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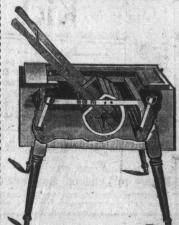
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MAHAFFY RETAINS SEAT

Muskoka Protest Against Conservative M.P.P. Fails.

Thinks the Election Was Fairly Conducted-Little Money Involved in Sporadie Cases of Bribery or Attempted Bribery in the Constituency-Petition

Bracebridge, Sept. 9.—The petition against the election of A. A. Mahaffy for Muskoka was yesterday morning dismissed with costs. The morning dismissed with costs. The cross-petition was also dismissed. A great number of charges were gone into yesterday morning; but in none of them was there even the suggestion of evidence of corruption. The hearing, which has lasted three days, brought out only five cases which brought out only five cases which ording tout only live cases which could possibly be construed into corruption, and these were of a trivial mature and open to question. His Lordship's charge at the close of the case was as follows:

"We have occupied three days with this enquiry and there has been no lack of diligence and energy on the part of the petitioner in bringing out the evidence. It does appear that very few cases have been proved. A very few cases have been proved. A great many of the charges have fallen through. At present there appear to have been five corrupt acts, or illegal acts, found. Charge No. 49 was proved, that payment was made for a rig by W. J. Lamb. Charge 51 was proved, that expenses of a voter back from poll were paid by Lamb. Charge 46 was proved, showing a corrupt promise by Coates to Dodds. Charge 84 was proved, showing a corrupt offer of \$5 to Martineau by Crump. Charge 56 involved Lamb in another matter of a payment of \$5. As to this we reserve judgment. The disposition of it does not affect the general disposition of the case itthe general disposition of the case it

being proved, it remains to be con-sidered what the effect of this is now if these matters were all brought if these matters were all brought home to an agent. We both think that it is a case in which the first and second section of the statute may well be applied, that is to say, Mr. Mahafly is exempt personally from any blame, and whatever wrongdoing has been shown on the part of Lamb, Coates and Crump, assuming that they were his agents, he had no personal knowledge of their misdoings. The application of this section, 172, depends upon the circumstances of the case. Where there is a small majority a few cases may be small majority a few cases may be quite enough to upset the result, if they are shown to be acts of agents; but where the majority is large, as in this case, the cases proved will not justify voiding the election and putting the constituency to all the expense and trouble of a new elec-

"The statute was passed with the "The statute was passed with the intention of preventing the expense and trouble of a new election in just such a case as this. Then we have to examine the character of the acts themselves. The agents involved in the charges proved are not the chief agents, as in some other cases, where the chief agent, who was the man who had the whole handling of the campaign, was shown to have been spending large sums of money. The Simcoe case is the one I am thinking of, where the majority was small. ing of, where the majority was small.

The acts might be expected to have affected the result. Little money was involved in these cases. The acts involved in these cases. The acts were of a trifling character, such as a payment for a rig and a payment of a voter's expenses home. Others were of a character difficult to prove; but they were all sporadic cases of an isolated nature and it was not shown that there was any widespread wrongdoing. It simply appears that the election on the whole has been conducted fairly, and only in four or five cases has wrongdoing been proved. It would be a case in which the provisions of clausar 1 and 2 may very properly be applied, and the result is that the petition is dismissed with costs. We will confider whether there shall be any world in regard to charge 56, which has been reserved for judg mark. It would be only a small proportion, however. The cross-petition, inderstand, will not be pressed and in the last of the costs."

DECLARE THEIR POLICY.

Ontario Liberal Conservative Association Puts Itself on Record-Mr. Whitney

Toronto, Sept. 9.—At the annual meeting of the Ontario Liberal-Conservative Association, held here yesterday, several resolutions were passet of the control terday, several resolutions were passed. One moved by W. C. Mickle and T. B. Carling was in condemnation of the latest acts of the Ross Government to retain power; another by Dr. Noble and J. B. Sharp expressed strong approval of the leadership of Mr. Whitney, and another by Ald. Foster and Mayor Ellis of Ottawa, expressed confidence in R. L. Borden, M.P.

Declaration of Policy.

The following resolution, moved by J. B. Walker and seconded by Major Beattle of London, declared:

"That this association declares its firm faith in the policy of adequate protection for the farmer and urban worker and its regret, that the Government at Ottawa is unable to take the national view of the industrial situation and to accord to all our great industries, whether that of

agriculture or that of the factory, the degree of defence they deserve. "That this association is of the opinion that an agreement can be

opinion that an agreement can be reached under which Canadian interests shall not be sacrificed while at the same time the preferential system advocated by Right Hon. Joseph Chamberlain may be put in force. A preferential understanding between Canada and the Mother Land would be of vast interest to both, in that it would increase trade ruption."

Calls for Mr. Gamey were general

Calls for Mr. Gamey were general between them and strengthen the tie which unites them. If able men of the calibre of R. L. Borden be apthe party and its leader.
E. B. Ryckman, treasurer, showed the necessity of funds to carry on the election trials. The association

pointed to negotiate on the subject it is certain that an agreement help-ful all around can be reached. "That this association deplores the great increase in the Federal taxes and expenditures and is the more surprised that such tremendous ad-ditions should be made by politicians "viewed with alarm" the much smaller expenditures of the Liberal-Conservative period. That this associ-ation believes in the proper administration of public affairs, but is of the opinion that the doubling of the expenditure by men who promised to cut it down is unwarranted.

The Grand Trunk Pacific. "That this association commends the patriotic stand taken by Mr. Borden and his colleagues on the sub-ject of the Grand Trunk Pacific Rail-way. The historic policy of the Libof Their Pay Cheques Himself. Brantford, Sept. 9.-A big sensa-

ject of the trang Trum a way. The historic policy of the Liberal-Conservative party is to move along progressive lines and to add to the facilities for settlement and trade with a due regard for the results of the people and their abilsources of the people and their abil ity to pay. The proposition to tax Canadians \$150,000,000 for a new railway when the same could have been secured for an infinitely smaller sum is improvident and unwise. The proposal to give so much of the pub-lic money for a property which the private company is to own is with-out precedent. This association ap-proves of the wise policy of Mr. Bor-In pursuance of his duties, Gartung en, under which it is laid down as a principle that if the country pays so much for the road it ought to own what it buys. It is the opinion

straightening out the tangle, and especially that the absurdity of allowing four politicians who know nothing of railways to build the \$75,000,000 section in the far north be put a stop term. \$75,000,000 section in the lar north be put a stop to.

'That this association deplores the degradation of the public service un-der which men of the type of Lord Dundonald and Auditor-General Macdougall are hunted from office while such persons as W. T. R. Preston and his colleague, Jackson, are drafted into the Civil Service and are thus paid for offences against the people. pard for offences against the people. The carrying of the spoils systems to this limit is a danger and a disgrace to the country."

Officers Re-elected.

of this association that the question of the G. T. P. requires to be examined by men of the business ability of Mr. Borden, with a view to

Officers Re-elected.

The officers of the Association, who were all re-elected, are: Mr. J. J. Foy, M.P.P., president; Dr. Beattie Nesbitt, vice-president; Mr. A. C. Macdonell, secretary, and Mr. E. B. Ryckman, treasurer. Mr. Borden and Mr. Whitney are hon. presidents.

Wen't Tolerate Saw-Offs.

Mr. Whitney said the result of the ection trial in Muskoka was a cause for congratulation. After touching briefly on provincial issues, the pro-vincial Conservative leader announc-ed his opposition to the saw-off arrangement of election trials. "We've rangement of election trials. "We've been told we bargained in North Perth," he said, "but it's an absolute falsehood. Counsel for the petitioners called witnesses and a charge was proved and Mr. Brown got down. There was no bargain that this should be done. I've declared I'll be a party to no saw-off, and I won't. No party solicitor or other person will have my confidence if this thing is done." (Applause.)

Should Be Above Beard.

Mr. Whitney suggested that a sufficient sum of money be deposited in the bank against contingencies such as the expense of carrying on the election trials, "And everything should be open to the world," he added. Speaking of the last session of the Legislature he referred to the \$2,000,000 "thrown into a bottomless pit in order that two members s2,000,000 "thrown into a bottom-less pit in order that two members might not stand up and vote against the Government." He declared that Liberal members who voted for the Soo loan had previously denounced the scheme and urged Conservative members to defeat the "iniquitous measure."

clergymen would stand up and say there was a spirit of moral deadness in the province; "Yet," said Mr. Whitney, "there has not been a clergyman to denounce the monstrous acts of these men." cts of these men."

In North Perth Mr. DuVernet read

In North Perth Mr. DuVernet read from an affidavit of unseated Liberal member that there were 16 Government officials who were his agents in the election contest. This gave an idea of the utter shamelessness of the men the Conservatives are fighting. He believed the Provincial Government would not go to the pulls until it was compelled to, but indications pointed to an early Dominion election. The party had reason to congratulate itself on the policy outlined by Mr. Borden and on his ascendancy.

ancy.

Mr. Gamey had done splendid work, and wherever he had been the bulk of his listeners had gone away with the opinion that his story was true. What did Balfour and McKim do that Gamey did not do? he asked, referring to the bribery plot of years are. ago.

Dr. Sproule, M.P., urged Conservatives to get ready for an election.

The personality of the Government

was the weakest since Confederation, and there was not a good third-rate man to represent Ontario. Of the Ontario contingent, Sir William Mulock was the best. Touching Ontario affairs for a moment. Dr. Sproule declared "You have corralled the herd, lassed their bunco leader and branded him with the trade-mark of corruption."

and he spoke for two minutes, saying what he had done was on behalf of

was appealed to and several member guaranteed that their riding associa-tions would do their duty.

GARTUNG IS IN HIDING

Warrant Issued For His Arrest on Charge of Embezzlement.

aperintendent of Canadian Order of For esters, With Headquaters at Brantford, Said to Have Stelen Over \$2,000 Said to Have Appointed Mythical Organizers and to Have Drawn Amount

tion was sprung in this city yester-day, when it became known that a warrant was issued for the arrest of Ernest Gartung on a charge of em-bezzlement. Gartung was superintenbezziement. Gartung was superintendent of the organization department of the Canadian Order of Foresters, with headquarters in this city. He left the city hurriedly Wednesday night, and the police have as yet no knowledge of his whereabouts. The amount of shortage is not exactly known, but will probably be considerably over \$2,000.

In pursuance of his duties, Cartung or the control of the con

In pursuance of his duties, Gartung journeyed all over the province appointing county organizers. These organizers were paid by cheque upon receipt of a voucher from Gartung. It is alleged that Gartung appointed fictitious organizers, sent in the vouchers and then cashed the cheques for himself in some clever manner. It is also charged that he got ahead of the Order on his experience. of the Order on his expense account.

Auditors have regularly examined the books, but since the vouchers were correct nothing was suspected until recently. It is understood that cheques came back from a mythical organizer named Langdon at Alexandra, with Gartung's endorsation. with Gartung's endorsation. Wednesday Gartung was up on the carpet before one of the Order's officials, and the hearing was adjourned till a later hour, but Gartung failed to show up. The police were notified about 7 o'clock Wednesday evening. Gartung has been in the employ of the Order for twenty years. He was one of the most trust-ed officials, nothing being suspected till very lately. Gartung has a wife and two children living at New Ham-burg. His predicament has occasion-ed much regret in this city, where he was well known and much respected, as he was throughout the province. At present many officials of the At present many officials of the Order are in the city examining the books of the Order. It is claimed more shortages are being found, but the amount will in no way affect the Order, as a guarantee company is liable. Before leaving, it is known that Gartung procured a revolver.

STANDARD FOR DENTISTS.

Toronto, Sept. 9.—At the final meeting of the Canadian Dental Assembly the scheme for the formation of a Dominion Dental Council was approved of. Representa-tives from each of the provinces met and drew up a plan for the estab-lishment of the Council, which will have power to grant certificates that will be accepted in all parts of the

Dominion.

The other business of the meeting was reading of a technical paper by Dr. Loveau of Paris, France, which provoked considerable discussion of a most beneficial character.

The election of effects was they The election of officers was then

proceeded with, the result of which

President, Dr. Dubeau, Montreal vice-president, Dr. S. W. McInnes, M.
P.P., Brandon; secretary, Dr. Morrison, Montreal; treasurer, Dr. W. G.
L. Spaulding, Toronto; registrar,
Dr. G. K. Thompson, Halifax. Committee, F. W. Ryan, Nova Scotia;
Frank A. Godseau, New Brunswick;
F. A. Stevenson, Quebec; G. E. Hanna, Ontario; W. F. Taylor, Manitoba;
W. D. Cowan, Northwest Territories;
F. A. Lefugey, Prince Edward Island.

Toronto, Sept. 9.—A. Covne, 15. Wood street, a painter, employed by the Polson Iron Works, while working on a scaffold, fell 20 feet to the ground, lighting on his shoulders. He was removed in the ambulance to Grace Hospital, where it was found that the shock had caused paralysis.

To Accept Russia's Offer. Ottawa, Sept. 9.—Hon. Raymond Prefontaine, Minister of Marine and Pisheries, states that the offer of the Russian Government of \$46,000 in settlement of the Canadian sealers' claims against Russia, would prob-ably be accepted.

Chicogo Strike Ends.

Chicago, Sept. 9.—President Don-nelly of the Butchers' Workmen's Union has declared the Stock Yards strike at an end.

MOVEMENT TO TIELING

to Be Significant of a Coming Battle.

Admit Less of 17,000 Men in Ter Days Fighting About Linoyang -Report That Gen. Kuroki Has Been Shot Ir Unconfirmed-Kurepatkin is Overwersed Will Now Be Given Help-Russia

St. Petersburg, Sept. 9.—Besides the formation of two fresh army corps as the first answer to the Ja-panese successes at Liaoyang, the Russian army at the front will be reorganized, probably in the form of two armies, in command of General Linevitch and General Baron Keu-bars, respectively, with General Ku-ropatkin as commander-in-chief, Gen. eral Kaulbars will go out with tha two army corps now organizing in the Governments of Kazan, Odessa, Vilna and Kieff. General Linevites has been ordered by telegraph from Vladivestock to Nuclear Physics of the Corp. Vladivostock to Mukden. This decision is due in part, doubtless, to the growing unwieldiness of the big force under General Kuropatkin's com-mand, and which will be largely in-

creased by constant reinforcement.

General Kuropatkin heretofore has handled every detail of the vast organization. The work is too much for one man, and he is now almost broken. en down under the strain.

A Coming Battle.

St. Petersburg, Sept. 9.-General St. Petersourg, sept. 9.—ceneral Kuropatkin reports, in a telegram sent Wednesday evening, that he had not lost a single gun in his retreat, and that Kuroki is on his east flank and 'Oku on the left, and officials here surmise that a big battle may be fought if the Japanese continue to press on to Mukden. The story of bad roads and hampered transport is repeated, and from Mukden, in the last despatch received, comes the significant intimation that "there is an interesting movement towards "ling," the nature of which is not

MINE A MILE LONG.

How Russians Are Said to Have Blown Up

Che Foo, Sept. 9.—A Japanese column, numbering approximately 700 men, while marching along at night on a road in the valley between Long Hill and Division Hill, met a frightful disaster through the explosion of an electric land mine Sept. 7. The mine was carefully laid the the Bussiens three weeks ago. It covered nearly a mile of available marching space. The explosive was marching space. The explosive was placed at the bottom. Rocks were placed next, and on top of these clay was packed so carefully that the ground gave the impression of not having been disturbed. The indi-cations of Japanese activity in this vicinity put the Russians on guard. Near midnight the outposts rushed in and reported that the Japanese were approaching. The Russians withheld their fire for some time. they threw a searchlight up the val-ley. The Japanese opened with a rifle fire. The Russians waited until apparently the whole Japanese column was in the danger zone. Then the mine exploded. The force of the explosion knocked a number of Russians down, and the sight of Japanese rifles, water bottles, legs and arms hurling through the lighted space made by the scarchlight was an awful spectacle. Some rocks landed inside the Russian lines. There was one appalling moment, during was one appalling moment, during which the garrison itself was stun-ned, then a deathlike silence. The searchlight coldly lighted up the road and hillsides strewn with dead.
The following day the Russians buried the dead, but owing to their dismembered and mutMatted condition membered and mutilated condition the Russiahs were unable to accur-ately estimate the number of killed. A few Japanese escaped, however. The foregoing information is con-tained in a small sheet issued by The Port Arthur Novikrai, a breakage in the bress having made it impossible



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to issue a full edition. The Chinese to issue a full edition. The Chinese arriving here at midnight confirm the above to the extent of saying that they heard a report that many Japanese had been killed by a mine. On the nights of Aug. 26 and 27 a similar disaster befell the Japanese near Redoubt No. 2, it is reported, but details have not been essentialized. details have not been ascertained.

Kuroki Reported Dead.

Mukden, Sept. 9 .- News of the fight at some point between Shakhe, 11 miles northwest of Liaoyang and Mukden, is hourly expected. Among the reports current here is one to the effect that Gen. Kuroki has been killed and that two Japanese generals have been made prisoners, but no one seems to know where the reports originated and no confirmation is ob-

Lost 17,000 Men. St. Petersburg, Sept. 9.—The best information of the War Office indicates Kuropatkin lost about 17,000 men during the ten days' battle Liaoyang.

The faultless man is usually friend-The state of the s

What's life worth to the man who is too much of a slave to work to look out on it?



the press having made it impossible

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