THE TORONTO WORLD

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WHOLESALE NEWSDEALERS.

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ESSERY!

The result in London is a settler for Mr. Essery. It shows either how exceedingly popular Mr. Meredith was in the western city, or how unpopular Mr. Essery is there to-day—or it may show both these things.

It shows that it is a hard thing for a prohibitionist candidate to take the Conservative rank and file with him, especially when that issue is not really up.

People are not looking for narrow, hard and one-sided men just now and Mr. Essery happened to belong to that class. A Conservative, more than a Liberal, has got to have a good deal of the live and let live in him, he must eschew fads, sail on the old lines, and carry a true white lantern at his foremast.

But the result does not show that the Ontario Government is a good Government, or that the people of this province are not sick of their present state of bondage. The ministers have been smart enough to take advantage of the circumstances to use to the full the power and influence that they have rifled from the municipalities and stored in their own magazines, and they have had no difficulty in holding their own.

And yet they must be in the presence of danger, or why would the Government and its supporters be so afraid, and why would they attach so much importance to the defeat of a man of the calibre of Mr. Essery?

The Province of Ontario is ripe and has been ripe to remove the Mowat party, but it did not find its voice in Mr. Meredith, nor has it found it in prohibition. It has found its nearest expression in the Patron movement, and that is why Sir Oliver will now try to grow Patron whiskers.

DEAN AGAINST PRINCIPAL.

At the Massey Hall on Monday night before an audience of two thousand people the Dean of Rochester, one of the leading clergymen of the Church of England, made a plea in favor of a more rational observance of the Sabbath. He thought the day should to some extent be observed as an innocent holiday, and he declared that men would be more likely to come into the church from the fields, the museum, the picture gallery and the library than from the public house or the comparative gloom of their own homes.

In regard to the running of street cars on Sunday the Rev. Dean delivered himself as follows to a World reporter:

"I suppose The World encounters the antagonism of those who, having plenty of opportunities to enjoy fresh air and green fields, propose to deny these benefits to the poor?"

"Exactly so," said the reporter.

"Well," said the distinguished preacher, "the New Testament points plainly to the fact that our Saviour only encountered opposition to the good works of the Sabbath Day from men of whom He expressed a very bad opinion—the Pharisees. The instances of His doing good works on the Jewish Sabbath are so numerous that I believe He did them to demonstrate that the gloomy Mosaic Sabbath was to be done away with by Christianity.

"I believe that Sunday should be a day of worship, but there is nothing which tells me that it should not be a day of recreation. If Christians believe that one day in the week should be a day of gloom, it should not be the day on which our Lord arose, but that on which He died. That is the justification for setting aside Friday as a fast day. I should like to see a Sunday car service in your city, which would make God's gifts of sunlight and fresh air free to the poor as well as to the rich."

A question for the good people of Toronto to decide is this: Suppose the Dean of Rochester should decide on removing to Toronto should the people of this city allow him freedom to spend Sunday in the way he thinks is most conducive to the spiritual and material welfare of the people? It has been said that The World is not of a very religious turn of mind. But what about the Dean of Rochester? He is one of the leading dignitaries of a church that is the mother of all the Protestant denominations. The good people of Toronto may reasonably object to permitting The World, and the people who read The World, from spending the Sabbath in a way they deem to be rational. But what about Dean Hole? And what about the ministers and church members of Toronto whose opinions exactly correspond with those of our English visitor? Are the good people of Toronto going to allow themselves to be labelled as intolerant bigots?

Let us compare the attitude assumed by Principal Caven with that of Dean Hole. Principal Caven does not believe in Sunday cars. We have no fault to find with him for his belief. The Dean of Rochester believes Sunday cars are conducive to the spiritual and temporal welfare of the people. What we want to know is where Principal Caven derives his authority for making the Rev. Dean submit to his ruling as to what is right and what is wrong in regard to Sunday observance? He certainly does not derive his authority from historical precedent, because the teaching of history is all the other way. Intolerance of opinion and of conduct, the natural sequence of that opinion, is universally admitted as the greatest mistake of history. Principal Caven does not derive his authority from the Bible. He can quote no passage to justify one man using physical force to make another accept his opinions and his line of conduct. The teaching of the Scriptures also is all the other way. That is supposed to be one of the virtues of the Protestant religion. No man is forced to believe or acknowledge any belief contrary to his conscience.

If the Dean of Rochester were to act on the same lines as Principal Caven lays down for his own guidance, we should find him conducting a crusade in favor of Sunday cars, Sunday libraries, museums and even Sunday games. Nay, he would not be following Principal Caven consistently unless he made it part of his crusade to compel Principal Caven and everyone else to use the cars on Sunday, to visit the museums and play games on the Sabbath. This is a commonsense, true statement. Principal Caven's authority for his attitude on this question is founded on Error. In order to defend his position he must acknowledge a violation of that greatest of all religious and moral truths yet enunciated, "Do unto others as you would that they should do unto you." How would Principal Caven relish a law that made him ride in the cars on Sunday and compelled him to wear a cheerful face on the holy day? He would certainly resent such intolerance in the same way that we resent his intolerance towards us.

The main issue in regard to this matter is not whether Sunday cars are or are not conducive to the welfare of the people. The issue is whether the people of Toronto shall have freedom to entertain their own religious convictions. Principal Caven denies this right to the people. He would refuse to let the Dean of Rochester spend Sunday as he pleased were the latter to become a resident of our city.

Herein Principal Caven is manifestly in error, and in maintaining his position he assumes a great responsibility. If he is wrong in his attitude on this question, will not his church feel the loss of prestige when time convinces the people and himself of his error? Will not the reaction that is sure to set in lessen the influence of the church, and tend to make the people lose confidence in it? The people are not so slow of comprehension as our clerical friends may imagine. They see to-day that the church is claiming the right to interfere in personal belief. Principal Caven openly claims the right to make the Dean of Rochester submit to his (Principal Caven's) ruling of the proper observance of the Sabbath. The people recognize that the church is making a mistake, and that it will ere long have to recede from its position.

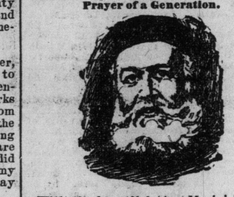
Isn't it enough for Principal Caven that he make the law of conduct for himself and leave you and me to make it for ourselves?

DECLINE OF FARM LANDS IN ENGLAND.

A recent rental of a farm in the County of Suffolk, England, illustrates in a practical way the surprising decrease in the value of farm lands in England. A few weeks ago a farm consisting of 130 acres was put up for rental at auction in Ipswich. The auction system of lease was resorted to, as the proprietor had been unable to obtain a tenant by any other means. The auctioneer announced his upset price, and asked for bids. He received £10 above this figure, and the farm was let for £60, the landlord undertaking at the same time to do certain repairs, which brought the net rental down to £35 a year. For twelve years previous to 1879 the farm brought the owner £200 clear yearly, after all expense had been paid. The decline in prices, therefore, may be gauged by £200 in 1879, as against £35 in 1894. We have nothing to parallel this in Canada. Even Toronto real estate has declined in no such reckless way.

THE LATE CHARLES GOUNOD.

The Great French Composer Whose Sacred Music Has Breathed Forth the Prayer of a Generation.



With the beautiful 'Ave Maria' in one's mind, one must almost feel a reverence for its creator. Gounod sang out the prayer that was in his very soul, and all the world has felt its influence. His words of praise for a tonic that strengthened and sustained him in his declining years is one of the most valued tributes to the great 'Vin Mariani.' He says: "Honor to 'Vin Mariani,' that admirable wine which so often has restored my strength." No other tonic so quickly restores strength and energy when weakened by brain exhaustion, nervous depression, fatigue, dyspepsia or sleeplessness, and it hastens convalescence after confinements and fevers. You should send your address and receive a little album, free, containing the photos of the many great people who are recommending 'Vin Mariani.' Address Lawrence A. Wilson & Co., Montreal. 63

Mr Kerby's Canadian Idylls.

Mr. William Kerby, F. R. S. C., has just published at Welland a volume of verse from his pen, entitled, "Canadian Idylls." The greater part of the volume is made up of blank verse narratives, which relate in language that is strong and often musical and full of color the struggles and passions and feelings of a dead generation of Canadians. The deeds of the men who struggled in the forests and fought for their new-born country are sung in enthusiastic phrases. United with a great deal of ringing patriotism is a vein of loyalty. The religious sentiment is equally strong. The following selection, which is complete in itself, gives a fair idea of Mr. Kerby's poetic powers:

A NIGHT VISION, JAN. 2, 1892.

Is this a dream or real? aloud I cried,
Upon my lonely couch, once shared and blessed
By my dear wife, who to her saintly rest
Had gone before. Within my chamber wide
A sudden light illumed, and I descried
A beauteous form, in snowy vesture dressed—
My wife, no longer old and silver tressed,
But raven haired again and radiant-eyed,
In youth's florescence, came and meekly knelt,
And drew with gentle hand the sheet away,
And bared my face, and stooped as if to kiss
My very soul's own lips. As meteors melt,
She vanished then — and long entranced I lay,
And knew it was no dream; but real—this.

Some of the translations are bright and full of spirit. The book is well printed and altogether a neat, pleasure-giving volume.

Warner's Safe Cure.

At the fifth annual general meeting of the above company the reports presented show the sales of the medicine increased in England and on the Continent, whilst the total sales, including America, Canada and Australia, still continue to more than hold their own, a state of things which proved highly satisfactory to the shareholders, in view of the late depression of trade here and in Australia.

Burglars at Work in Millbrook.

Millbrook, Nov. 20.—Some time early this morning burglars entered the banking hous eof Messrs. Wood & Kells, private bankers o fthis town. After they had broken the combination on the door of the vault and gained an entrance, a small safe was attacked and completely demolished. The concussion from the explosion, besides completely destroying the safe, shifted a great number of bricks in the walls of the vault and broke a glass door a considerable distance away. The burglars only secured about $15 in cash.

Messrs. Stott & Jury, Chemists, Bowmanville write: "We would direct attention to Northrop & Lyman's Vegetable Discovery, which is giving perfect satisfaction to our numerous customers. All the preparations manufactured by this well-known house are among the most reliable in the market."

ALD. HEWITT ON THE STAND

DENIES BEING APPROACHED BY ASPHALT TENDERERS.

Ex-Ald. J. E. Verral Makes Similar Denials—Contractor Guelich of Detroit to Be Examined To-Day—Several Witnesses Missing—Judge McDougall Promises to Deal Severely With Parties Tampering With Them.

The enquiry under the further powers granted by the City Council into the charges of boodling was resumed by Judge McDougall at the Court House yesterday. The well-known Guelich tender of last year was the line taken up, and, while there were no sensational developments, the evidence was such as to warrant the anticipation of an interesting story to-day. Ald. Hewitt and Ex-Ald. Verral were placed in the box and both denied having been approached by any one of the asphalt tenderers. At the conclusion of the examination of each Mr. Nesbitt asked them definitely whether they wished to say anything further, as he proposed to put witnesses in the box to-day who would contradict their assertions. The counsel evidently referred to Mr. Guelich, who appeared in the court during the morning session yesterday. Lawyer Nesbitt informed the judge that an attempt was being made to intimidate witnesses, whereupon His Honor uttered dire threats of vengeance upon any person who might be brought before him on such a charge. There was a good attendance of citizens in the court all day, especially when Ald. Hewitt occupied the stand.

Mr. Nesbitt opened with the following remarks: Under this further resolution of the Council I desire, as there seems to be some little misapprehension as to the position that I occupy and propose continuing to occupy, to state precisely what I conceive my duties to be. I do not understand that, in the public interest and having the public as clients, it is any part of my duty to prosecute in the sense of persecuting any person. My duty is to enquire and enquire thoroughly, not to pry unnecessarily into private affairs, but wherever necessary to thoroughly probe whatever facts may appear to ascertain what the truth is in reference to the conduct of any party coming within the terms of this resolution.

At the late investigations my attention has been drawn to the fact that Ald. Stewart has complained inferentially of unfair treatment. I desire to state that Ald. Stewart was, during the whole course of his examination, attended by his professional adviser; that I asked that gentleman if he proposed appearing for Ald. Stewart; that I told him if he did that I would be most happy to allow him to take any part he desired in the investigation; that I asked Ald. Stewart in the presence of his counsel before leaving the box if there was anything else he desired to add to the statement he had made. My questions were of such a character towards the latter part of the examination that it must have been apparent to everybody that his examination would be followed by the examination of other parties, who would contradict what he said, and yet, immediately upon the close of his examination, Ald. Stewart, with his counsel, left the court, and, so far as I am aware, did not appear again.

A Chance to Exculpate Themselves.

At the conclusion Your Honor asked if any person desired to give further evidence throwing light upon that which had gone before, and that was after I had, in distinct terms, asked Your Honor for a finding of fact against Ald. Stewart. I do not understand that in the present investigation any person is charged, nor as at present advised do I intend to charge any person. My duty is to ascertain what the facts are in reference to certain allegations that have been made, to give the party apparently inculpated every opportunity to exculpate himself, and in the same way to give those making the charges, many of them most unwillingly, an opportunity of being here. I may say that many of the witnesses I will be compelled under this resolution to put into the box, witnesses that I am unable to say what their evidence will be until they are examined.

May Appear By Counsel.

If any alderman, corporation or official feels that he is charged by the evidence he is at liberty to appear by counsel, who will be permitted to take part in the examination of witnesses, and to call any witnesses he may desire. If he does not desire to be represented by counsel, and will communicate with me, I will ask any proper questions that he may desire to offer, for I feel that I appear as much for him as for the other electors.

I understand from your Honor that you can only give me to-day and to-morrow, as Thursday is Thanksgiving Day, and your Honor's duties call you to the Admiralty Court on Friday and Saturday. I shall, therefore, not go into matters to any extent that will require a more prolonged and continuous sitting. I will take it up again on Monday at 2 o'clock, and I understand that you can give me a continuous sitting from that day. It has been remarked that the investigation will be interminable. I think you may be assured that nothing but wha tis pertinent will be gone into, and I do not believe the enquiry will take any length of time. Under Mr. Greer's enquiries the evidence is pretty clean cut.

Judge McDougall concurred in what Mr. Nesbitt had said. He would be happy to hear any witnesses or their counsel who had been incriminated; they would be allowed to cross-examine witnesses in rebuttal, in explanation or in denial. That had been his intention from the start. This was an investigation, not a one-sided affair.

The Paving Contracts.

Thomas Sanderson of the City Clerk's department was the first witness called. Asked for particulars respecting the Guelich tenders, witness deposed that on April 4, 1893, City Engineer Keating recommended the paving of track allowances with asphalt on a number of streets upon which the trolley system would be or had been introduced. The recommendation passed council on April 10. Tenders were called for April 22, postponed till April 29 and again extended till May 10, when they were opened.

There were four tenderers: Warren Scharffe Company, Trinidad Asphalt Company, Construction and Paving Company and Otto E. Guelich. In every case the last-named put in a bid considerably lower than the other tenderers.

The sub-committee which opened the tenders passed a resolution that they did not consider it in the general interests of the city to award too much work to any individual contractor. The committee recommended the acceptance of the following tenders: Parliament, Queen to Gerrard, Warren Scharffe Company; Winchester, Sumach to Parliament, Construction and Paving Company; Dundas, Queen to Arthur, Construction and Paving Company; Queen, Yonge to River, Construction and Paving Company; Carlton, Yonge to Parliament, York, Front to Queen and Parliament, Carlton to Winchester, all to Mr. Guelich.

In the Board of Works the recommendation of the sub-committee was adopted on the following vote: Yeas—Ald. Lamb, Small, Hill, Burns, Bell, Maloney and G. Verral—7. Nays—The Mayor, Ald. Hewitt, McMurrich, J. E. Verral and Murray—5.

When the report of the Board of Works reached the council on May 22 it was set aside, that body on the following division deciding to award all the tenders to Guelich: Yeas—Ald. Bell, Carlyle, Crawford, Davies, Hill, Lamb, Orr, Saunders, Shaw and George Verral—10. Nays—The Mayor, Ald. Bailey, Burns, Hallam, Hewitt, Jolliffe, Leslie, Murray, McMurrich, Small, Stewart and J. E. Verral—12.

The necessary work of signing the contracts was not facilitated by Guelich, and the proposal from the Street Railway Company to take over the pavements along the track allowances in lieu of paying $800 per mile stopped proceedings until July 17, when the council revoked its previous decision to award Guelich all the contracts.

Mr. Nesbitt: Who voted for the rescinding of the former resolution?—A. The Mayor, Ald. Bell, Bailey, Carlyle, Crawford, Hewitt, Hill, Jolliffe, Lamb, Leslie, Lynd, Maloney, Small, Shaw, George Verral and J. E. Verral—16.

Turn to the original vote and tell me what gentlemen had altered their conclusions?—A. The Mayor, Ald. Bailey, Hewitt, Jolliffe, Leslie, J. E. Verral and Small.

Did Mr. Guelich get the contract?—A. No, he declined to accept any of the work, as he could not get it all.

And were new tenders asked for?—A. No. The council gave the City Engineer authority to divide the work among the other three firms of contractors.

Did he do it?—A. There is no further record, so I presume he did.

The negotiations between the Toronto Railway Company and the council relative to the track allowance agreement, which was ultimately thrown out, were then gone into step by step.

At this stage the court adjourned for luncheon, Mr. Nesbitt requesting Mr. Sanderson to produce the records of all the proceedings of the special committee which had in charge the granting of the franchise to the Toronto Railway Co.

Engineer Keating Recalled.

When the court resumed City Engineer Keating went on to the stand. He was not in the city when the Guelich tenders were received. He most emphatically denied that he had told any tenderer or person it was necessary to send their tender by registered letter, and that it would be all right if they were just placed into the custody of the engineer's office. He had been informed, but by whom he could not recollect, that the Guelich tender was not enclosed in a registered envelope.

Considerable time was occupied by Mr. Nesbitt in endeavoring to ascertain at whose request the letter of May 27, from the engineer's office to Mr. Guelich, declining to accept Messrs. John Shields and Alexander Gibbs as sureties, was written to Otto Guelich; but witness could remember very little about it. The letter was written by Assistant Engineer Rust, and so far as witness could recollect no communication had been made to him by any member of the Works Committee respecting the matter. Treasurer Coady may have suggested that the sureties were objectionable.

Mr. Keating was then asked about a letter written to Guelich on June 3 by Mr. Rust, stating that unless satisfactory sureties were furnished by the following Thursday he would report to the committee recommending that their contract be cancelled.

How came Mr. Rust to write such an important letter? Did he see you about such a letter?—A. I cannot recollect at this distant date.

Has any other such letter as this ever been written by your department?—A. I cannot say.

Why the Contracts Were Not Executed.

These contracts with Guelich were never executed by the city?—A. No.

Can you tell me why?—A. I think the chairman of the committee wrote to me to ascertain if I were prepared to take the whole responsibility of awarding the contracts to Guelich, which I declined.

Had such a question as that ever been asked you before?—A. Not that I am aware of.

Then a different course was taken in this respect than with any other contract with which you have had to deal?—A. Yes.

What was the date of the letter?—A. July 17.

Did some gentleman go into your office and ask you whether it was really worth Guelich's while going to the trouble to get his plant ready, and did you, looking at him fixedly for a minute, with a laugh and a shrug of the shoulders, say: "I don't think so?"—A. I cannot remember that particular conversation, but it is possible that it did occur. The contract was not signed by the city, and it is not safe for any man to commence work until his contract is fully signed.

Did you by your manner practically tell that man that from what was going on inside Guelich's name was "Dinis"?—A. If he drew such a conclusion he drew it out of his own imagination.

Threatening the Witnesses.

Mr. Nesbitt here, addressing the judge, said: I understand that threats are being used to certain witnesses that if they go into the box and give testimony they will be arrested. I cannot, at the present moment, lay my finger on the party, but I think it is well to tell you.

His Honor: But the witnesses in the box to whom that statement was made and we will find out who made the threats. I will ask the Crown Attorney to lay an information and have them brought before the Police Magistrate for intimidating witnesses. It will take about 15 minutes to lay the information.

Let me give a general warning, continued the judge: If there is any attempt made to intimidate or to tamper in any way with the privilege of going into the witness box, the guilty parties will be severely punished. If they subsequently come before me I shall record a sentence that will prevent anything of that kind occurring again, I can assure you.

Their Movements Known.

Mr. Nesbitt: I may say for the information of these people that their movements are not quite as unknown as they think they are.

The Judge: A short time ago I sent a man down for three months, simply for giving a witness money to get out of town so that he could not be put into the box.

Ald. Hewitt's Testimony.

Ald. Hewitt then went on to the stand and was examined by Mr. Nesbitt. With the exception of 1892, said the witness, I have been a member of the council since the year 1888. Last year I was on the Property Committee, the Board of Works and the Court of Revision. I was on the sub-committee of the Board of Works appointed to consider the matter of the Guelich tenders. I was present at the opening of the tenders by that sub-committee on May 10. Previous to that I had been to New York with Ald. Leslie and whilst there I had met Col. Alexander, whom I had seen previously in connection with Ashbridge's Bay matters. That gentleman told me that there was a combine on asphalt in Toronto. When I became possessed of this information I wired to Mayor Fleming informing His Worship what I had heard.

Did the information that you received point towards who the members of this combine were?—A. No. There were no names mentioned.

Had Col. Alexander any connection with any of the companies here?—A. I believe he organized the Trinidad Asphalt Company.

Did you gather from him that the Trinidad were being kept out, and that consequently they were complaining?—A. I guess that was the impression.

Extended the Time.

That was some time in April?—A. Yes.

Did the Mayor do anything?—A. We did not receive any answer from the Mayor, but when we came back we found that he had extended the time for receiving the tenders. He thought there was something in what we had told him.

Did he say whether he was taking any steps to counteract?—A. I cannot remember.

How did you first ascertain that the Trinidad Co. were going to be able to tender?—A. I can't recollect.

When did you first hear of the Guelich tender?—A. When the tenders were opened.

Did you meet Mr. Guelich?—A. No.

What other aldermen were with you on the sub-committee?—A. As far as I remember there were Ald. Lamb, Murray, Bell, Small, George Verral and Hill.

When did you receive the Guelich tender?—A. After we had opened some of the other tenders I think Mr. John Shields came in the room and presented a tender.

Had you been aware up to that time of any such tender coming in?—A. No, sir.

Voted to Reject the Tender.

Was anything said by any of the members of the sub-committee in regard to the matter?—A. Ald. Hill and myself objected to receiving the tender as being informal and not in compliance with the advertisement. There was a discussion as to whether the tender should be received, and I voted against.

Was any explanation given to you of how it occurred?—A. Afterwards, I think, there was. Mr. Shields told some of the aldermen that he went to the Works department and obtained information there that any time before 12 o'clock would be early enough to receive tenders.

The result was that the sub-committee concluded to open that tender?—A. Yes.

And it was decided to divide the work up?—A. Yes.

Was that unanimous?—A. No, I was not in favor of it. I was in favor of the whole thing going to Guelich.

Did anything occur when your committee broke up and the result was known?—A. We went outside the room, and the alleyway was full of contractors, and there was quite a lot of ill-feeling among them that a Yankee should come in here and get their work. Arthur Ardagh was there, he knew.

Did Mr. Ardagh say this: They talked about bribery and corruption here in the old days. Why, it is a hot hole of corruption now. Men come from outside and whack up, and because we do not put our hands down in our dip we get no contracts?—A. Yes.

What "Dip" Means.

Will you tell me what the expression "dip" means? Is it a City Hall expression?—A. I do not think it is a City Hall expression. It means that unless a man paid for it he could not get a contract.

You repelled the insinuation?—A. Yes. I said, "You won't get a single foot of contract so far as I am concerned."

What did he answer?—A. He answered nothing. He walked away grumbling.

The report of the Board of Works went on to Council?—A. Yes.

Up to the night of July 17, you were really the Guelich champion, and then at the last meeting you saw fit to change your vote?—A. I did.

What were your reasons?—A. A difficulty arose between the Street Railway Company and the city about the $800 per mile matter and it delayed the work for some months.

Was not the difficulty that Mr. McKenzie refused to have anything to do with Guelich, whereas he would work with the others?—A. I do not think so.

Any other reason?—A. A letter from the engineer refusing to accept the responsibility for the work.

Too Much "Flip Mouth" About the Aldermen.

What about the engineer's letter?—A. Well, if he would not take the responsibility, I didn't think the aldermen ought to do it. I was spoken to by a great many citizens who thought that I was doing wrong in supporting a foreign concern. I would have opposed the Guelich tender from the start if it hadn't been for the words of Ardagh. There was already too much "flip mouth" about the aldermen.

Did you see Mr. Coleman at this time?—A. I guess I did.

Did you have any discussion with him?—A. No, not more than with Mr. Godson or Mr. Ardagh.

Were you aware that these men were taking any steps towards influencing the aldermen?—A. No.

Did you see any of the railway people?—A. No.

You saw none of these people and had no conversation on the subject of money being raised or paid for the influencing of the aldermen against this Guelich contract?—A. No.

Or in any connection with the change respecting the $800 mile matter of the street railway?—A. No.

No one representing any of these parties?—A. No.

No one purporting to represent any of these parties?—A. No.

You had no discussion with them of that character?—A. No.

Did you have anything to do with Mr. Godson during that time?—Nothing further than meeting him at the City Hall.

Did you, on the 18th of July, display any money?—A. No.

Did you on the morning of the 17th display any money?—A. No.

Do you know where the Headquarters' Saloon is?—A. Yes.

Did you in that saloon display any money the next morning?—A. No.

I want to be quite fair with you, Mr. Hewitt. I am not prosecuting. On the morning of the 17th July, did you, in the Headquarters' Saloon, in the presence of anybody, in reference to Godson and Ardagh, make any such remark as this: "There's two or three hundred dollars; but the suckers can't get me for that?"—A. No.

"I Am Not a Fool."

Did you show any money and make any reference to either Godson or Ardagh?—A. No; I am not a fool.

Did you show a dollar bill in a joke, and say they were trying to catch you?—A. No.

Did you see any of the contractors during that day?—A. I cannot say.

Did you have any talk with Guelich at any time about money?—A. No.

Or tell him anything about what the other side were doing?—A. No.

Did you give him any information about the other contractors and the Railway Company standing in together?—A. No, I do not know that I spoke to him about that.

And name any sum of money that you understood they were ready to put up and had got together?—A. No.

Or that they were putting up money?—A. I never mentioned it.

Did you see Ald. John E. Verral?—A. I met him at the committee meetings.

Did you see him at any time on the street and in company with Guelich, or any person representing that gentleman on a particular occasion?—A. No.

No Talk With Verral About Putting Up Money.

Did you have any talk with Verral about either side putting up money?—A. No.

Did you see Guelich on the day of the 17th?—A. I could not say.

Where were you on the 17th?—A. I could not tell you my movements.

Were you in the Headquarters' Saloon that day?—A. I do not know.

Where did you spend the evening previous?—A. So far as I know, at home.

Do you know Keachie's saloon?—A. Yes.

Were you there on that day?—A. I could not say.

Were you there to a late hour and with anybody, and whom?—A. I do not remember.

Try and recollect.—A. It is hard to recollect things back two years ago.

Did you see Goodson, or Coleman or Ardagh that night?—A. I do not know that I did.

Were you with them?—A. No, I was not.

Doing anything with them?—A. No.

In a room upstairs?—A. No.

Are you speaking now positively or that you don't recollect?—A. I am speaking now positively that Godson, Ardagh, Coleman or any of them were not in a room upstairs or downstairs on the evening of the 16th.

You swear to that as a positive fact?—A. To the best of my memory.

No Money Passed.

Did any money pass that evening?—A. No.

Then, coming back again to the morning of the 17th. Were you in the Headquarters saloon that morning?—A. I don't know, I might have been.

Did you see Maitland that morning?—A. Who's Maitland?

He is the president.—A. President of what?

Did you meet Maitland, or Tulley, or McLoughlin?—A. I met McLoughlin, I cannot recollect whether I met the others.

Did you meet Verral in there on the morning of the 17th in company with anybody and talk about this contract?—A. I do not remember.

My question is a plain one. During the day of the 17th, in company with Verral, did you see any person in connection with this contract in the Headquartes saloon, either in the morning or during the day?—A. I would not like to say yes or no to that question.

Did you?—A. I don't think it would be right to say when I don't remember.

Never Said the Jig Was Up.

If I ask you did any conversation occur in which you pointed out that the Railway Company were combining with the other side, and that the jig was up or anything to that effect, does that recall it?—A. I never heard of it until now. If I was in a saloon, I had no conversation such as the one you ask me now.

Did you have a conversation with any person in which you said that unless $15,000 was put up the Council would change its vote and award the contract away from Guelich that night?—A. I deny it.

Have you any recollection of a talk of that nature?—A. No.

Did you determine before you went to the Council how you were going to vote in the matter?—A. No. I felt it was the best thing to be very careful.

Did you make any statement as to how you were going to vote?—A. No.

Did you know how any other members of the council were going to vote?—A. No.

Were you aware of what action the Street Railway Company were taking at the time?—A. No.

Had they anything to do with the change of vote?—A. No.

Were you aware that the Street Railway Company were refusing to allow Guelich to go on?—A. No.

Had you an emissary going between wherever you were and Mr. McKenzie and bringing you back word?—A. No.

Shall I name that man?—A. You can name who you like.

No Talk With Ald. Small.

Were you in communication with Ald. Small that day?—A. No. I had no talk with him.

Will you say distinctly and definitely whether you were with Verral on the occasion of a discussion about the attitude you were going to take that night, on the question of money and the attitude of the Railway Company?—A. No such discussion occurred.

Do you remember of anything occurring with him on Friday?—A. No.

Where Came the Loan?

Has any person made you a loan through a trustee?—A. Several persons have.

Who was the trustee?—A. R. A. Dixon.

Who is he trustee for?—A. Campbell, the assignee.

Who advanced the money through R. A. Dixon and what was the amount?—A. It was a second mortgage on a property of $10,000.

Who advanced it?—A. R. A. Dixon.

Who was he solicitor for?—A. Campbell.

Whose money was it?—A. I don't know whose money it was.

Do you swear that, Mr. Hewitt?—A. Yes. Campbell got the loan transferred and put another one on.

Do you swear that as positively as anything else about this Headquarters' matter?—A. Yes.

Whose money was in the mortgage?—A. I have no idea.

Where is Mr. Dixon?—A. I don't know.

When did you see him last?—A. Some weeks ago.

What is the date of the loan, do you remember?—A. No. I could find out.

The amount is $10,000?—A. I think $10,000 was put on in place of another mortgage.

Was any interest ever paid on it?—A. No, they sold the property. They collected the rents on the property for Dixon.

You know Mr. Dixon. Did he advance $10,000?—A. I did not know it was advanced until it was advanced and he was a party.

Was that about the time of the Guelich tenders?—A. No. A long time before it was in 1892, I think.

Have you any other loans that have been effected on your property?—A. Too many of them.

A Kind Fairy Godmother.

In this way through some kind fairy godmother?—A. I don't know that.

Is there anything you want to add; anything you think I ought to have asked you; any explanation you desire to make?—A. Oh, none!

Because I have asked you these question, you know, with the intention of contradicting you, or at least of putting persons in the box who will tell a different story. You understand that?—A. I suppose I will have an opportunity of contradicting them if I desire it?

Mr. Nesbitt: Yes.

Ex-Ald. J. E. Verral.

Ex-Ald. J. E. Verral was then called. He was not on the sub-committee of the Board of Works that opened the asphalt tenders. His first meeting with Guelich was, he thought, at a meeting of the Board of Works.

Did you meet anybody else in connection with the matter with him, or representing him?—A. No; not in particular.

Did you meet any other gentleman from Detroit, interested with him, or down here assisting him?—A. Not that I am aware of.

Did you meet a Mr. McLellan?—A. I fancy I remember the name, but I would not be certain.

A Mr. Maitland or Mr. Tully?—A. Not that I am aware of.

Did you have any conversation with either of these gentlemen in reference to this matter?—A. Not to my recollection.

Did you have any conversation with Mr. Small about it?—A. Not more than the usual conversation between aldermen.

I do not know what that may mean. (Laughter.) I cannot remember having any particular conversation with him about the subject.

Why He Changed.

Did you know which side he was on?—A. I do not remember.

The attitude you were assuming was one of indifference?—A. I thought Guelich should get the tender until I heard the letter of the City Engineer and the speeches of the other aldermen in council.

Were you with Ald. Hewitt in the Headquarters saloon on July 17 with Guelich and others?—A. I won't swear I was not.

Did you give him any information that day as to what was going on on the other side?—A. No.

Of the sum which the other side were putting up?—A. No.

Did you say to Guelich or to anybody that day that it would require $15,000 put up and put up in cash or the council would change its vote that night?—A. No.

Where were you on the night of the 16th? Were you at Keachie's?—A. I may have been.

Were you talking to any contractors?—A. Not to my knowledge.

Were you indulging in any pastime with any contractors?—A. No.

Arthur Ardagh's Testimony.

Arthur Ardagh was then examined.

You desire, said Mr. Nesbitt, to make an explanation of some remarks that you are credited with?—A. I don't wish to make any statement particularly. I have already retracted those words.

Do you remember standing out in the hall and listening to what was going on in the sub-committee's room where they were discussing the tenders?—A. I heard nothing.

Well, what made you utter those words about "hot holes of corruption" and so forth?—A. I was angry at the time. I said what I did in the heat of anger.

That is a pretty serious thing to say in anger?—A. So I found.

Did you take it back because you were told that unless you did you would not get another foot of contract in this city?—A. No, but because I did not think that what I said was just.

Then your remarks were pure imagination, born of nothing and conceived in anger?—A. Yes.

Did you put any money up to defeat the Guelich tender?—A. No.

Did your firm expend any money at that time?—A. Not that I know of.

Lost No Money at Cards.

Did you lose any money at that time?—A. Not that I am aware of.

Did you lose any money to any aldermen?—A. Not to my knowledge.

You lost none over a game of poker or cards of any kind?—A. No.

Were you in Keachie's on the night of the 16th?—A. Not to my knowledge.

Now, Mr. Ardagh, I will give you until to-morrow morning to think this matter out. I do not desire to mention names; you can ascertain the names as well as me?—A. If I can find out I will let you know.

Mr. Nesbitt: You can easily find out. "I often play cards," said the witness as he left the box.

The court then adjourned until 11 o'clock to-day.

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