POOR DOCUMENT

MC 2033

PEACE ENVOYS WILL USE BOTH FRENCH AND ENGLISH

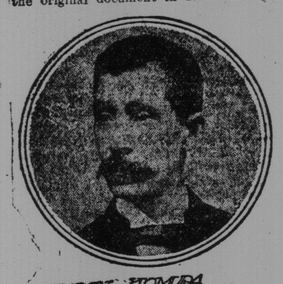
All Sorts of Wild Rumors About What Japanese Demands Will Be, But They Are All Guesswork—Portsmouth People and Visitors Pro-Japanese in Their Talk and Actions and Russians Don't Like It.

Portsmouth, N. H., Aug. 9—With the probability that Baron Komura will tomorrow reveal to the Russia plenipotentiaries the terms upon which she is willing to conclude peace, opinion as to the outcome among those who are congregated here to watch the proceedings has become decidedly pessimistic. This is due to the growing conviction that Japan's conditions will not prove as moderate as were at one time anticipated and, especially in the matter of indemnity, may preclude the possibility of their acceptance by the Russian envoys as a basis of negotiation.

The firm attitude of Mr. Witte in private convereation against the payment of an indemnity and the insistent reports emanating from Japanese quarters that a stiff war contribution approximating in the cost of the war variously stated at from $600,000,000 to $800,000,000 constitutes one of Japan's demands indicates a wide, if not an irreconcilable difference between Japan's irreducible minimum and what Russia is prepared to accept.

Upon the question of the payment of a a large indemnity the institutions of the Russian plenipotentiaries are believed to admit of no concessions although it is possible a certain compension in kind might be arranged. For instance it is suggested that for the relinquishment of the Island of Sakhalin, now potentially in Japan's hands, the possession of which by Japan would give her command of the whole Siberian littoral, Russia could with propriety pay a large sum.

Gloomy forebodings, however, may be premature at this juncture as everything indicates the plenipotentiaries upon both sides are sincerely desirous of concluding a treaty of peace. The first meeting of the plenipotentiaries today was of an entirely informal character, so informal in fact, that Baron Komura did not bring his letters of credence to the Portsmouth navy yard where as Mr. Witte was armed with the original document in Russian setting



forth the powers conferred upon him and also with a translation of the document. The latter he read. Baron Komura was embarrassed and offered to send back to the hotel for his commission but Mr. Witte expressed his faith that the credentials were full and ample and it was arranged that the official exchange of credentials should be made tomorrow.

Official Statement

Portsmouth, N. H., Aug. 9—The Russian plenipotentiaries through Mr. Nabokoff, who assisted at this morning's first meeting as secretary, has issued the following official statement:

"The first meeting took place this morning. Mr. Witte, Baron De Rosen, Baron Komura, Mr. Takahira and a secretary on each side participated. The programme of the following meetings has been fixed so far as the form is concerned. The meetings will be twice a day—in the morning, and in the afternoon after three.

The information will be given to the press after being agreed upon by both sides.

"The records of the proceedings and all official documents will be compiled both in English and in French. The French text (Fera Foi) will be accepted in evidence in case of dispute.

"The delegates attached to the plenipotentiaries, who did not assist at this morning's meeting and will not assist tomorrow will in the future be asked to take part in the conference only when the two parties shall judge it necessary to have their opinion on some subject before the meeting."

Baron Komura in accordance with this morning's agreement has chosen Mr. Sato, Mr. Adachi and Mr. Otchiai to participate daily in the conference as the official secretaries of himself and Mr. Takahira.

Will Use English and French Language.

Portsmouth, N. H., Aug. 9—The first session of the peace conference between the Russian and Japanese plenipotentiaries has been concluded. The meeting lasted about one hour, during which time the credentials of each mission were examined respectively by the other. The credentials were found to be entirely satisfactory. The only other business transacted was the agreement upon a programme for future sessions.

The next meeting will be held tomorrow at 9.30 a. m. After the conference the envoys spent some time in their respective offices, leaving the general stores building shortly after noon. They returned to Newcastle by launch. Baron Komura and Mr. Takahira were the first leaving the navy yard landing. The Russians followed shortly afterwards, the trip to the hotel landing being made by the Russians and the Japanese in separate boats.

The envoys have agreed that the English and French languages shall be used jointly and that the officials' minutes of the meetings shall be recorded in both languages.

A correspondent of the Associated Press was received by one of the plenipotentiaries within ten minutes after the Russians return to Newcastle and in reply to questions about the conference he said:

"You can say that this morning's meeting was entirely satisfactory as far as it went. Our next meeting will be held tomorrow morning. Provided all goes well we will get down to business then. Terms were not discussed at today's meeting."

Everyone in the Dark About Terms.

Portsmouth, N. H., Aug. 9—(Special)—The net result of the first meeting of the envoys of Russia and Japan to negotiate a treaty of peace were an arrangement as to the hours of future meetings and an agreement to use in the conferences whatever language best suits the speaker at the moment, the wording of the treaty, if one is signed, to be in French. From these two facts oceans of conjectures are drawn by the army of correspondents at the scene, some dilating at length upon the "harmony" that prevailed as if it were remarkable that Witte and Komura met and talked without punching each other.

It must be remembered that although even great secrets of state have a way of filtering out at times, all talk about the terms of peace and the probable result of this conference is the merest speculation, much of it very idle, and most of it baseless.

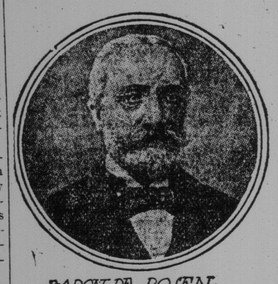
The newspapers of the United States to-

day suddenly veered from the "poor prospects of peace" feature to the "very hopeful of peace" headline. Nothing occurred over night to warrant this change of front. As a matter of fact the Russians don't know what the Japanese will ask, and probably the Japanese themselves don't know just how far they may increase or lessen their demands. It is even doubtful if the Russian envoys could predict with confidence the action of the Czar. Most of the conjecture is as idle as the deduction made by some today that peace is assured because the Baron Rosen didn't swat the Baron Komura in the jaw when they met today.

Powers All for Peace Except Germany.

Certain things are known, of course, and among them is that there is a pretty earnest desire on the part of everybody except perhaps William of Germany to end the great eastern war. All the influence of the nations of the world is thrown in that side of the balance, Japan is more than willing. It is only a question of whether she demands what the Czar can be persuaded to agree to. That is the whole story.

What these demands are can only be



guessed at. An interesting guess, with a chance of some authority behind it, comes today from the other side of the ocean. "P. A. H.," the veteran London correspondent of the New York Evening Post, who is in peculiar touch with some phases of European politics, cables as follows:

The Japanese Demands?

"A high authority who recently had the opportunity of learning the official Japanese attitude sends me the following notes on reports from Portsmouth received here today of the Japanese peace terms. He says: 'Japan may demand the cession of Saghalien, it being territory forcibly taken from her by Russia. She will not formally make further territorial demands, but will insist upon the whole of Manchuria being handed over to China, with Japanese suzerainty. Do you think, for instance, the Japanese will ever return Port Arthur to Russia? Not in a thousand years.'

"Komura may be armed with two proposals, one a minimum for immediate acceptance, the other a humiliating maximum at the end of the war; but it is certain the Japanese demands are now so far beyond Russian readiness to accept that Russia will refuse them. Then will come the end at the front. Oyama will certainly take Harbin."

An amusing illustration of the absolute secrecy surrounding the proceedings here at Portsmouth was afforded today by the suave Sato, the man of affairs of the Japanese envoy, Komura. An enterprising correspondent collared the little Oriental after a conference of the Japanese envoys and secretaries and asked him: "What did they do at the meeting?"

Scotch High-balls Tickle Japs.

"I will tell you all about it," began Sato, smiling. A group of correspondents drew near with eager anticipation. "I will tell you all about it," went on the grinning Jap—"after the treaty of peace is signed." The battalion of correspondents retreated in disorder, and Sato proceeded to refresh himself with a Scotch high-ball.

The predilection of the Japanese who are here on the peace mission for Scotch high-balls is the only really important feature of the peace conference so far. The two envoys, all their secretaries and all their suite are never too busy to bury their pudgy noses in a Scotch high-ball, and it seems to have as much effect upon them as raspberry syrup. It was really amusing to see them all at dinner last night, each with a high glass of Scotch before him and the waiters busy with the siphons.

The Russian suite drank various sorts of wines usually. One of the American officers present recalled the old story of General Grant. One of the officers protested against the responsibility placed upon another officer who, it happened, had been remarkably successful in his operations. "Why, general, he drinks," said the protesting officer. "Does he?" said Grant. "I wish you and some others would find out his brand." Mr. Witte was observed regarding the row of Scotch high-balls very curiously.

One thing that must be very humiliating to the people of the United States when they come to realize it is that these most distinguished foreign visitors, here by invitation of the American government of the most important mission of the period, are not properly cared for by their hosts. Now that the peace conference is on and the envoys and their suites are settled here, possibly for weeks, the question arises very sharply, whether a better place might not have been chosen for the meeting. As to the advantage of the Portsmouth navy yard, where absolute secrecy can be maintained and the envoys guarded, there can be no doubt, but similar advantages could be claimed by several other places otherwise more suitable.

Whoever arranged for the living accommodations of the two commissions hardly appreciated the duty of our government as host to the distinguished visitors. It was expected, of course, that suitable apartments had been reserved for them at the hotel Wentworth, but instead of every effort being made by the government to make them comfortable, they are offering a very fine advertisement for a summer resort, which is packing in people like sardines and raising it's rates accordingly.

When the question as to a place of meeting arose a number of summer hotels, of course were in the field, but the New Hampshire politicians, seeing at once the possibilities of fame that lay in having so important a conference, succeeded in having the state department select this place. Then Assistant Secretary Peierce is a New Hampshire man.

It is understood that proper living accommodations were to be furnished for the envoys and their suites, for surely the best a New England coast summer hotel could afford them would be none too good. They should have the best rooms, and every provision should be made for their comfort. Last night they were all at sixes and sevens. Mr. Sato was found on the third floor, in a back room, shut off from the sea. A prominent member of the Russian commission was found pleading in vain for a room on the sea and a parlor to work in, and was met by the answer that nothing could be done for a few days. In the meantime prices are going skyward and the commissions and everybody having business here are paying well for discomfort.

If the present conditions continue, it is to be hoped that the state department will make an effort to provide a better place for the conference. The situation of the envoys and their suites is unfortunate for them, since, being guests they have to take whatever is provided and cannot publicly protest. Paris will probably continue to be the more popular peace conference resort.

Sympathy for Japs Too Marked.

The all-too-plain and ill-bred manifestation of sympathy for the Japs shown by the public is also a cause for severe and just criticism. The Japanese envoys got all the cheers yesterday. After Witte and Rosen had passed out of sight on their arrival at the hotel yesterday the autos with Baron Komura and Mr. Takahira appeared at the hotel entrance. It probably was not intentional, but the women, particularly the younger ones, had by this time become very much enthused and when they saw the leading representative of the victorious Japanese, they could not restrain their feelings. They just cheered and cheered and cried "Banzai" and waved their handkerchiefs and had the best time in the world without a thought that they might be hurting somebody's feelings or having a serious effect upon the relations between Russia and the United States, and there were never two more astonished men than Baron Komura and Mr. Takahira. If they were pleased they did not show it as they lifted their hats to the summer girls. They seemed anxious to get away and moved out of sight quickly. Quiet greetings were extended to the remaining Russians and Japanese as they came up to the hotel in carriages.

Summer Girls Sing Pro-Japanese Songs.

This ended the day's show, but the young men at the Wentworth and a lot of the young women who had come from York Harbor and Rye Reach and from Concord and other places of the type of this hotel, had so much surplus enthusiasm left that they were bound to find a means of venting it. They found it. One of these from Rye Beach had composed some songs, and a brief rehearsal in the palmroom preceded a public rendition in the lobby. They were pro-Japanese songs, and the girls sang them with all the vim and energy they could muster. Fortunately, the Russian quarters were too far away for anybody there to hear, for this is the first thing they sang, to the air of "Tammany":

Japanese, Japanese, swear the Russians
and de Witte,
You'll give up Port Arthur, nit;
Japanese, Japanese, Russian, Russian,
Quit your fussin', Japanese.

The girls cheered themselves when they got through. By this time the lobby was crowded. They they thought they would try another, and did so with great success. It went to the tune of "How Would You Like to Spoon With Me?" and here it is:

"How'd you like to fight with me, how'd
you like to fight with me?
How'd you like the way we sunk your
cruisers?
Rojestvensky looked like forty boozers.
How'd you like the way we shoot?
Made the Russians turn and scoot,
How'd you like the way we crossed the
Yalu?
How'd you like to fight with me?"

The flags of Japan and Russia are not flying above the Hotel Wentworth today. They were ordered down by the third assistant secretary of state.

The hotel people, thinking to compliment the Russian and Japanese envoys, bought large flags and hoisted them over the hotel, the Japanese flag over the main part and the Russian flag over the annex in which the Rusisans are quartered. The result was that to every one, coming to the hotel from Portsmouth the Japanese flag was the only one visible, as the major portion of the hotel is on a hill top and the annex on a slope down the other side.

Russians Protest About Flags.

The Russians noted all these things as they noted the overwhelming sentiment in favor of Japan evidenced by the applause given the envoys when they came here yesterday and when they left. They sent an under secretary to Mr. Peirce to call his attention to the flags. Mr. Peirce took a look and the flags did not go up today. Another reason was that a Yankee porter in raising the Russian flag yesterday hoisted it upside down, much to the disgust of the Russians.

The St. Petersburg correspondent of the New York Sun cabled today as follows:

"The exchange of cipher telegrams between the Czar and Mr. Witte continue on the eve of the opening of the peace negotiations at Portsmouth. These messages pass to and from Portsmouth and the palace at Peterhof direct without the intermediation of the ministry of foreign affairs.

"While the contents can only be conjectured it is accepted as a fact by all parties that want of harmony exists between the emperor and his chief plenipotentiary.

"The preponderance of sentiment at the court is now so unpeaceful that the hope is expressed that the terms of Japan will be so severe that it will immediately be seen that they cannot be accepted.

"There is an energetic and increasing group among the Czar's entourage who now maintain that the continuation of the war is necessary, irrespective of the terms Japan is willing to offer. They hold that the Russian empire, which in the past has sacrificed all for prestige, is an immense military power, and cannot abandon after only eighteen months all that such prestige means. Even if a long war does not bring glorious victory to the present army, it will confirm the reputation of the Russian soldier for endurance and courage.

"The Czar again today presided over the council which is considering the constitution of a national assembly. It is expected that his majesty will issue a manifesto on the subject Saturday, the Czarevitch's birthday. It is thought it will commence with an appeal to the patriotism of the people in the name of the heir to the thorne.

PRESENTATION TO SUSSEX PRIEST

Father Savage the Recipient of Purse and Address From His Parishioners.

Sussex, N. B., Aug. 9—(Special)—As a parting token of the respect and esteem in which he is held by his Sussex parishioners, Rev. Father Edward Savage was presented at the St. Francis rectory last evening with an address, accompanied by a handsome purse of money.

Father Savage in his reply referred very feelingly to the pleasant relations which had subsisted between himself and his congregation for the past nine years and to the interest they had shown in the welfare of the church, which had aided him greatly in his work.

Father Savage goes to his charge in Moncton taking with him the regrets and good wishes of all his congregation as well as of the citizens generally. His place in Sussex will be filled by Father McDermott.

NORTH SHORE STORES BURGLARIZED

Dalhousie, N. B., Aug. 9—(Special)—The stores of James Reid, M. P., and Peter Hamilton, of Charlo, were burglarized yesterday morning and a lot of goods stolen therefrom. Some of the articles were found under an I. C. R. culvert at Upper Charlo.

When William McNair, who found the goods, and his wife went to their barn to unloadsome hay, two men who were hiding pointed revolversat them and frightened them away. Policeman Dixon, of Dalhousie, was notified and spent the night searching in vain.

It is reported that the two men set fire to some buildings at Eel River.

YOUNG MAN DROWNED NEAR SUSSEX

Sussex, N. B., Aug. 9—(Special)—A drowning accident occurred about two miles from here this afternoon, Edward Pierce, aged about 22 years, son of the late Andrew Pierce, of Newtown, was found drowned in Smith's Creek. He had been raking hay for Harry Parlee near the spot, and it is supposed that he went for a drink and fell in a fit into the water. He leaves one brother, Archie, now of New York, and four sisters, Mrs. Oro B. Coates, Greta, Maud and Maggie.

Baby Swallows Carbolic Acid and Lives

North Sydney, N. S., Aug. 9—(Special)—At Sydney Mines today Jessie, the baby daughter of Wm. McNeil swallowed a quantity of carbolic acid, and although hardly burnt by the acid the child will, it is expected, recover.

LACK OF BRACING A CAUSE FOR THE CARLETON ACCIDENT

Inquest Into Richard Dooley's Death Continued Tuesday Night

Supt. Murdoch a Witness---Inquiry Adjourned Until Next Friday Night, as Recorder Had to Leave Town.

The adjourned session of the inquest into the death of Richard Dooley was to have been opened in the Carleton city hall before Coroner Kenney Tuesday at 7.30, but owing to the temporary absence of one of the jurymen, Edwin Thomas, it did not commence till 8.30. Daniel Mullin, K. C., watched the inquest on behalf of Mrs. Dooley, A. W. MacRae for the contractor, and Recorder Skinner for the city. Dr. W. L. Ellis and Peter Manny were examined and the direct examination of Supt. Murdoch was concluded when the inquest was adjourned till Friday night at 7.30 as Recorder Skinner had to leave for Halifax. Dr. Ellis told of being called in to see Richard Dooley, after the accident. He thought the injuries received were the cause of death.

Peter Manny, of the sewerage department, said he was building a brick sewer in the trench. He saw the bank shortly before it fell and in his judgment it was not safe. He called to the men to look out. Mr. Crawford told the men to come up and shovel the earth off the top of the old sewer.

The witness did not think a brace would have prevented the cave in but he thought a good bracing at the bottom would have prevented it.

To Mr. MacRae the witness said that one deal on top was not the usual style of bracing in that kind of a trench.

To Mr. Mullin he said that when he called to the men in the trench that the bank was dangerous they made no reply. What suggested danger to his mind was that there was a bend in the deal brace. He thought it ought to have had braces every seven or eight feet.

To Mr. MacRae he said that if the side of the old sewer fell inward the bank must come down into the trench. In such a case he admitted that the braces could not save a cave in.

To Recorder Skinner he said there would have been no danger if the trench had been properly braced.

Supt. Murdoch said the contract for this excavation was held by Henry Crawford, who signed a tender to do the work. The witness said this is done quite frequently. The work was done by the foot. J. Alfred Ring was inspector of the job. Supt. Murdoch said he went over the work on Tuesday of last week. He did not think that it was a part of his duty to see the trench braced. It was the contractor's lookout. Those who have direction of day work have instructions to brace liberally. Supt. Murdoch's foreman, Ring, reported verbally that he had ordered more bracing on the job. This was after the accident occurred. Supt. Murdoch read the tender of Crawford. The witness thought Crawford a capable man for the work. As his tender was the lowest it was accepted.

According to the tender the successful contractor should have supplied proper bracing. The witness thought the cause of the accident was the absence of bracing and the fact that the top of the sewer was overloaded with earth. The inquest was here adjourned until Friday..

SOME G. T. P. FIGURES

Speaking of the proposed new Canadian Transcontinental railway, the Canadian Trade Review in its recent number says: "It is estimated that the Grand Trunk Pacific will require 10,500,000 ties, nearly 500,000 tons of rails, 42,000,000 spikes, 5,000,000 bolts, 2,500,000 angle bars and fish plates, guards and ties, plates, also locomotives, 30,000 freight cars, and 500 passenger coaches will be required, besides bridge timber and steel, stations, telephones and telegraphs, water tanks, terminal facilities, fencing, etc. That means work. Think of the figures in detail. The ties placed end to end would reach more than 16,000 miles. If a man undertook to handle the 60,000,000 odd spikes, bolts, fish plates, etc., required for the track, at the rate of one a second, ten hours daily, the job would last about five years and four months. The building of stations, round houses, etc., will employ a small army of mechanics. The demand for locomotives and cars will try the capacity of our shops. The grading and track laying alone will mean labor for thousands. It is a vast work, and will increase by more than twenty per cent. the railway mileage of Canada. Its effect on settlement and the development of our country's industries will be in proportion to its magnitude. The next twenty years will be important ones in the onward progress of the dominion."

Harcourt Happenings.

Harcourt, Aug. 9—Misses Helen, Anna and Jean Buckerfield are spending the vacation with friends in Rexton and Richibucto.

Miss Bessie and Master Bruce Buckerfield have gone to Alberton (P. E. I.) to visit friends.

Miss Stavert, of Halifax, sister of Rev. R. H. Stavert, is the guest this week of Miss Marion Wathen.

Mrs. J. D. McKay arrived yesterday on the Ocean Limited to visit her sister, Mrs. D. D. Johnson.

S. M. Dunn, who has been quite ill, is able to be out again.

Dr. and Mrs. H. G. Fairbanks, Miss Wilson and J. A. Wathen will leave this morning for a week's vacation at Alma, Albert county.

Mrs. Wm. Warman, who has been for several weeks visiting friends in and around Harcourt, left yesterday for her home in Moncton.

Mrs. Lark Morton and her sister, Miss Warman, are guests this week of Mrs. Robt. Morton.

Misses Wilson and Lutes, of Moncton, are spending a short vacation with Mr. and Mrs. J. N. Lutes.

Misses Marion and Dorothy Dunn returned today from a lengthy visit with their aunt in Sheffield.

Lumber Notes.

The Aroostook Lumber Company has decided to rebuild its mills at Eagle Lake, which were burned recently, and expects to have the new plant in operation by December 1.

The St. John Lumber Company will close their long lumber mill at Van Buren for want of logs. They have millions of feet within a few miles of their mill, but owing to the low water it is impossible to get it in. If rain does not come shortly other mills will have to close down.

The Miramichi Lumber Company has been organized at Portland (Me.), to do a general lumber business in New Brunswick and elsewhere, with $400,000 capital stock, of which $900 is paid in. The officers are R. C. Bradford, of Portland, president; Chas. E. Oak, of Bangor, treasurer.

CARLETON COUNTY ELECTION TRIAL

J. H. R. Simms Tells on Witness Stand His Story About Sheriff Refusing His Nomination Papers—Sheriff Hayward and Other Witnesses Tell a Different Story, and Matter Was Continued Wednesday.

Woodstock, N. B., Aug. 8.—The election appeal of James R. H. Simms against the return of Hon. W. P. Jones, the present solicitor general, as member of the legislature for the county of Carleton, was heard by Justice Barker this morning. Mr. Simms was represented by A. B. Connell, and Mr. Jones by Dr. Pugsley and Frank B. Carvell. Some time was taken up in legal objections to the procedure adopted by the petitioner urged by the attorney general, and in reply of counsel, which the judge said he would decide later, and in the meantime take the evidence.

Mr. Simms was the first witness called. To Mr. Connell he said that he was the petitioner in this matter. He arrived at the court house Feb. 18 (nomination day) between 10 and 15 minutes after 11. There were present in the barristers' room Sheriff Hayward, Deputy Sheriff Foster, Mr. Jones, John S. Leighton, jr., and Harry Golding. He came from the barristers' room to look at his nomination papers. He found that Mr. Boyer, who witnessed the signatures of the signatories to his nomination, had not made the necessary oath. He telephoned to Mr. Connell for Mr. Boyer to come up.

The witness went on to relate what was happening in the court house while he was at the telephone, when Dr. Pugsley objected, claiming that no corrupt practice was alleged against Mr. Jones; that the petitioner's paper was filed before 12 o'clock and was not received. Mr. Connell claimed there was a conspiracy on the part of some of those present to prevent Mr. Simms' nomination being put in.

Mr. Simms, proceeding, spoke of his coming out into the court house from the barristers' room. He asked the sheriff where the Bible was. The sheriff said: "It is around here somewhere; Mr. Jones had it swearing Mr. Foster this morning." They searched for it — he and Mr. Golding, Mr. Boyer and the deputy sheriff. He (witness) spoke of this being a nice proceedings—stealing the Bible. Then he related how he went out to Wright's and got a Bible. When he came back with this Bible and entered the court house it was four minutes to 12. He then said to himself, "The situation is mine." After Mr. Boyer was sworn he gave his nomination papers and $100 in Canadian bills to the sheriff, who passed the paper across to the election clerk, Lewis Milmore, and then started to count the money. There were one hundred one-dollar bills. The sheriff said, "There are only ninety-eight." He counted the money the second time, and found it all right. John S. Leighton objected that the nomination paper was not in time. The sheriff said that it was too late; if Mr. Jones' paper had been in as late as this he would have treated him in the same way. He looked at the sheriff's watch just after he refused to take his nomination, and it was three minutes past 12. Mr. Flemming said he would do all he could for him if he ran. He encouraged him by saying he would give him his support and vote.

Charles T. Boyer.

Charles T. Boyer corroborated the evidence of Mr. Simms. He (Boyer) had a conversation with the sheriff afterward and that gentleman said that he supposed they would blame him as they did the time he refused to open the court to allow Conservatives to add names, but he did not care what they thought as he only did his duty.

Cross-examined by Dr. Pugsley—He said he had paper the night before nomination at Mr. Connell's house and he would have sworn to it then if asked to do so but he had not been asked. He heard nothing more of the error in the nomination paper until the next day at 11.30.

Cross-examined by Mr. Connell—Deputy Foster was with me hunting for the Bible. I said it was queer that there was no Bible, no almanac or anything and it was I who introduced the almanac question.

Harry Golding.

Harry Golding sworn said: I am a J. P. and the crier of the supreme and county courts. I was here on nomination day last. I came about 10 o'clock. There were present Sheriff Hayward, Deputy Sheriff Foster, Messrs. Jones, Leighton and Milmore. It was talked about that Mr. Simms was going to be nominated. Simms arrived sometime between 11 and 12 o'clock. In a little while he (Simms) inquired where he could get a J. P. to swear to his papers. I did not then reply. Afterwards he came to me and told me of the flaw in his paper. He asked me if I would take the affidavit. I answered "yes." We could not find a Bible after we made a diligent search. Simms said he could get a Bible at Wm. Wright's store. I told him we could get one nearer at Mr. Dow's house. When I arrived at Dow's Simms had a Bible ready on the hall table. I swore Boyer immediately. We hurried to the court house, Simms running and Boyer and I following. When I returned I saw a man in the gallery of the court house. He was dodging in and out. If I am compelled to tell I would say that that man was John S. Leighton, jr. A short time after he came down, which was sometime after 12, I saw the Bible on the desk. It was not on the desk a short time before.

Sheriff Hayward.

Sheriff Hayward, sworn, said he opened his court at sharp 10 o'clock by his watch. The nomination paper of Mr. Jones was in on Friday. Simms arrived at 10 minutes after 11 but made no efforts to file his papers for some time. Then he found that his papers were wrong. He sent for Chas. Boyer. When Boyer arrived the Bible could not be found. A search was made but it was unsuccessful. Simms, Golding and Boyer went out to get a Bible. When they arrived back I told them it was too late and when Simms handed me his paper and money it was four minutes and thirty seconds after 12 o'clock and although he counted the money when appealed to by Simms he had no intentions of taking the nomination papers for it was after the hour and Mr. Jones, if he had been in Mr. Simms' place, would have been used the same way.

A. R. Foster.

A. R. Foster, sworn, said I am a deputy sheriff. The sheriff opened court at 10 o'clock. I got a Bible from the clerk's desk and brought it into the barristers' room where it remained. Simms came into the baristers' room at 12 minutes to 12. I said you are pretty late coming out as a candidate, you may get a good many votes but can't be elected. He said he was not sure whether he would run or not. He had a proposition to make to Mr. Jones. Boyer arrived and the search for the Bible commenced. He (Foster) saw Simms when he came from Dow's house and by his watch it was four minutes after 12 o'clock. I knew then that he was too late and there would be no election.

By Mr. Connell—Didn't the disappearance of the Bible lead you to that conclusion rather than the time of your watch?

Foster—I do not understand your question. It took Simms half a minute to come over from Dow's. He went in barrister's room for two minutes. This would make it six and one half minutes after 12 before he handed the nomination paper to the sheriff. Simms said, "here are my papers." The sheriff answered "you are too late." Then the discussion between them took place. When I came from the barristers' room there was nothing said about an election by those present. When Boyer arrived was the first I heard of the missing Bible. I know nothing about the missing Bible. I did not take it nor did not see any one take it.

J. C. Hartley.

J. C. Hartley was sworn. As secretary treasurer of the county he produced the voters' list to satisfy the attorney general that the names on the nomination paper of Mr. Simms were voters. Several names were signed by initials while the list had the names in full.

The case was adjourned until tomorrow at 10 o'clock.

Woodstock, N. B., Aug. 9—(Special)—His Honor opened the court at 10 o'clock. John Hughes was the first witness. He said he drove Mr. Boyer to the court house on nomination day at the request of A. B. Connell. Mr. Boyer said, when passing the town hall, that he had 25 minutes to get to court. He sat 20 feet from the judge's desk. Mr. Jones sat with him. He did not think Mr. Jones examined the nomination papers. The paper and the money were thrown down about the same time. Mr. Leighton told the sheriff that time was up when Mr. Simms was absent getting affidavits sworn to.

Williamson Fisher swore he had had a conversation with Mr. Simms at the post office, who said if Jones would do what he wanted him to do there would be no election.

Lewis Milmore said he was a student at law in J. H. Jones' office. He had acted as sheriff's clerk in former elections. He was in the court house at ten o'clock, and was sworn in at the barristers' room. The present Bible is the same as the missing Bible, because the name of Ada H. Ketchum was on the fly leaf. He never had the nomination paper in his hands. Cross-examined by Connell, he said it was about one minute after the paper was given before the money was paid. He knew nothing about the disappearance of the Bible. It was in the barristers' room when Mr. Simms arrived.

W. P. Jones, sworn, said he was the respondent in the case and also solicitor general. He was a candidate on the 18th of February. Came to the court house between ten and eleven, was in the barristers' room and the Bibles were there, for he swore Mr. Foster to some writs. He had no recollection of the Bible afterwards. His watch showed two minutes after twelve when Mr. Simms came from Mr. Dow's. Mr. Leighton took his nomination papers and had them signed. Possibly Mr. Leighton handed his money to the sheriff. Mr. Leighton had no authority to act for him and he did not suppose he was acting for Simms. He had no idea that Mr. Simms would have any difficulty about his nomination papers by reason of the missing bible. About ten or fifteen minutes after the trouble between Simms and the sheriff, he looked at Simms' nomination paper but did not touch it. He saw on it the name of John H. Jameson, and the only name he remembered noticing. The respondent then closed the case.

Chas. T. Boyer was re-called. To Mr. Connell he said he never took the bible. He swore that the names on the nomination paper where initials only were signed were the names of parties whose surnames were given by Mr. Hartley yesterday as duly qualified voters in their respective parishes.

J. R. Simms was re-called. To Mr. Connell he said he never appealed to the sheriff as the latter swore to, for his dead father's sake to count the deposited money.

This closed the case as far as witnesses were concerned.

Mr. Pugsley said he would like to have the stenographer's report before addressing His Honor as counsel for respondent.

Mr. Connell thought the case should be disposed of as speedily as possible. The stenographer thought it would be three weeks before his report would be ready, as he had a case to prepare before he could take up the present work. His Honor then adjourned the court until ten o'clock on Friday morning, Sept. 8th, in the court house, when he would hear the addresses of counsels and give his decision.

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