

THE HERALD

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Please don't delay your subscriptions for 1907. We shall esteem it a great favor if you remit now.

Big Bluff Game

Our Grit friends have afforded ample evidence, during the last two or three weeks, that Borden's mastery of exposure of the maladministration and corruption of the Laurier Government has caused them a great deal of uneasiness. The attack and exposure of the Leader of the Opposition have been so thorough and severe that the friends of the Government have been driven to their wits' ends to discover some means of warding off the sledge hammer blows and divert public attention from their sorry plight. In their extremity they have had recourse to a big game of bluff. Mr. Aylesworth started the ball in Ontario, by throwing out some vague insinuations at a public meeting regarding 'corruption in elections and associating the name of Mr. Borden with these charges. The Leader of the Opposition was in Ontario at the time, and he immediately took up Mr. Aylesworth's charges and proclaimed their utter and unqualified falsehood, and defied the Minister of Justice to prove them. Ever since then Mr. Aylesworth has been attempting to explain himself. He says he did not say what Mr. Borden understood him to say. He only meant, he says, that if what someone else said could be proved, some third person might be shown to have been associated with those who are supposed to have used some money in elections. The explanation renders the original declaration so much more vague, that no one takes the Minister of Justice seriously; everyone can see through his bluff game. The next one to draw a red herring across the political trail was the bland, smiling Mr. Pugsley, the new Minister of Public Works. He was very anxious to secure his election in St. John without opposition, and to political supporters and opponents he was all smiles. But no sooner had he secured his election than he began his campaign of bluff. As poor Emerson's counsel in his libel case, he succeeded in politically annihilating the ex-Minister of Railways and in clambering without difficulty into Emerson's place in the Cabinet, and doubtless felt it incumbent on him to enter on the bluff game to prevent any searching investigation of his own conduct and to divert public attention from the general political rascality of the Government. Taking his cue from Aylesworth, and knowing that Mr. Borden was in British Columbia, he began to talk about corruption in general; but taking good care not to make a specific charge. He seemed terribly anxious that someone should take notice of him, and acted like a man with a chip on his shoulder looking for someone to knock it off. But those who know him best only laughed at him. Next he asked Mr. Borden or some of his friends to bring an action against him for libel; but his "slippery" tactics were too well known, and again he failed. When he found that no one would start an action against him, he concluded to begin one himself, and the nature of this action is explained in the extracts from the Toronto World, published in another column.

It is now intimated from Ottawa that the cost of the Grand Trunk Pacific to the tax-payers of Canada will be from \$125,000,000 to \$130,000,000. That is considerably more than \$13,000,000 the amount shovelled from the taxpayers, in 1904 by Laurier, Fielding and others, as the cost of the transcontinental railway from the public treasury. This is only one exposure of Grit imposture and falsehood. It is not much wonder the friends of the Government are taking to cover, and calling on Aylesworth, Pugsley and company to hide them under the mask of unmitigated bluff.

HONORABLE DANIEL GORDON.

In our obituary column today is recorded the death of Hon. Daniel Gordon of Georgetown, one of the very oldest, as well as one of the most worthy and honorable men of our Province. Not only was he the oldest public man in this Province; but he was one of the very oldest of Canada's public men, being slightly the senior of the veteran Sir Charles Tupper. Mr. Gordon was born on June 2nd, 1821, and Sir Charles was born on July 2nd. of the same year, so that at his death, Mr. Gordon was a month older than Sir Charles.

Malpeque, who survives him. He leaves two children, a son, Henry now resident in St. Paul, Minn., and a daughter, wife of Mr. H.O. McLeod, General Manager of the Bank of Nova Scotia, now resident in Toronto.

His funeral took place on Sunday afternoon and was very largely attended, people being present from all parts of the Province. A special train from Charlottetown brought between sixty and seventy people. He was buried in the Presbyterian cemetery. The pall bearers were: Charles Owen, Captain Hugh McPhee, Captain William McLaren, Archibald J. McDonald, G.A. Aitken and James Dalziel.

Pugsley and the Toronto World.

Hon. William Pugsley, minister of public works in Sir Wilfrid Laurier's cabinet, has given the Toronto World notice that he feels he has been libelled by an article that appeared in that paper on Sept. 21.

"His feelings," says the World on Friday last, "are tersely shown in the following note received by The World yesterday: TAKE NOTICE that I complain of a certain statement published of and concerning me on page 6 of the issue of The Toronto World newspaper, published on the 21st day of September, 1907, as being libelous, which said statement is as follows:—

"There are some who now think that Mr. Pugsley was on the inside of all the Blair-Russell deal."

AND TAKE FURTHER NOTICE that this notice is given to you pursuant to the act respecting actions of libel and slander, R.S.O., 1897 chap. 68, sec. 6.

Dated at Toronto this 24th day of September, 1907. William Pugsley, By his solicitors, Denton, Dunn & Boulbee, 20 King St. East, Toronto.

To The Toronto World and to The World Newspaper Co., of Toronto, Limited, publishers of The Toronto World.

The sentence complained of is taken from a paragraph that was run in the Political Intelligence column of The World. That paragraph in full reads as follows:

"The matter cannot now and in newspaper talk. If the prediction that we are to have a campaign of scandal against scandal is verified, the whole question of campaign funds may be opened up, and the side that has secured the most 'information' will have the advantage. Did the Russell-Graham 'junta' tell Pugsley its plans and reveal the sources of its funds? It will not be effective to merely say a political party had a campaign fund of some many thousand dollars. There are some who now think that Mr. Pugsley was on the inside of all the Blair-Russell deal. He has gone so far that the whole truth must come out. Who supplied these immense funds, for the Conservatives were not the only party with a fund? Isn't it time the people found out. You must not forget that Mr. Bourassa said in parliament that nearly every candidate was assisted out of party funds. There must have been literally millions in it, to judge by what these men are saying these days."

"The World is surprised that the Hon. Mr. Pugsley has taken the reference to him so much to heart. What The World said was in itself inoffensive and was merely that there were some persons who thought Mr. Pugsley knew all about the Blair-Russell deal. Perhaps Mr. Pugsley's own recent speeches gave this impression. Several newspapers have indicated that he was not altogether in the dark as to the Blair-Russell deal, which is a matter of political intelligence and as such presumably not terra incognita to Mr. Pugsley.

"However, Mr. Pugsley is offended. If the slight reference The World has made to what some persons think Mr. Pugsley knows about that deal, has so upset him, there must be something in that deal so fearsome that it should be in the public interest be brought out; or Mr. Pugsley is superstitious. "If Mr. Pugsley's object is to drag forth the horrid details of the Blair-Russell deal, The World is only too pleased to do what it can

to help him. If to attain his object, he wishes to sue The World for libel, The World will stand the suit, for of its own motion and by dint of spending much money, The World, up to the present, has been unable to get real facts of that famous political deal. Now, peradventure, with the co-operation of Mr. Pugsley, those facts will be revealed to the public of Canada."

We extend a cordial invitation to all our friends and subscribers, who may be attending the Exhibition in Charlottetown next week, to pay us a visit. This occasion will afford a rare opportunity, without inconvenience, to those of our subscribers who have not remitted, to pay their subscriptions, and we sincerely trust that all will take advantage of it. In order to afford every convenience to our friends, and to prevent interference with other calls upon their time, we shall be in our office, ready for business, at eight o'clock every morning during Exhibition week, and also from six to eight o'clock in the evening.

We earnestly trust our friends will appreciate our efforts to accommodate them, and that we shall have the pleasure of a great number of friendly calls during Exhibition week.

Ottawa Weekly Letter.

Ottawa, Sept. 28th, 1907. Sir Wilfrid Laurier, has not been successful in the evasion and postponement of the Japanese trouble. As Mr. Borden, addressing a great meeting in Vancouver, reminded the people, Sir Wilfrid is himself largely to blame for the present condition of things. In his last campaign before he took office Sir Wilfrid was asked to announce his policy on Asiatic immigration into British Columbia. The Liberal leader then declared that the question did not interest any Province except British Columbia, and his Government would carry out the wishes of that Province. Sir Wilfrid has made many vague promises since, but the Western men never knew what he had to expect. While they have been entertained by anti-Japanese declarations from members of the Laurier Government and members supporting it, they have found the administration encouraging the evils which it promised to abolish.

THE GOVERNMENT RESPONSIBLE. For ten years the Laurier Government allowed Canada to remain outside the treaty between Britain and Japan. Until last January that treaty did not give the Japanese the right to settle in this country. Then on the motion of Sir Wilfrid himself it was enacted at Ottawa that Japanese should have the same rights as any other people to supply the labour market of Canada. Meanwhile the Legislature of British Columbia repeatedly passed "the Natal Act" excluding Asiatic foreigners, and the Government at Ottawa as often refused to permit that law to go into effect. The Government voted down an amendment to the Grand Trunk Pacific contract providing that Asiatic labour should not be employed in construction. In every way Sir Wilfrid and his colleagues have been pro-Japanese at Ottawa and at London, while they have been furiously anti-Japanese at Vancouver and Victoria.

LABOR CONGRESS PROTESTS. The Trades and Labor Congress at Winnipeg brought Sir Wilfrid to the ring-bolt last week, by a peremptory message demanding that he should take steps to abrogate the treaty in regard to the employment of Asiatic labor. Sir Wilfrid made applicable to Canada the Premier took several days to consider and then informed the Congress that he would have an enquiry made into the whole question of Oriental immigration. The Government has already held inquiries of this kind without arriving at any conclusion. It is also announced that a Commissioner will be sent to Japan to discuss the question with the Mikado's government. Less than a year ago the notorious W. T. B. Preston, who had made himself impossible as Commissioner in London, was appointed to Japan to represent the Trade and Commerce Department. It is pointed out that while in England Mr. Preston got mixed up with Laszars, otherwise Louis Leopold, whose agency sent many mechanics on false representations to this country. Mr. Preston went to the Hawaiian Islands and Australia on his way to Japan, and Japanese have since been coming from those southern countries. It is now in China or Japan and the government finds it necessary to send someone else. Wherever Mr. Preston goes he accomplishes purposes that are not desirable. But the farther away he is the better he serves one great political purpose, that is to postpone and prevent the full disclosure of the ballot switching operations of the machine during the time he was organizer.

A LITTLE LATE. The latest announcement made is that Japanese will now be admitted only when they have passports from the government of Japan, whereby it is claimed that the immigration from Hawaii will be stopped. This simple plan goes into effect a few months later, for the last shipment of Japanese from Honolulu completed the contract under which some 6,000 have been brought to this country. These are a part of 9,500 Asiatic labourers who have been landed in British Columbia in a little over a year, a pretty large colony to come into the constituency of a Minister and a complete supporter who have both declared that British Columbia must be "a white man's country."

THE QUEBEC BRIDGE. The Commission of Inquiry into the Quebec Bridge disaster held sittings this week at Ottawa. Chief Engineer Schreiber, and Bridge Engineer Douglas of the Government Department, testified that the Government officers did not supervise or inspect the superstructure of the bridge while under construction. Mr. Douglas said that he examined the

plans but only as he supposed for the purpose of the tenders. Everything was left to the officers and advisors of the bridge company. The Government bridge expert, says now that he had suspicions before the accident respecting the quality of the steel used in the structure. But he was not asked to express an opinion, and when he objected to the consulting engineer's plan, he was overruled. This shows a remarkable want of vigilance on the part of the government, seeing that the company which was allowed a free hand had not invested a quarter of a million on the enterprise which the government was assuming a liability of seven to ten millions. The Statute clearly required government approval of the plans and departmental inspection of the work. Within a few months we have had the collapse of the lift lock structure on the Trent Canal, the fall of the Laurier tower at Ottawa, and the Quebec bridge calamity. All in all public works supported by the Government have been under the supervision of Government officers, all built according to plans approved by Government, and all paid for by the people of Canada.

Attainder.

The following article on "Attainder" is from advance pages of volume II. of "The Catholic Encyclopedia," sent us by the publishers, Robert Appleton Company, New York.

Attainder.—A Bill of Attainder may be defined to be an Act of Parliament for putting a man to death or for other punishment without trial in the usual form. Thus by a legislative act a man is put in the same position as if he had been convicted after a regular trial. It is an act whereby the jurisdiction of the entire Parliament is exercised, and may be contrasted with the procedure by impeachment in which the accused is brought before a special tribunal, presided by the Commons, acting as a grand jury of the whole realm, is tried by the Lords, exercising at once the functions of a high court of justice and of a jury. In a strictly technical sense it may be said that a Bill of Attainder is a legislative act inflicting the punishment of death without a trial, and that a Bill of Pains and Penalties is such an act inflicting a milder punishment. In the popular sense, however, the term "Bill of Attainder" embraces both classes of acts, and in that sense it is evidently used in the Constitution of the United States, as the Supreme Court has declared in Fletcher v. Peck, 6 Cranch, 188, that "A bill of attainder may affect the life of an individual, or may confiscate his property, or both." Such a bill deals with the merits of a particular case, and inflicts penalties, more or less severe, ex post facto, without trial in the usual form. While bills of attainder were used in England as early as 1321 in the procedure employed by Parliament in the banishment of the two Despensers (1 St. tr. pp. 28, 29), it was not until the period of passion engendered by the civil war that the summary power of Parliament to punish criminals by statute was for the first time perverted and abused. Then it was that this process was first freely used, not only against the living, but against the dead, and, in the popular object in the latter case being, of course, the confiscation of the estate of the attainted person. In the flush of victory which followed the battle of Tewkesbury, Edward IV obtained the passage of a sweeping bill of attainder through which the crown was enriched by forfeiture of the estates of fourteen lords and more than a hundred knights and esquires. In the seventeenth year of that reign was passed the Act of Attainder of the Duke of Clarence in which, after an oratorical preface setting out at length the offences imputed to him, it is enacted "that the said George Duke of Clarence be convicted, and attainted of high treason." Then follow the appointments of the Duke of Buckingham as lord high steward for that occasion to execution. It is a remarkable fact that during a period of one hundred and sixty-two years (1459-1621) there is no record of a parliamentary impeachment either in the rolls of Parliament or in the Lords' Journal. After the impeachment of Lord Stair in 1459, for not sending his troops to the battle of Bloreheath, there was no other impeachment until that of Sir Giles Compton and Sir Francis Mitchell in 1621. During the interval, covering a little more than the reign of the house of Tudor, enemies of the State were disposed of either by bills of attainder, by trials in the Star Chamber, or by trials for treason in the courts of common law. In the reign of Henry VIII bills of attainder were often used instead of impeachments, as in the cases of Wolsey, Thomas Cromwell, Queen Katharine Howard, the Duke of Norfolk, and the Earl of Surrey. During that reign religious persecution was carried on rather through the legal machinery devised for punishment of high treason as defined by the Act of Supremacy than by bills of attainder. By the Act of Supremacy, the King was declared Head of the Church with "the title and style thereof"; by the penal act which followed as a corollary, it was declared that any attempt to deprive him "of the dignity, title, or name" of his royal estate should constitute high treason; under the special act providing the amended oath, it was possible to call upon anyone to declare his belief in the validity of the new title, and a failure to do so was sufficient evidence of guilt. By that legal machinery were dashed to pieces the Charterhouse monks of London, who are admitted on every hand to have been the noblest and most virtuous of all choristers. Even Frodoe admitted that they were "galias" men whose high forms, in the sunset of the old faith, stand transfused on the horizon, tinged with the light of its dying glory." The legal proceedings through which the Bishop of Rochester and Sir Thomas More were brought to the block were but a repetition of what had been done through with in the case of the Carthusians. After the Tudor time the most remarkable bills of attainders are those that were directed against Lord Strarford, Lord Danby, the Duke of Monmouth, and Sir John Fenwick. As instances of bills of pains and penalties, reference may be made to those against Bishop Atterbury and Queen Caroline, usually referred to as the last instances of such legislation. When Queen Caroline returned to England, in July, 1820, all the ministers, except Castlereagh, were induced to consent to the introduction in the House of Lords of a bill of pains and penalties, providing for the dissolution of her

marriage with the King, upon the ground of adultery, and for her degradation. When the charges contained in the preamble came on to be heard, Brougham and Denham, by their bold and brilliant defence of the Queen, so aroused popular sympathy in her favour by holding her up as a deserted and persecuted woman, that the ministry deemed it wise to drop the bill after the majority in its favour in the Lords had dwindled to nine. Reference is made to this case as an illustration of the nature of the procedure upon such bills. "The proceedings of parliament in passing bills of attainder, and of pains and penalties, do not vary from those adopted in regard to other bills. They may be introduced in either House, but ordinarily commence in the House of Lords; they pass through the same stages; and when agreed by both Houses they receive the royal assent in the usual form. But the parties who are subjected to these proceedings are admitted to defend themselves by counsel and witnesses, before both Houses; and the solemnity of the proceedings would cause measures to be taken to enforce the attendance of members upon their service in parliament" (May, Parl. Practice, 744). It thus appears that, in its modern form, procedure by attainder admits the right of proof and argument. Entirely apart from the jurisdiction of Parliament, attainder is defined by the common law of England to be the stain or corruption of blood which follows as an immediate and inseparable consequence of a death sentence. Such attainder took place after judgment of death, or upon such circumstances as were equivalent to such a judgment, such as a judgment of outlawry on a capital crime, pronounced for absconding from justice. Conviction without judgment was not followed by attainder. The consequences of attainder were: first, forfeiture; second, corruption of blood. The extent of the forfeiture depended upon the nature of the crime for which the criminal was convicted; and by corruption of blood, "both upwards and downwards," the attainted person could neither inherit nor transmit lands. After it was clear beyond dispute that the criminal was no longer fit to live, he was called attainted, outlawed or blackened, and before 6 and 7 Vict., p. 26, l. 1, could not be called as a witness in any court. The doctrine of attainder has, however, ceased to be of much practical importance since 33 and 34 Vict., c. 23, wherein it was provided that henceforth no confession, verdict, inquest, conviction, or judgment of, or for any treason or felony, or *felonies* shall cause any attainder or corruption of blood or any forfeiture or escheat.

Fatal Train Wreck.

Fifteen men were killed and a score injured, a number fatally, at Bellair, Ohio, at 3.45 Sunday afternoon, when the Chicago and Wheeling express train on the Baltimore and Ohio railroad crashed into a freight train which was moving slowly on a siding. The wreck was due, it is said, to the failure of an operator to throw a switch. The westbound freight had received orders to meet the passenger at the western limits of the Bellair yard, and was moving slowly along the siding. At the point where the wreck occurred, there is a sharp curve, which prevents the engineers of eastbound trains from seeing more than a few feet ahead. The passenger train swung around the curve very rapidly, being three hours late and should have gone on in safety on the main line. The switch to the siding however, had not been turned, and the train shot on the siding and into the freight. There was scarcely time to apply the brakes and no time for the engineers to jump. The two big engines were reduced to junk by the impact, but the worst damage was done to the smoker which was telescoped so completely by the baggage car that every seat was thrown out of the coach. Every occupant of the smoker was badly injured. The passengers in the other day coaches and two Pullmans were tumbled from their seats but not badly injured. Engineer Galbraith was burned to a crisp by escaping steam. The injured were taken to the Glendale, W. Va., and Bellair hospitals.

Gamblers Raided.

Pool selling on horse racing received a severe check at Halifax on Saturday night when Chief of Police Power and a squad of men raided the St. James' Billiard Hall, conducted by William Neville on Hollis street, and broke up the pool selling establishment, thereby arresting the bookkeeper, and seizing the books, pool tickets and over \$4,000 in cash were found there. B. Beckwith, bookkeeper, was arrested and subsequently released on \$2,000 bail by Supt. McDermid. Information was received by the Police Department that pool selling was going on in the Royal Hotel, Argyle street, and in St. James' Billiard Hall, and two squads were sent out to investigate. One, under Sergeant Hamlin, visited the Royal Hotel and found nothing illegal going on there. Officers in charge of Chief Power, consisting of Deputy Chief Rudland, Detective Harsh and several sergeants went to St. James and entering the basement of the billiard hall found pool selling actively going on and at once arrested the bookkeepers. Hundreds of people are saved money by buying musical instruments and sewing machines from Miller Bros. You save all middlemen's profits. It is worth thinking about. Write to day if you are thinking of buying.—Miller Bros., the P. E. I. Music House.

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THE GRAND Cathedral Bazaar!

-IN AID OF- St. Dunstan's Cathedral Cathedral Basement, Ch'town BEGINNING MONDAY, OCTOBER 7th, 1907 And will continue during the whole of Exhibition Week.

Excellent Meals (dinner or tea) will be provided for all visitors, all of whom will receive the best attention. A most striking feature will be the magnificent display of all that is good and serviceable for the visiting public, and tastefully distributed on the different Fancy Tables, Apron Tables, Men's Furnishing Tables, Art Tables, Variety Tables, Refreshment Tables, and in various other attractive and useful departments. A gorgeous plan of decoration has been arranged for beautifying the basement hall, and the whole appearance will be a veritable Dreamland. Musical Entertainments will be furnished every evening, and everything will be done for the comfort of visitors. Everybody invited. Admission only 10 cents. For those who purchase a Dinner or Tea Ticket at the door, admission will be Free.

BY ORDER OF COMMITTEE. Sept. 25, 1907-T31

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