.50 in the book as having been paid for a pair of glasses which witness had with him. Then he discovered that the entry was a mistake, and that the money had been paid to Ivey. Then he erased the word "glasses" and inserted "Ivey" instead.

A long, loud laugh broke out from the entire audience.

Judge Robertson became exceedingly angry. "I will not have this court room turned into a circus by this unmannerly crowd," he cried. "It is the most unbecoming thing I ever came before me. I give you warning."

Witness said that as to the \$3.40 paid to Payne, it was as above.

THE JUDGES MUCH INTERESTED.

Mr. Justice Ferguson then called for the book and the magnifying glass, and intently gazed on the entries. He then handed book and glass to his colleague.

Judge Robertson said he thought a rubber had been used also.

Judge Ferguson—He admits one of the alterations.

NO TRACE OF THE GLASSES.

Mr. Osler to witness—Can you give me the entry for the eye-glasses?

A—I don't think it is entered.

WILLIAM GRAY.

Wm. Gray, president of the Conservative Club, was sworn. He said he was a commercial traveler, and was only in the city on Saturdays and the day previous to the election. He was at the club the day before election, and on returning after supper he met Mr. Nash, who was in an excited condition. In consequence of what Nash told him he immediately started for the attic, through the billiard room. He noticed Forkey's Graham at the door. He found no row in the attic. He saw Ivey on a chair and passed into the gymnasium. There he saw four or five men on mattresses. Then he looked into the west room, but saw no one there. Witness then came downstairs, and a fight took place between him and the man at the head of the stairs. Witness asked him what he was doing and the man said Mr. Tothie had asked him to come down further. He found the door of the partition locked, so that entrance to the attic would have to be via the billiard room. He told Graham to stand at

the billiard room door and allow no one to go upstairs. Graham said he had the same orders from Mr. Tothie. Witness did not put Ivey in charge of the attic door with instructions to let nobody out. Ivey's statement to this effect was absolutely false. Witness said he did not think he had spoken to Ivey.

Mr. Hellmuth read from the evidence of a previous witness, George Johnston, who had said that he met Gray on election day, and that Gray told him he was sorry Johnston was in the attic; that it was a mistake, and that he asked Johnston to do the square thing, and it would be made all right.

The witness said all this was untrue. He did not meet Johnston on election day.

Witness also denied the evidence of Wm. McKenna, that he (Gray) had given the doorman permission to allow McKenna and a companion up to the attic. He had not seen McKenna at all. The gymnasium generally closed from May 1 to the end of September. No liquor was allowed in the club by the rules. He had given Ivey a coat out of pure charity at New Year's.

Cross-examined by Mr. Osler, witness said the attic could only be opened by securing the keys from the janitor. He had heard the lock had been broken, but he did not go to see. By locking the partition door the attic could be guarded.

Q—Did you see any beer kegs in the attic?

A—No.

Witness saw a considerable crowd at the corner of Dundas and Clarence streets the evening before election, but there did not appear to be any extraordinary excitement. He did not hear of a man being seen at the window. He would not say whether the men lying on the mattresses were members of the club or not.

Q—Could anyone bring liquor into that club?

A—No.

Q—Oh, yes; he could bring it in with him. (Laughter.) Have you ever inquired about this transaction?

A—No.

Q—As president of that club, you made no inquiry about the men on the mattresses?

A—No.

Q—Never inquired how they got there or how they got drunk?

A—I did not.

Q—Didn't inquire how the beer got there?

A—I asked Mr. Tothie and Mr. Nash about it.

Q—You heard there was liquor there, but you did not turn it out?

A—No.

Q—You heard there was a barrel there?

A—Yes.

Q—And you left it there?

A—Yes.

Q—Could you give me the name of anyone you saw there?

A—Where?

Q—Up in the attic.

A—Knew Ivey.

Q—AM strangers to you?

A—Yes.

Q—How long have you known Ivey?

A—About a year; think he was a member of the club. Saw Butler on the second day, in charge of Graham was in charge of the downstairs. Ivey was sitting in the hallway.

Q—Who was the governing committee?

A—We have a house committee. I am one by virtue of my office.

Q—Have you held any inquiry by your committee as to this working of drunken men in your attic?

A—Not to my knowledge. I spoke to Grimith.

THOROUGH-GOING MYSTERY.

Q—You have a list of your club members?

A—I have not.

Q—Is there not a list kept?

A—Not in my possession.

Q—Have you a list of members of your club?

A—There is no list. The cash-book shows the money as it would cost by post—two cents per notice.

Q—You, as a business man, have to trust the secretary entirely, without asking for a record?

A—Yes, and the members.

Q—That is Mr. Dillon?

A—Yes. No receipt is given, and the only check by way of payment of tickets given out by the printing committee. We do not know who our members are.

Q—Now tell me how you know how many tickets Dillon got?

Witness said there was a number on every ticket.

Q—If Mr. Dillon said there were 500 tickets out, what check have you on him?

A—None.

Q—And as a business man that is your method?

Witness said they trusted to the members to pay. Dillon, as president of the club, don't know who your members are and have no means of checking them?

A—Yes.

Q—You didn't arrange it that way on purpose?

A—No.

Q—Have you a record of how many tickets are issued?

A—There is no other method by which you can tell who is a member unless he produces his ticket?

A—No.

Witness said he might have spoken to McKenna and his companions; he could not remember all he had spoken to. He had spoken to the witness Johnston, but not about the attic.

Witness admitted he had spoken at the club the night before election, and had told the crowd to go home and vote early in the morning.

This corroborated McKenna's evidence that he (Gray) was making a speech to the same effect.

Judge Robertson said this was strong proof that the witness McKenna was in the crowd, but did not prove his other statements, that Gray had given orders to admit him to the attic.

Witness said the Conservative Association was given the use of the club reading room on condition that they took up the carpets and relaid them after the election.

Mr. Osler explained to the judge that he wanted to get a list of the names of the club members, but it had been very skillfully covered up.

Court adjourned for an hour for lunch.

(Continued on Page 6.)

The Big Whale.

This mine, which with the Finance and Echo, forms the Finance Group, is situated only about seven miles from the smelter at Trail. There is a good road all the way except one and a half miles, which can be built for about \$500. This will give a good road all the way down hill, and it is expected that the ore can be shipped to smelted at about 7 per ton, so that even low-grade ore can be utilized. The London Gold Mining and Development Company hold a controlling interest in this group. The ledge on the Big Whale is some 28 feet wide. Development work is being carried on with the highest encouragement. See the company's advertisement in this issue, page 7.

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