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London Advertiser

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VOL. XXXIV., NO. 102. WEDNESDAY, FEBRUARY 10, 1897. WHOLE NO. 10439

Born, Married, Died.

BORN.

TAIT—At Exeter, on Monday, Feb. 8, the wife of Alex. Tait, of a son.

MARRIED.

WESTMAN—GOLDSMITH—On Jan. 27, at the residence of the bride's mother, Mrs. Emily Goldsmith, 149 William street, by the Ven. Archdeacon Davis, Alfred Eldon Westman, to Grace Goldsmith, both of this city.

DIED.

CRUICKSHANK—On Feb. 9, 1897, at the residence of his brother, 275 Piccadilly street, John Cruickshank, third son of the late John Cruickshank, aged 53 years and 7 months. Funeral from above residence to St. Peter's Cathedral, Thursday morning, at 9:30. Private.
Please omit flowers.

Amusements and Lectures

Advertisements under this heading, two cents per word, or ten cents per line each insertion.

GRAND OPERA HOUSE—THURSDAY, Feb. 11—The picturesque Irish Comedy-Drama, "The Bells of Shandon." Price, 25c, 50c, 75c. Seats now on sale. 37k

LONDON VOCAL SOCIETY—W. H. Hewlett, conductor. Chorus of 65 picked voices, assisted by Miss Beverly Robinson, soprano, Miss Beatrice Langley, violinist; Mr. Lepriere Pringle, basso, Mr. Braxton Smith, tenor, and Signor Seppili, accompanist. Tuesday evening, Feb. 23rd, Auditorium. Subscription seats 75c. Lists in hands of members and at Bell Piano warerooms. Plan opens to subscribers only on Feb. 18th. 37uzx

SEE THE MARVELOUS JAPANESE BOX.

SEE THE HINDOO MANGO TRICK.

SEE THE WONDERFUL JAPANESE paper tricks.

AUDITORIUM—THURSDAY, FEB. 11—25c and 50c. 37k

SPLENDID SKATING AT CENTRAL Rink afternoon and evening. Band Wednesday night. 38u

PRINCESS ICE PALACE—SKATING afternoon and evening; grand ice. Band Thursday night. b

LONDON HUNT AND COUNTRY CLUB—The sixth annual Hunt Club Ball will be held on Friday evening, Feb. 26, in the City Hall. Invitations can be obtained from any member of the club or by applying to the secretary. Tickets $5. ORMSBY GRAYDON, hon. secretary. 39n eod

DAISY RINK—CLARK'S BRIDGE—Over one and a half acres ice. Skating afternoon and evening; carnival Thursday. 38k

HOCKEY CHAMPIONSHIP—PRINCESS Ice Palace, London vs. Berlin, Friday night, Feb. 12. Admission 25c. Coupons not accepted. 39u

PRINCESS ICE PALACE—LONDON VS. Berlin. The two leaders in hockey meet on Friday night for the championship. 39u

SERGT.-MAJOR SHOOF WILL LECTURE in Dundas Center Methodist Church, Thursday, Feb. 11th, at 8 p.m. Subject, "The Kimberly Mines and Jameson's Raid." Admission 15c, two for 25c. 39u

WESTERN UNIVERSITY CONVERSAZIONE, Friday next. Senor Delasco (tenor), Monsieur Walthar (violinist), Miss Gordon (pianist), Miss Robyn (soprano). Tickets 50c, at book stores and from students. b

VOICE CULTURE—EVA N. ROBLYN. Studio, 340 Dundas street. Concert engagements accepted. tx

PALACE DANCING ACADEMY—476 Richmond street. Classes meet: Gentlemen Monday evening; ladies, Tuesday evening. Ladies and gentlemen (advanced class), Wednesday evening. Ladies and children, Saturday afternoon, 3 o'clock. DAYTON & MCCORMICK.

PRIVATE LESSONS IN DANCING BY Mr. R. B. Millard, at his residence, 345 Princess avenue. Special attention given to the waltz, two-step, court waltz, two-step Jersey and the cycle. Satisfaction guaranteed. Lessons any hour.

OFFICIAL AGENT FOR ALLAN, BEAVER, American, Red Star and Cunard, Atlantic lines. FRANK B. CLARKE, Richmond street, next Advertiser.

Meetings.

One cent per word each insertion. No advertisement less than ten words.

LONDON LEGION—SELECT KNIGHTS of Canada—meets every second and fourth Thursday of the month, at Trebilcock's Hall, South London. b

COURT HOPE, NO. 1, I. O. F., WILL meet Thursday evening at 8 o'clock. Visitors welcome. L. W. HAMBLY, secretary. b

AN OPEN MEETING OF IRON MOLDERS will be held on Thursday, Feb. 11, at 8 o'clock, in C. O. F. Hall, Richmond street, when M. J. Keough, Vice-President of the International Union, will address the meeting. All molders cordially invited. 39u

LONDON COUNCIL, NO. 233, ROYAL Arcanum, will meet this (Wednesday) evening, at 8 o'clock, in Duffield Block. b

Domestics Wanted.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

A GOOD GENERAL SERVANT WANTED at Ross House. 39u

REGISTER WITH OSBORNE INTELLIGENCE agency if you desire any kind of employment. We require good general servants, with references, 2 cooks, 4 first-class diningroom girls, in and out of city. Other situations for girls. Good references. Osborne Intelligence Agency, 56 Dundas street. Telephone 386.

RING UP THE OLD RELIABLE—1121—For general servants, cooks chambermaids, housemaids and girls for all kinds of work always on hand. Also nurses and good housekeepers, and always wanting reliable help. Dwyer's Employment Agency, 591 Richmond street.

Male Help Wanted.

WANTED—GOOD SMART BOY—17 OR 18. Must furnish good references. Apply Box B, Advertiser office. 38c

WANTED—AN IDEA—WHO CAN think of some simple thing to patent? Protect your ideas; they may bring you wealth. Write JOHN WEDDERBURN & Co., patent attorneys, Washington, D. C., for their $1,800 prize offer and list of two hundred inventions wanted.

Lost and Found.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

LOST—LADY'S OPEN-FACE SILVER watch and chain; initials on case. Finder rewarded. Return to Mr. MADGE, at London Laundry Company. 38c

Wanted.

WANTED—A SECOND-HAND CABINET-MAKER'S bench. Address R. Y., Advertiser office. 38c

WANTED TO PURCHASE OR RENT—Modern cottage within few minutes of postoffice. Address Box 7, Advertiser. 28c

WANTED—25 BICYCLE RIDERS TO get their low frames made high at HUTCHINSON'S, 651 Dundas street.

Agents Wanted.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

WANTED—EXPERIENCED CANVASSER to call on private families, or lady or gentleman well acquainted in the city. Apply drawer 546 city.

AGENTS NOT MAKING $10 PER WEEK and not asking $50 (no idlers wanted), write for particulars. J. L. NICHOLS & Co., 23 Richmond west, Toronto. 58tf-d&w

Articles For Sale.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

No better medium than "THE ADVERTISER" Sure returns. 20c for 10 words—three insertions.

HORSE FOR SALE—GOOD DRIVER, young, quiet and sound, $18. No. 463 Simcoe street. 38u

FOR SALE—ONE 30 HORSEPOWER automatic "Brown" engine, built by Goldie, McCulloch & Co., Galt. Cylinder 10 inches, stroke 24 inches; can be run at 50 revolutions, or as high as 90 revolutions; also one tubular exhaust feed water heater. The engine can be seen at H. PORTER & Co.'s storage warehouse, Carling street, London, Ont. 9tf-3tf

SHEET RUBBER AND RUBBER HOSE, hose nozzels and reels and lawn hydrant, SMITH BROS., 265 Dundas street. x

TWO MANUAL PEDAL ORGAN CHEAP—Also Decker Bros. (New York) upright piano. Heintzman & Co., warerooms, 236 Dundas street. H. W. BURNETT, Manager.

A FEW SECOND-HAND STOVES—MUST be sold. At Keen's, Masonic Temple, Market Square.

PIANOS, PIANOS—NEW AND SECOND HAND, also a beautiful assortment of music and musical merchandise, and two good organs cheap. Anderson's Book Store, Nordheimer's Piano Agency, 183 Dundas street.

ONE LARGE HOTEL RANGE AND SEVERAL small ranges to be sold cheap, at the Ark, Market Square.

RUBBER STAMPS, SEALS—RAZORS sharpened; guns, rifles revolvers and locks repaired. D. MCKENZIE & Co., 388 Richmond street.

Board and Lodging.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

BOARDERS WANTED—PRIVATE family; central locality. Address "Boarder," this office. 37c

Houses, Etc., To Let.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

TO LET—BRICK COTTAGE—SUITABLE for small family; in good order; rent moderate; good locality. Apply 394 Richmond street. 28tf

Business Chances.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

FOR SALE—SMALL STOCK OF GROCERIES and store furniture, in suburb of city; nicely situated, with garden. Rent moderate. Address "M. D.," this office. 39u

Notice of Patent.

I HEREBY GIVE NOTICE THAT ALL persons infringing on my Improved Pant Hanger will be prosecuted to the fullest extent of the law. A. HICKLING, inventor, N. R.—The genuine are each stamped "Patent applied for." 37c

Miscellaneous.

FIRE—MR. GEO. FINNEGAN WISHES to announce that on account of his present store being destroyed by fire he will resume business, with entirely new stock, in his former stand, 45 Blackfriars street, tomorrow (Thursday), 11th inst. b

Educational.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

MR. J. W. G. ANDRAS PREPARES pupils separately for all university and professional examinations, 808 Waterloo street. 20tf

Real Estate.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

S. CHADWICK & SON—REAL ESTATE Agents, Homes, Investments, Speculation. Call Room 2 Albion Building.

Situations Wanted.

First insertion 1c per word. One-half cent each subsequent insertion. No advertisement less than ten words.

ANYONE WANTING A NEAT, CAPABLE woman to come in by the day and do housework or ironing can hear of one by applying to Mrs. E. M. C., Advertiser office. Good references can be given. 38c

Jewelers.

SPECIAL ATTENTION TO REPAIRING—J. T. WESTLAND, Engraver and Manufacturing Jeweler, 240 Richmond street (upstairs), London, Ont.

Money to Loan.

$100,000 TO LEND ON MORTGAGES and notes. TENNENT, MCDONAGH & COLERIDGE, barristers, solicitors, notaries. 78 Dundas street, London. Branch offices, Glencoe, Bothwell and Alvinston.

MONEY TO LOAN ON FIRST MORTGAGES, at 5 per cent; on second mortgages and other security at low rates, at G. W. FRANCIS' loan office, 78½ Dundas street, London, Ont.

SOME MONEY TO LOAN ON MIDDLESEX farm property at 5 and 5½ per cent and on city property at 5½ and 6 per cent. WEEKES & SCANDRETT, solicitors, 98 Dundas street, London.

Livery Stables.

STAR LIVERY—OPEN DAY AND NIGHT—Hacks, coupes, etc. Light livery a specialty. THOS. TREBILCOCK, 623-633 Richmond street. Phone 423.

LILLEY'S LIVERY—NO. 619 DUNDAS street, East London, Ont. Telephone No. 666.

THE WESTERN ASSURANCE COMPANY of Toronto; capital $2,000,000.
Caledonia Insurance Company of Scotland; assets $10,000,000.
London and Lancashire Assurance Company of London, England.
Canada Accident Assurance Company of Montreal.
JOHN STEPHENSON, Agent, Office, Huron and Erie Loan Building. 23

An Awful Crime.

Mother Cuts a Hole in the Ice to Drown Her Babe.

The Father of the Child Held as an Accessory.

Corning, N. Y., Feb. 9.—At Coudert's Point, Pa., the coroner's jury in the case of the drowning of the infant child of Mr. and Mrs. Martin Ellsworth, has found the child's mother, Flora Ellsworth, guilty of willful and deliberate murder, while the father of the babe is held as an accessory.

It was shown by witnesses that the story of Mrs. Ellsworth, that she killed her baby because she was starving was untrue. The Ellsworth home contained bountiful supplies.

Mrs. Ellsworth had expressed a desire to leave her husband, and her father, Warren Kenyon, told her that if she would get rid of Flossie, the baby, he would permit her, and the two older children to come there and live with him. Last Monday Mrs. Ellsworth told her husband that she was going to put Flossie out of the way, and then she would leave him. She burned the baby's clothing in the kitchen stove, and a ruse about the little one being kidnapped was spread abroad.

The mother cut a hole in the ice of a pond, and pushed the child under. The prisoners will be tried at the March terms of court.

REV. J. C. MADILL IN BAD ODOR.

Toronto, Feb. 10.—Toronto District Congregational Union yesterday decided to suspend Hope Church from fellowship, for extending a call to the Rev. J. C. Madill, while he was under discipline.

CONFESSED AT LAST.

Parkersburg, W. Va., Feb. 10.—About eight years ago Alexander Campbell, a farmer of this county, wealthy and old, was killed, supposedly by a dynamite explosion in the home of Dr. John B. Gorrill, on Fishing Creek, in Tyler county.

Dr. Gorrill died last week, and it has just transpired that he confessed to murdering Campbell. He says that Campbell came to collect $50 of him; that they quarreled, and he first clubbed Campbell to death, then placed him on a bed, and exploded dynamite under it.

Why will you allow a cough to lacerate your throat or lungs and run the risk of filling a consumptive's grave, when, by the timely use of Bickle's Anti-Consumptive Syrup the pain can be allayed and the danger avoided? This syrup is pleasant to the taste, and unsurpassed for relieving, healing, and curing all affections of the throat and lungs, coughs, colds, bronchitis, etc., etc.

ASSIGNEE'S SALE.

THERE WILL BE SOLD BY PUBLIC auction at the rooms of J. W. Jones, London, on Tuesday, Feb. 9, at 2:30 p.m., the stock in trade of W. W. Rampling, of South London, consisting of:

General groceries	$319 67
Shop furniture and chattels	157 97
Total	$477 54

Terms—One quarter cash at time of sale, balance in two and four months with interest at 7 per cent. per annum, secured. Stock sheets at my office, or with MEREDITH CAMERON, JUDD & DROMGOLE, Assignee's Solicitors.
ALF. ROBINSON, Assignee.
36u tx

EXECUTOR'S SALE—DUNDAS STREET store—Westminster farm. The undersigned are instructed by the executors of the will of Mr. James Williams, deceased, to offer for sale the store and premises, No. 155 Dundas street, London, fronting also on market square, 20 feet frontage, four stories and basement, at present under lease to Mr. Mara. Also the former homestead farm, containing 80 acres, more or less, being broken in front, lot No. 9, the north part of lot No. 9 in Con. 1, Westminster, delightfully situated between the Commissioner's road and the River Thames, and close to the Hamilton road bridge. Commodious house, fine orchard and small stream adapted for trout pond. Terms easy to suit purchasers. Address MAGEE, MCKILLOP & MURPHY, solicitors, etc., London. 36k tx

EXECUTOR'S SALE —OF— Household Furniture.

J. W. JONES HAS BEEN INSTRUCTED by the executors of the late Mrs. Hogg to sell on the premises, Wellington street, South London, near Clark's Bridge, on Thursday, Feb. 11, at 10:30 a.m., the contents of house, comprising sitting-room, dining-room, bedrooms and kitchen effects. No reserve. Terms cash.
33u J. W. JONES, Auctioneer.

Nicholas Wilson Testimonial.

EX-PUPILS—If you desire to join in the testimonial don't wait to be asked personally, but pay your subscriptions to me before the end of this week. List positively closes on Feb. 15.
E. W. M. FLOCK, Secretary.
Carling's Block, Richmond street. 39u xv

Notice.

NOTICE IS HEREBY GIVEN THAT AT a public meeting of citizens interested in procuring relief for the sufferers from famine in India Mr. John Pope, the city treasurer, was appointed to receive subscriptions for the India Famine Fund. All sums received by him will be duly acknowledged and forwarded to his Excellency the Governor-General, who is acting as chairman for the Canadian Relief Fund for India.
C. A. KINGSTON, City Clerk. J. W. LITTLE, Mayor.
39n eod

Parliamentary Notice

Monday, the 22nd day of February next, will be the last day for receiving Petitions for Private Bills.

Monday, the 1st day of March next, will be the last day for introducing Private Bills.

Friday, the 12th day of March next, will be the last day for receiving reports of Committees on Private Bills.

CHARLES CLARKE,
Clerk of the Legislative Assembly.
Toronto, Jan. 12, 1897. 151 x

Tenders for Brick and Tile Sewers.

TENDERS will be received at the undersigned office up to 5 o'clock on Thursday, Feb. 18, for the construction of 2,180 feet of 18-inch tile sewer on the Wharncliffe highway, and for 3,932 feet of brick sewer on King, Ridout and other streets. The lowest or any tender not necessarily accepted.
ALD. E. PARNELL, Chairman Board of Works.
A. O. GRAYDON, City Engineer, London.
8th xxv

Finis!

The Great London Election Trial Is Over.

The Petitioner Has Plenty More Charges,

But They Would Take Up Too Much Time,

And Add to the Volume of Work.

Mr. Aylesworth Asks for a Scrutiny of the Votes,

Claiming It Would Increase Beattie's Majority.

But No Decision Will be Given by the Judges Unless the Matter Is Found Important—Mr. Beattie to Go Into the Box on the 19th Section.

The great London election trial is practically at an end. This was the 21st day.

Mr. Beattie, M.P., goes into the box this afternoon, at his counsel's request, to say that he wore the white flower of a blameless life throughout the election period. Mr. Osler will cross-examine him, and expects to get through in an hour. Then the court will adjourn for good, the judges, Messrs. Osler and Aylesworth, and other officials, leaving on the 4:30 train for the east. Mr. Osler has a murder trial in Bracebridge next week.

Their lordships have reserved decision on every case, except those found proven, and are expected to hand in their judgment within the next four or five weeks, or before Parliament meets, in March. If they do not unseat Mr. Beattie on those, there will be an argument on the nineteenth section, as to whether the two charges of corruption found proven are sufficient to invalidate the election. The nineteenth section says that a trifling act of corruption may not void an election, if otherwise it was a pure one.

As Mr. Osler announced this morning, there are hundreds of charges against the respondent yet untouched, one group of which—the Hiscott case—would perhaps take a week in itself. Time would not permit of hearing it, and all further evidence would only add to the volume of testimony.

Tuesday Afternoon.

When the court resumed, Mr. Aylesworth began the argument for the defense on the Noulty case. Mr. Aylesworth impugned the evidence of Watson. Watson's letter was put into the drawer because it had laid around so long. Mr. Toothe was a lawyer, but not a fool, and would hardly put a $5 bill in an envelope in the thought that he was evading the law. At the time of going to press Mr. Aylesworth was still talking.

Continuing the argument on the Watson case, Mr. Aylesworth said it was asking too much to say that Messrs. Toothe, Dillon, and McMillan were willfully perjuring themselves. He also attacked the characters of Noulty and Watson, and asked that Tracey, Sharkey and Milligan be believed in preference. Did Sharkey look like a man who would perjure himself? Noulty's story was that of a man who, angered because he could get no money, fabricated this story and induced an equally disreputable companion to do the same.

In reply Mr. Osler said that in a previous election case, presided over by Justices Ferguson and McMahon, the election was voided on a charge of bribery by an agent, added to other illegal practices, but not by agents. This was done despite the saving clause.

Judge Ferguson (laughing)—Do you think it's fair to bring a judge's own decision before him?

Mr. Osler—Yes, my lord, sometimes it is the only way to make an impression. (Laughter.)

In reply to Judge Robertson, Mr. Osler said frankly that either Watson was swearing to what was false, or that Toothe, Dillon and McMillan were doing so. It had not been reasonably explained why there was a letter for Watson.

"I doubt if you have seen three cleaner-cut witnesses in this trial than Noulty, Watson and Holmes," said Mr. Osler.

"The case requires grave consideration," said Judge Ferguson, when Mr. Osler had concluded.

Judge Ferguson asked Mr. Osler his opinion as to the strength of the doubt which a judge should entertain in election cases.

Mr. Osler cited several authorities.

Judge Robertson said a respondent should not be unseated unless the judges were satisfied beyond a reasonable doubt that there had been a corrupt practice.

THOMAS HIGGINS.

Thomas Higgins was called upon a charge that he was impersonated at the polls by one Charles E. Higgins.

Witness said he lived on Waterloo street, corner of Wolfe, and had voted for fifteen years as an owner.

Mr. Osler said that in the voters' list, there was a name Charles Higgins, entered as owner of the property, 23 north Wolfe street.

Witness said this must be a mistake, as he was the owner of that property. He did not know of a Chas. Higgins. Witness said he did not vote at last election, as he was away on a fishing party. He had paired off with a Liberal who was also in the party.

Mr. Osler put in the poll book to show that a man professing to be Chas. Higgins, 23 North Wolfe street, tried to vote at the last election. He was objected to by Hyman's scrutineers, was sworn, took the oath, and voted.

FREDERICK HENDERSON.

Mr. Frederick Henderson said he was inside scrutineer for Hyman on election day in division 23. Mr. Jared Vining was the other Hyman scrutineer. Charles Ruse and George Granger were Beattie's scrutineers. Witness remembered a man calling himself Charles Higgins coming in to vote. Witness said that he and Vining objected strongly to the man voting, as witness knew that Mr. Thomas Higgins had previously voted on that property.

I questioned the voter about the description of the land, but he could not tell me anything about it. Mr. Ruse told me the man was all right, but I had him sworn.

To Mr. Aylesworth, witness said he was a bookkeeper at Robinson & Little's, and had acted half a dozen times as scrutineer.

Mr. Aylesworth got more than a Roland for an Oliver. "How did you know that Thomas Higgins owned that property?" he said in a fierce tone.

A.—I knew he was building on it, and that he had voted on it before.

"Answer my question! How did you know Thomas Higgins owned it? Had you seen his title deed?"

"How do I know you're Mr. Aylsworth?" said the witness promptly.

A roar of laughter at the clever rejoinder followed, and a number clapped their hands, and the high constable threatened to put them out.

CHARLES E. HIGGINS.

Charles E. Higgins sworn, said he was a lithographer. He was canvassed for his vote by a young man named Campbell, who said his name was on the list. He went to vote on election day at division 23, and remembered that somebody objected to him, and said he was not Chas. Higgins. Witness said he heard nothing about the Wolfe street property.

Mr. Osler said he would not press this case, in view of Charles Higgins' case.

MICHAEL CLANCY.

Michael Clancy said he voted last election. He knew John O. Dromgole. (Laughter.) Dromgole was at his house the week before the election.

"He asked me if I had promised my vote yet. I said 'No.' He said 'Will you vote for Mr. Beattie?' I said 'I will when you pay me for it.' Then he said, 'I'll give you $5.' I said 'I want $10.' He said he would come back on Saturday. But he never came." (Laughter.)

To Mr. Aylesworth, witness said that he always voted for Hyman, and did not take money to vote for Beattie. He would have refused the money if it had been offered him. Dromgole offered him the $5 before witness asked for the money. Witness was only joking at the time.

Mr. Aylesworth—Oh, now, don't put it on the young man.

A.—Well, don't put it on the old man. (Laughter.)

Mr. Osler quoted from the evidence of Thomas Beattie, J. R. Minhinnick and Wm. Mullins to show that Mr. Dromgole was an agent.

As it was nearly 6 o'clock court adjourned without entering on fresh charges.

Wednesday Morning.

When the court resumed this morning it was said privately that counsel had come to an arrangement by which the case would end today, and the judges be able to return east on the 4:30 p.m. train.

The petitioner's counsel think they have produced enough evidence to unseat a hundred men, while the respondent's counsel, of course, claim it has been a pure and spotless election.

JOHN O. DROMGOLE.

John O. Dromgole, sworn, said he heard Michael Clancy's evidence in court last evening. He always heard that Clancy was a supporter of Mr. Hyman. Witness said he went to canvass Mr. Clancy's vote for Mr. Beattie. Michael's brother, James, was there at the time. Witness first canvassed James, but the latter refused to vote for Beattie. Then witness canvassed Michael. Michael said he had been offered $5 to vote for Mr. Hyman, but that he wanted $10 to vote for Mr. Beattie.

Q.—Was this said jokingly?

A.—Yes; he was laughing at the time.

Witness said he told Michael he could give him no money.

Q.—Do you know anything of Michael Clancy's financial position?

A.—I understand he is worth several thousand dollars.

Witness said Michael was looked upon as a respectable man. He neither offered, promised nor gave Michael any money.

To Mr. Osler witness said the Clancys were the first he had canvassed that day.

Q.—Who did you canvass the next day?

A.—That was Sunday.

Q.—I understand they don't let up here on Sunday?

A.—I do.

Mr. Osler—Toothe's office seems to have been open on Sunday for election purposes.

Witness said he had canvassed among others Messrs. Costello, Best, Milligan, Quinn and York.

Q.—Was there not a Roman Catholic committee?

A.—No.

Q.—The voters you canvassed were of your faith?

A.—Yes; I knew them.

Witness said he had no dealings with Pat Gleason in the past year. He knew Alexander McRae, a cab driver; witness understood he was working for Mr. Beattie.

Q.—Ever talk election with him?

A.—Yes.

Q.—About any particular vote?

A.—No.

Q.—Just on the broad ground—free trade and Manitoba schools?

A.—Yes.

Witness knew John McGrory, but had not talked election with him. Witness had not received or paid out any money in connection with the election. He had made no loans.

Mr. Osler said he would not press the charge against Mr. Dromgole.

Judge Ferguson—There was no act; it seemed to be all words.

MORE ABSENT WITNESSES.

Mr. Osler then called for Herbert Boyd, Thomas Higgins and Jonah Sage, but received no response.

"Subpoenas are no good in this court," said Mr. Osler.

The court then waited for Boyd, who was telephoned for.

"Whom are we waiting for?" said Judge Robertson, after fifteen minutes spent in silence.

Mr. Osler—For a witness, my lord, who has been subpoenaed. I think the form of this court's subpoena should be changed. It should read: The pleasure of So and So's company is requested at the court at such and such a time. (Laughter.) If he sends regrets, he should not come. Those whom we have invited to attend and paid for attending did not come.

Mr. Aylesworth—Perhaps the invitation is as sincere as most of them are. (Laughter.)

HERBERT BOYD.

Mr. Boyd then appeared and entered the box.

"Why couldn't you come here direct without sending for Mr. Toothe?" said Mr. Osler.

Witness denied he had sent for Mr. Toothe.

Examined by Mr. Osler, witness said he went to see Thomas Higgins in the East End, and asked him how he voted. Higgins asked if he could get anything to do on election day, as the place where he worked would be closed down. Witness referred him to Mr. Galpin, the chairman of the committee.

Q.—Did Higgins act as constable on election day?

A.—Yes.

Q.—Did you go out to see him, and ask him to act as constable?

A.—No.

Mr. Osler uttered an exclamation of surprise and turned up the evidence given by the witness at his previous examination. He read the following extract:

"Mr. Osler—Did you go to anyone else to act as constable?

"Mr. Boyd—Yes.

"Q.—You went to see Mr. Higgins?

"A.—Yes.

"Q.—At whose request?

"A.—At my own.

"Q.—To see and get him to act as constable?

"A.—Yes.

"Q.—Did you get him to act?

"A.—Yes.

"Q.—Did he act in No. 6?

"A.—Yes.

"Q.—You got him to act?

"A.—I sent him down to the committee room."

"Now, is that right?" asked Mr. Osler, after reading the above.

"It is partly right and partly wrong," replied the witness.

"Well, it's your oath," said Mr. Osler.

Witness said he did not employ Higgins as constable, but merely sent him to the committee rooms. He denied having paid Higgins any money, or loaned him any since that time. He had since conversed with Higgins on the matter. He had not gone to hire Higgins for the band on election day.

To Mr. Aylesworth, witness said that Higgins told him he was a Beattie supporter, and witness looked on him as such.

Mr. Osler put in the poll book to show that Thomas Higgins was a voter. He also put in the returning officer's statement to show that no constable of Higgins' name was officially appointed.

Mr. Osler called for Thomas Higgins, but he got no response.

"It is unfortunate," said Mr. Osler. "The man was in the box once, but the defense was not ready, and his evidence was not taken. Now we cannot find him.

Mr. Osler argued that Boyd's act was a corrupt one. He had canvassed Higgins, and had secured him the appointment as constable. Their lordships had already found that Boyd was guilty of a corrupt act in attempting to hire Haynes as a constable. Higgins' case was exactly similar. The appointment as an extra constable was a mere blind. No extra constable was needed at an orderly poll. This came within the meaning of the statute which defined it as a corrupt practice "to endeavor to procure or to promise to procure office" to induce any man to vote.

Mr. Aylesworth submitted that there was no case. Boyd and Higgins were both of the same party, and there was no inducing to vote. In pressing the case the petitioner showed he was in desperate straits.

Mr. Osler showed that extra constables could only be appointed by the deputy returning officer in case of emergency on polling day.

Their lordships reserved decision.

Mr. Osler asked for ten or fifteen minutes' time, as he wanted to get a witness.

The Trial Closed

Mr. Osler announced that he was unable to get the witness wanted.

He added: "We have come to the conclusion that, as counsel, we should rest our case where we are. We have many other charges, some of which we believe are sustainable. But they would take many days. One group of charges similar to the attic, we think, would take five or six days to try. We feel there are now a large number of cases waiting your lordships' conclusion.

(Continued on Page 6.)

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