

ONE OF THE HEROES A HALIFAX BOY.

Letter from Omdurman Written by Lieutenant Ernest Lewis, of the 21st Lancers, After the Famous Charge.

An interesting letter has been received by Dr. Lewis from his son, Lieutenant Ernest Lewis of the 21st Lancers, the corps which immortalized itself by its famous charge in the battle of Omdurman.

OMDURMAN, Sept. 24, 1898.—This is the first chance I have had to write, and as we march to Ababa this afternoon, on our return journey, I can only send you a few lines.

On the 24th, and on the 21st we came into town with a small party camped near—about eight miles from Omdurman. The gun boats came up and advanced in reconnoitering formation and found the whole

of Omdurman. We fell back on the Egyptian cavalry (a small corps) and held on to our position. Our infantry then came up and were ordered to advance, but the order was afterwards cancelled. We were not attacked during the night. Between 1:30 and 2 on the morning of the 2nd the enemy advanced.

MAGAZINE, 15-9-98.—I had to break off in a hurry and have not had a chance to write to you. I am resting here today. Expect to be at Ababa in four days. I had got to the point where the dervishes throw back their right flank. We were sent out on our left flank.

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were De Mohrenrency, Taylor and myself. The others have been put on baggage at different places, and drifted down. We got one back today. The older men do much better. I have had several bad days, but am doing pretty well now.

HOME FROM MONTANA.

Coles Vanwart, Who Left Here Over Forty Years Ago,

Tells the Sun Something About Life and Things in the West and on the Pacific Slope.

Coles Vanwart and wife of Helena, Montana, are in the city, the guest of Mr. Vanwart's sister, Mrs. D. W. Vanwart, mother of the Vanwart Bros.

Mr. Vanwart, who was a former resident of York county, is accompanied by his brothers, Rev. Thos. Vanwart of Millville, York Co., and William Vanwart of Etnes William. Mr. Vanwart left this province 43 years ago and went to San Francisco via Panama.

Speaking of his arrival at the California metropolis, Mr. Vanwart related many exciting incidents connected with the regime of Judge Lynch and the vigilance committees. In this connection Mr. V. stated that he arrived in "Frisco" at 11 a. m., and at between one and two o'clock the committee hung their first

two victims. He was an eye witness of many of these violent scenes. For three years he engaged in placer mining in California with considerable success, and then came back to this province. Here he spent three years, and then in company with William H. Vanwart, John Moffatt, Henry McNelly and John G. Vanwart, now of Calgary, went west again this time to Montana. At Helena, where he has lived for over thirty years, he has occupied himself with cattle raising and mining.

Mr. Vanwart last visited this city seventeen years ago, and as is only to be expected, notices many changes. While these changes have been marked in regard to this city and province, Mr. V. says that the district around Helena has experienced a sweeping change. The population has multiplied seventeen times, and cattle and sheep interests today are worth more than ever before.

The entire west, Mr. V. says, is experiencing a boom just at present. Cattle that three years ago would only bring \$5, he sold on his own ground for \$45, while sheep that were offered for 25 cents to \$1.00 are today worth \$3. A young man, Mr. V. says, could not do better than go into the sheep business, but without sufficient capital to start right it would be better to stay at home.

Speaking of New Brunswick men who have gone to Montana, Mr. V. says that generally they have done well. He particularly mentioned a Mr. Worden formerly of Grand Falls, who is now located in Missoula, and is being boomed for the state legislature.

Mr. Vanwart, who is credited with having made a comfortable fortune by hard work and industry, will spend about ten days in the city before going west again.

MUSQUASH NEWS.

MUSQUASH, St. John Co., Nov. 3.—The funeral of the infant child of George and Jennie Rease took place from his father's residence last Sunday at 2:30 p. m. The service was conducted by the Rev. H. E. Spike.

The sad news has reached here of the death of Harry Mealy, a few weeks ago, caused by typhoid fever, at Portland, Maine.

W. J. Dean intends moving into his new house about the middle of this month.

Miss Hattie Spike and Miss Nellie Anderson drove through to Mace's Bay, Charlotte Co., recently.

Miss Perry of Boston, Mass., is visiting her sister, Mrs. W. J. Dean.

The Organmen of Ruelagorish, Sundry Co., are erecting a hall 22x28 feet.

PROHIBITIONISTS.

Laurier Received a Delegation Thursday Afternoon.

The Premier Gives the Views of the Cabinet on the Question.

The Plank in the Liberal Platform—Major Bond and the Quebec Vote.

OTTAWA, Nov. 3.—Sir Wilfrid Laurier received the representatives of the prohibitionists at 11 o'clock today, with honeyed phrases, so that the delegation went away in mighty good humor. But when they emerged from the parliament buildings, bought copies of the local "material" organs, and read the decision of the ministry, which Laurier had not announced, their hopes were dashed to the ground.

The Free Press announced: "Considering the fact that not one quarter of the electors of Canada have any idea of prohibition, the government does not feel warranted in going any further in the matter."

The ministers present were Laurier, Cartwright, Fisher, Fielding and Sirton. Rev. Dr. Carman, superintendent of the Methodist church, introduced the delegation, which included two hundred representatives from five of the seven provinces, British Columbia and Prince Edward Island telegraphed their sympathy and support.

The speakers were F. S. Spence of Toronto, Major Bond of Montreal, Dr. McLeod of New Brunswick, Rev. Dr. G. W. Winnipic, Mr. McClure, M. P. for Colchester, N. S., Miss Annie Rutherford and D. J. O'Donoghue of Toronto.

Sir Wilfrid Laurier, in reply, said the members of the prohibitionists had been delegated by their colleagues to receive the deputation. He greeted fully with what Mr. Spence had said, that the vote recorded in favor of prohibition was a pure, a clean and a disinterested vote. The prohibition plank was not a new one. It had been before the people for a very long time. Both political parties had not accepted it in its entirety up to this time.

Both had rejected it in its entirety. He said before him several gentlemen who had attended the Ottawa Liberal convention of June 1893. They had pressed upon him, as leader of the party, the advisability of the liberal party advocating such a reform. He was bound to be frank and candid.

He was not a total abstainer, but being a teetotaler, he had the idea that in a country like this we must have a broad national sentiment, he had no hesitation in saying that he could be satisfied to see the vote taken, and he would be enlisted in favor of such a cause, which in itself was a good moral cause. He, for his part, would have no hesitation in sacrificing his personal views and inclination and submitting to the will of the majority. (Cheers.)

The prohibition plank was put in the liberal platform, and he was well aware that the prohibitionists would not ask for that plank, but it was because the liberal party wanted a frank and honest expression of the views of the people that it had been decided to take the vote. It was a majority of votes recorded in favor of prohibition. He agreed with Mr. Spence that the vote was, under the circumstances, a large one, yet it did not involve a majority of the electors. He was a responsible member of the government, and he would be glad to see the vote taken, and he would be glad to see the vote taken, and he would be glad to see the vote taken.

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prohibition would simply mean displacement of taxation. Possibly Major Bond and his friends in Quebec were not altogether free from blame for the result in that province. They had allowed the campaign to be all on one side. He was not aware of any prohibition meetings in favor of prohibition outside of Montreal or St. Hyacinthe. Certainly they could not look for any other result in Quebec. He presented for consideration not stand alone. The vote of Quebec had to be considered along with that of all other provinces. (Hear, hear.) More than this they could not expect him to say at present. The views of the deputation would be laid before the government. He thought this was too important a question to be trifled with. The government would take an early opportunity of communicating their views in reference to the representation made to them. (Cheers.)

Rev. Dr. Carman thanked the ministers for receiving the deputation. In conclusion he said: "We expect large things of a strong government."

The cabinet sat until nearly midnight, conferring on the question of the details of the details of legislation may be thrashed out while Sir Wilfrid, Sir Richard and Sir Louis are at Washington.

MYSTIC SHRINE.

Two Car Loads of Members of Kora Temple,

Of Lewiston and Auburn, Maine, Visit St. John and Are Welcomed at the Institute by the Acting Mayor.

A special train over the Maine Central and P. R. arrived in the city Wednesday afternoon shortly after half-past five o'clock with the Mystic Shriner, who are on their annual pilgrimage, having selected this city as their objective point this year. The party, nearly two hundred in number, occupied two cars, which, with a baggage car, made up the special.

Dr. Geo. A. Hetherington, G. Gordon Boyne and W. C. R. Allen, who are members of the temple, met the visitors at the line and accompanied them to the city. As soon as the party left the cars, they gathered around two silk flags, the Union Jack and Stars and Stripes, and gave vent to their feelings in prolonged cheers. Then with the flag-bearers in advance, they marched through the city, through the streets of Lewiston and Auburn, and about to Mill street and proceeded by way of Union and Peel streets to the Mechanics' Institute, where they assembled in the auditorium. Here Dr. W. W. White, deputy mayor, and Mr. W. W. White, Major Armstrong, and a few others were waiting for the party.

After all were seated and the two standards, the Union Jack on the right and the Stars and Stripes on the left, were placed at the front of the platform, a few of the principal dignitaries, including Geo. D. Babbitt, illustrious parliamentarian, Mayor Newell of Lewiston, and Deputy Mayor White, Dr. Hetherington, W. C. R. Allen and G. Gordon Boyne, stepped on the stage, where without any introductory remarks, Dr. White advanced and extended a cordial greeting to the visitors.

G. D. Babbitt, the illustrious parliamentarian, thanked the deputy mayor for the royal welcome, and called upon Mayor Newell of Lewiston, a prominent Shriner, to respond.

Mayor Newell was greeted with loud cheers as he responded to the welcome of the deputy mayor.

These cheers were then called for by the Union Jack and the Stars and Stripes, and once more went up a mighty shout, which was once more heard as both flags were waved together.

In three divisions the shriners then marched to the Royal, Victoria, and Dufferin hotels.

On the American flag, that in company with the flag headed the procession was the inscription: "Lewiston Commandery, No. 6, Lewiston, Me."

The Boston Herald of Nov. 1st devotes nearly a column of space to this case. Among other things it says: "Bonnell lost no time in following to Boston, and after the arrest of Mackay he and Mr. Sweeney, general manager of the Market National Bank of Boston, through which institution it was sent to the New Orleans National Bank for collection."

This information was learned here too soon for the plaintiffs' lawyer had only time to intercept the winning ticket in New Orleans by telegraph, and there it is now, with the prospects of a lively fight over it. Mr. Sweeney has had it relieved, and it will be a long time before either the original owner or the man into whose possession it came afterward will get the money on it. The case promises to be very lively and interesting all the way through. It is the second case of the kind that has come to the attention of our courts. The last one was in 1896, when a lucky ticket, stolen in Boston, was recovered in New Orleans, the case was fought out in New Orleans, and the prize from whom the ticket was stolen received the winnings.

G. Perkins, the agent of the Honduras Lottery company in this city, left yesterday afternoon for Boston upon receipt of a telegram requesting his presence in that city. He will probably be asked to give evidence in the investigation to the above dispute. W. B. Wallace, the legal adviser in this city of the St. John syndicate who claim the ticket, told a Sun reporter yesterday that it was not improbable that an effort would be made to extradite Mackay. However, this is a matter that will depend upon future developments. Mr. Wallace appears well satisfied with the proceedings so far, and points to a precedent that while the bank may have made an advance, that the Honduras company will, as the Sun stated some

MACKAY IN JAIL.

Held on Information of Bonnell and Other St. John Men.

The Honduras Lottery Ticket the Cause of All the Trouble.

He Was Given a Private Hearing and Then Sent Back to Jail.

BOSTON, Mass., Nov. 1.—John Mackay of St. John is locked up in the Suffolk county jail here, pending further developments in one of the most peculiar cases ever before a Massachusetts court.

Mackay is held on a meagre process, the complaint being Robert S. Bonnell and others of St. John, who are worth thousands of dollars, and on a Honduras lottery ticket, which won a prize and which was obtained by unfair means in that city.

It was learned today that a private hearing was held in the poor debtors' court here yesterday morning before Judge Brown to take Mackay's application to take the poor debtors' oath. Bonnell et al were represented by Attorney James Sweeney.

Charles Smith of the Market National Bank was one of the principal witnesses. He said that while the lottery ticket was sent for collection through a private matter, but the bank people in New Orleans say that the Market National Bank, officially, sent it to them for collection. The result of the examination was that Judge Brown decided that Mackay was not a resident of Boston and that he had not proven that he did not intend to leave the state, and therefore Mackay was turned over to Deputy Sheriff Maguire and again taken back to jail.

Attorney Sweeney says he intends to ask the grand jury at its next session to prefer a criminal charge against Mackay on the allegation that he stole a trust valued at fifteen thousand dollars.

Mackay says he will come out of the case on top, and does not fear that he will be indicted.

Mr. Bonnell has learned that the winning ticket was sent to a New Orleans National Bank for collection, where it has been replevined by him. It may be several months before the money is paid on it. Mr. Bonnell is determined to fight the case to the bitter end.

From the present outlook it will require at least several weeks to settle the case.

BOSTON, Mass., Nov. 2.—The Mackay-Bonnell lottery case, which already figures in two countries, may extend to a third. The Honduras Lottery company have given notice that they will not pay the money on the fifteen thousand dollar ticket in dispute until the rightful ownership is determined. A hearing will therefore likely have to be held in Honduras, the legal home of the company. James F. Sweeney, attorney for Mr. Bonnell, said this afternoon that he expected to leave for New Orleans, where the ticket has been replevined in a few days. He will see the Honduras people there, when future action relative to the ownership of the ticket will be decided upon. Mr. Bonnell is still in this city, and may go to New Orleans to see Mackay, who has not secured bail, and was still in jail tonight. Victor Loring is Mackay's counsel. The decision of the judge that Mackay had not proved he does not intend to leave the state does not prevent him from going into court to take the poor debtors' oath. Sheriff C. Brien says this course is open to him. Even if Mackay is discharged he will be no nearer the fifteen thousand dollars than he was before. It develops that, when in court, Mackay said he was married. He modified the statement later, saying he was engaged to be married to his housekeeper, who came here with him, accompanied by her daughter.

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days ago, make a thorough investigation before paying a cent to anyone. Mr. Wallace says that the syndicate have no doubt of the result.

BOSTON, Nov. 3.—John Mackay is still in jail tonight. No further hearing yet.

ONTARIO AND QUEBEC.

OTTAWA, Nov. 1.

A farewell banquet was given to the governor general by the citizens of Ottawa at the Russell House this evening. Judge Macpherson presiding. The function was somewhat exclusive. After the usual loyal toasts, the chairman proposed the health of the guest of the evening in eulogistic terms. Lord Aberdeen, who received a splendid greeting, spoke at considerable length in reply. His observations consisted of a review of the history of Canada during the past five years. Incidentally he touched upon his relations with several prime ministers, and expressed the hope that there would be no further friction on those matters which touched the religious feelings of the community. Proceeding the governor referred to the better understanding now existing between Canada and the United States. The most striking portion of his speech was that of which he referred to the position of the civil service, and urged that politics be kept out of the public service. He would like to see the patronage system abolished and positions in the public service acquired by competitive examinations. He urged ample encouragement to the judiciary. The governor general then alluded to the different organizations with which their excellencies names had been prominently associated, such as the National Council of Women, the Victoria Order of Nurses, and the Aberdeen Society for the dissemination of good literature among settlers in the Northwest, and bespoke for these organizations the sympathy of the public. He concluded with a friendly adieu to his successor. Other speakers followed.

OTTAWA, Nov. 2.—B. B. Tyrrell, the well known member of the geological survey staff, has resigned to go into mining in the Yukon district. He has just returned from the district, having been sent there by the department in the spring.

The students of the Ottawa university, 450 strong, with the college band, visited Rideau hall this afternoon to say good-bye to their excellencies. Tonight the course presented a farewell address, after which the citizens generally said their farewells. The function took place in the senate chamber.

Mrs. Townsley, president of the Ontario W. G. U., delivered her annual address to the convention, according to custom and pointed out the anti-prohibitionists, especially of Quebec. She said in part: "No other province can touch this one of foreign extraction, for illicitly. Nearly one-half of the entire population, according to the last census, cannot write. Here are the exact figures: 784,026 can read and write; 730,880 must sign with a cross. Leaving out those under ten years of age, there are 274,904 who have no education at all, and 65,000 who can read, but not write. It is that is not for this country an unparalleled record of ignorance, where would you find one; among 784,026 tabulated as having rudiments of an education will be found a fair minority of us to-day and to-morrow, as the general run are not, in the common acceptance of the terms, reading or thinking people. Adding this lack of intelligence to the mercenary disposition of this people and you have a soil in which the demagogue and political treacher would flourish. We are, therefore, not surprised to learn that the liquor argument consisted of an appeal to race, creed and political bias."

Frank Chubb, Powell, of O. R. T. and Blais at Chateaufort saw the minister of railways today and secured his promise to fix an early day for a meeting to discuss the I. C. R. telegraphers' grievances, with a view to adjustment. As the minister gave all his chief officers present, the conference will take place at Moncton.

This efficiency returns of the field batteries show that Quebec stands first; Toronto, second; Hamilton, third; Ottawa, fourth; Newmarket, according to the list; Woodstock, fifteenth.

MONTREAL, Nov. 2.—The leading officials of the Intercolonial railway from Moncton, N. B., including D. Pottinger, general manager, according to the list; Woodstock, fifteenth.

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HEADQUARTERS FOR GUNS AND SPORTING GOODS.

Davenport Single Barrel Breech-Loading Guns. Belgian and English Double Barrel Guns. Winchester and Marlin Rifles. Hazard's Celebrated Black Powder. Eley's Job. Brown and Green Cartridge Cases. Caps, Wads, Dominion Trap Shells. Winchester Blue Rical Shells. Schmitze Smokeless Powder. Shot Cartridges of all kinds. Shells filled to order with Hazard's Celebrated Powders. Gun Tools. McEwan's Scotch Golf Clubs. Silverton Golf Balls.

W. H. THORNE & CO. Limited, MARKET SQUARE.

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EXCHEQUER COURT.

Judge Burbidge Finds Against Crown in Tyrrell Case.

Claims Fifty Thousand Dollars Damages from the Government.

A Case Arising Out of the Accident on the I. C. R. at Palmer's Pond in January, 1897.

Evidence of the Hon. Dr. Borden, Minister of Militia, Who Called by the Suppliant

Tyrrell v. the Queen was taken up when the exchequer court opened Friday morning. This is a claim of Frank Tyrrell of St. Stephen for damages for the improper seizure of a grey mare, pump and harness in January, 1888. The seizure was made by Officer Bonness on the ground that the rig was being used in smuggling.

Wm. Tyrrell, a brother of the suppliant, corroborated these statements. Wm. Pugsley, Q. C., and J. M. Stevens appear for the suppliant, and A. O. Barle, Q. C., and E. H. MacAlpine for the crown.

The case of H. H. Colpitts, hotel manager of Elgin, against the Queen was next taken up. C. N. Skinner, Q. C., and A. W. Macrae appearing for the suppliant, and Wm. Pugsley, Q. C., for the crown.

The suppliant was injured in the Palmer's Pond accident, near Dorchester, on 28th January, 1897. He claims that there was on the train a postal and express car improperly loaded, and that by means of the negligence in the loading of the car, the defective construction of the car, and the running of the train at a high rate of speed inconsistent with the safety of the train when so loaded, the train was derailed and the suppliant injured. He claims \$50,000.

The crown denies generally all of the suppliant's allegations. It alleges that the injury was caused by a pure accident. The cars were said to have been those of the Canadian Pacific Railway and under the exclusive control of that railway.

Hon. Dr. Borden, the first witness called, was examined by C. N. Skinner, Q. C. He said that he was on the train on 28th January, 1897. He took the train at Halifax and continued on it until the time of the accident. He was in the Pullman, the back car, on the train. There was a sharp grade towards Dorchester and Sackville. At the time of the accident the train was on a down grade. He was lying down in the centre of the car. He was reading until shortly before the accident. He found it difficult to read and stopped. He looked out of the window. It was the great speed which drew his attention. The swaying of the car indicated great speed and curves. He felt the oscillation was very great. He judged the speed was 40 miles an hour.

He testified as to the details of the accident. He thought all the cars went off at one point on the same point. The suppliant Colpitts was near him at the time of the accident. At first Colpitts did not appear to be much hurt. He assisted witness to get out of the wreck, procured cloth and bound up head of witness. Afterward Colpitts was freed, and it proved that he had fainted. Witness saw copper coin lying about and noticed the broken boxes which had contained it.

Cross-examined by Dr. Pugsley—Could not tell how long it was from time he noticed rapid speed until the time of the accident. He thought he had time to notice the circumstance, stop reading and look out of window. With the help of diagrams before court Dr. Borden explained the position of the cars after the accident and his reasons for supposing that the cars all went off at the same point. He always knew whether brakes were applied or not if he were looking to ascertain that fact. Could not remember when brakes were last applied. His attention was not called at any other places to the application of the brakes.

Mr. Skinner—The speed attracted his attention so that he expected brakes to be put on. Would have heard them if they had been put on. Did not hear them.

The case of Tyrrell v. the Queen was resumed Saturday morning, and several witnesses examined. Their evidence was chiefly relative to the character of J. D. Bonness of St. Stephen. Henry Graham, collector of customs at St. Stephen, said he would not believe Bonness under oath. In cross-examination he admitted that he was quite friendly with the Tyrrells and frequently went into their establishment, where he had taken drinks. He never held out to Frank Tyrrell to use his influence to have his goods returned to him if he (Tyrrell) would vote for the conservative ticket. Bonness had authority to receive the mementos of estates himself, providing the goods taken were not delivered to him. If they were the collector made the settlements. As far as Bonness was concerned, witness would not believe him under oath if he was interested in the matter. Before he received his appointment as collector, he was engaged in mercantile business with the Murchies in Calais. He was not dismissed from their employ and there was no shortage of funds while there. He never asked Bonness to use his influence to have him (witness) appointed collector.

Howard B. McAllister of St. Stephen, a retired ship master, was next examined. Bonness, he said, had the

reputation of being an unscrupulous and an unprincipled man. He would not believe him under oath.

In cross-examination, the witness stated that he had no objection against Bonness and had been defeated. There was no ill-feeling between them, but Bonness had not spoken to him for some months. Bonness was not on his list of friends. Bonness, he thought, was considered an active official. When pressed, to give the names of persons who had spoken of Bonness being an unscrupulous man, the witness could only remember one, Seth Webster.

Wm. Tyrrell and Frank Tyrrell were briefly examined in reference to the bay mare, which they claimed. Testimony was taken as to the circumstances claimed to have seen her.

This finished the case of the suppliant and Dr. Barle asked for a postponement in order to allow him to get rebuttal evidence regarding the character of Mr. Bonness.

Judge Burbidge interposed and said he had never heard a case in which there were such personalities as were given this morning. He disliked it very much, and besides the court had nothing to do with the characters of the men. It had only to deal with the question whether the horse was used for smuggling purposes.

The case of Colpitts against the Queen was then resumed. Harry B. Peck, mail clerk on the train at the time of the accident, was the only witness examined. His route was between St. John and Halifax. After leaving Sackville for a few miles before the accident. Had passed the top of the hill and train was on the down grade passing the curve. Was running very fast, probably 60 miles an hour. Had been on train thirteen years; used to noticing speed. There was a gradual increase of speed on the down grade. Car was swaying very violently and struck the curve very hard. First struck one side of a curve and then on the other, very roughly. Postal car was next the engine. It was a postal and express car, the postal part nearest the engine. Was sitting when accident occurred. All at once there was a crash, his impression was that the car kept right on straight instead of following the curve. Jumped up and went to rear of car and held on to an iron rod. Car went down embankment on her side and then turned over on the roof. Saw the car afterwards. Judge the car went 800 feet from the place it was derailed, where it stopped. Was cut over the eye and bruised; got a general shaking up. Knew nothing of the freight in car. Car did not seem to be controlled by brakes. Would not say they were not on, but it did not appear to be under their control. After the train broke, do not know whether automatic brakes worked or not.

Cross-examined by Dr. Pugsley—About three miles from Sackville, when he sat down by the window. Thought if any of the rear cars left the track he would know it by a jerking motion. This was a swaying motion. Had noticed on previous occasions the trains going very fast and swaying at this place. Thought there was a swaying motion immediately before the accident, certainly within a minute or two before the accident, or perhaps half a minute. Estimated speed of train from his experience. Did not give evidence as inquest; was laid up in bed then. This was a C. P. R. train; all the cars belonged to that train. Had run from St. John to Sackville for the past ten years, mostly. After accident did not remember making any statement as to rate of speed. Was interviewed by a reporter on the train. Did not tell him that the speed of the train was 30 miles an hour. The report was not correct in many particulars. No recollection of some things said to him. Did not tell him that the six cars left the rails. Saw the report in the next day's papers. On the Saturday previous had come over same place. Came pretty fast, generally came pretty fast there. Came faster the day of the accident than usual. Judged this both from roughness of car and observation of speed. Evans' is about over the grade slightly. At the double curve the speed would be nearly as fast as when the train was on the grade. The speed was increasing and at its height

when she went off. There was a violent swaying of the car within a minute of the accident. Would know that brakes were applied by feeling the brakes getting on unless they were on very slightly. They may have been put on slightly when going round the curve, but if so, there was no slackening of speed. Brakes might have been applied often that day when witness was busy working, without his being aware of it. Finished lunch just before accident. Made no claim for injury. Had been nervous ever since.

To Mr. Skinner—Had not made any claim. When interviewed by reporter was on No. 1 mail train, the same night. When witness saw the report the next day recognized that it was inaccurate. Never said the rate of speed was 30 miles an hour. Felt the oscillating motion right up to the time the car left the rails.

John W. Howard, news agent, was also examined. Was on the train of the accident from Sackville. Met Miss Patrician on the train. Sat down with her and there at time of accident. Train was going at good rate of speed. While talking she was thrown against me and said it was such a train that she could not keep still. Could not keep her seats. Two cars were behind that. Thought speed was 45 or 50 miles an hour. Could not say how close up to accident the oscillation occurred. It was just before the accident. Did not particularly observe the increase of speed on the down grade; it always did increase as a matter of course. Had noticed speed down that grade since accident. The first mile would not be so fast as the second mile. At the third the rate would be applied. The fourth mile would be at Palmer's Pond. Since the accident have not felt the same oscillation as on that day. Would feel brakes if they were put on. Did not remember whether brakes were put on that day; did not feel them going on. Have known train to go a mile a minute on other parts of the track. Did not decide at the time how fast the train was going at the time of the accident. Did not know which car left the track first; thought it was the car ahead. The express and mail car was pretty well marked up. Saw the copper coin lying around the car.

Cross-examined by Dr. Pugsley—Come to that conclusion since. Oscillation was very great. Never felt a lull in the speed. After that day, always had come down that grade at about 45 miles an hour. Had noticed that. Never experienced such swaying. Had not thought the train was going any faster than usual. It was the speed of the train that caused the swaying motion. Don't know what may have been faster or slower than before. Had seen C. P. R. train run a mile a minute somewhere between Sackville and Dorchester. From top of grade to place of accident is about four miles. Evans' is on the grade. Think it is over the miles from there to the place of the accident. There is a mile post near the head of the grade. Three or four after that to Dorchester. Counted them last about a month ago.

To Mr. Skinner—The place where above a mile a minute was mentioned C. P. R. was a level. At the time of the accident it was the motion of the train that gave me the idea of the speed. The oscillation continued up to the time of the accident.

To Dr. Pugsley—It would not be a minute from the time Miss Patrician was thrown against him until the accident, not more than half a minute.

At the exchequer court on Monday afternoon the Colpitts case was resumed. Horace W. Cole, a commercial traveller, was called for the suppliant. Was on the train the day of the accident in first class passenger car. Slipped out of speed on striking first curve attracted his attention. Thought speed was more than 50 miles an hour; thought it was dangerous. The car ahead left the track at the curve and the one witness was in followed. Witness was knocked unconscious when the crash came.

Cross-examined by Dr. Pugsley—He looked through the glass of the window; saw the car leave the rails; the car he was in left the rail almost at the same time. Could not see the locomotive ahead. Was sitting quite close to the door, on the outside of the seat, next to the aisle. Noticed the speed of the train before it struck the curves; felt sure it was 50 miles an hour; expected brakes but did not hear them applied. Was injured in the accident; laid up for weeks in St. John and was attended by Dr. Murray MacLaren. Had made a claim but was not pressing it pending this suit.

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40 a month from October to June of the next year.

To His Lordship—Would earn an average of \$100 per month, even as a cashier. Would get \$50 a week as manager. Last three years before accident would earn \$40 per week right through.

To Dr. Pugsley—Was at Dorchester on 17th March, 1897; called to see the people at hotel when on way to Boston. Positively knew that he did not dance on that day. Thought Miss Gallagher played the piano. Sure would not forget if he had been dancing. After coming to St. John wrote Mr. Pottinger. Had no copy of the letter. On 8th January, when witness wrote him, did know that he was ruptured. Did not state then in that letter that he was ruptured.

A. W. Macrae and C. N. Skinner, Q. C., for the suppliant; E. H. MacAlpine and Wm. Pugsley, Q. C., for the crown.

When the exchequer court resumed its sitting on the 1st instant H. H. Colpitts, the suppliant, was called the stand, and his cross-examination was continued by Dr. Pugsley.

Knew he was ruptured before going to Boston. Original letter sent to Mr. Pottinger read and identified by witness, who admitted that he then complained of his back only and asked for an allowance while laid up. When witness wrote letter, did not think he was nearly recovered. Could give no explanation why he wrote to Pottinger that he had nearly recovered. Could not explain why he did not mention the rupture; might have thought that his back included everything. Pain of rupture was not as great now as on 8th February; when witness arrived at St. John from Dorchester. Wears truss now. Had taken good care of himself since. Was not in the habit of drinking to excess. Never was drunk in his life. Took a glass of liquor. Was not dissipated.

Was not in Sackville in 1896. In 1893, summer, was in New Windsor Hotel, Winthrop Beach, as manager, at a salary of \$40 per week; was in position about three months; then was in Clark's hotel during winter, from October to June at \$100 per month. Then came to N. B.; was run down working hard as cashier at the hotel; during summer of 1894 was not doing anything. Then was in Imperial Cafe as manager from latter part of August until June, 1895, at \$40 per week. Then went to Preston Hotel, Beach Bluff, where he remained until he came down to N. B. about time of accident. His brain was as clear as ever; was as capable of managing a hotel as ever; as cashier or manager had to be on his feet the greater part of the time. In March, 1897, was on a visit to Dorchester. Injuries are better now than then. Thought it was the sixth day after accident before he got down stairs to his meals. Was not riding a bicycle about the upper hall. Did not ride a bicycle at all.

To Mr. Skinner—Had a return ticket from St. John to Halifax and was coming back on the return. Did not know as to the brakes at time of accident. Speed of the train was not lessened. Bought the ticket at the I. C. R. station. Mr. Benell was the manager of the hotel at Sackville. All the changes of hotels was in the way of promotion. Never was discharged from a place in his life.

Dr. A. F. Emery was next called. Attended the suppliant at Dufferin Hotel about February 4th, 1897; made an examination of him; found him lame on the right side, a tendon on the right lumbar region was sore; there was a partial dislocation of the joint at the pelvis and tenderness along the course of the spine; pain in head and back. There was an inguinal hernia on the right side. The railway accident could produce those symptoms. As to the rupture, sudden jar or jump would cause it. Saw him occasionally for several months. Last time witness saw him advised a truss; that was probably in April; lameness had then improved; back was better and changes had closed up a little. It never was a full rupture; the intestines were pushed into the canal but not into the scrotum. The tendency to increase would be great in old age. Saw suppliant a few days ago. The rupture was a great deal better; all the other symptoms had improved but had not fully gone. He was nervous at the time of the accident, caused by the shock to the nervous system. Could not say what would be the outcome of the shock. That had improved, but the hernia had not improved so much.

Cross-examined by Dr. Pugsley—Did not remember whether he prescribed for Colpitts or not. Much of his opinion mainly depended on answers made by Colpitts and would depend upon his honesty and good faith. This would not be altogether so, as doctors could tell to some extent whether answers were true or not. Many people had inguinal hernia, without any inconvenience. They were in danger if they did not wear a truss, yet many did not. About one person in thirteen was afflicted with inguinal hernia. He had thought this was a recent hernia when he examined it. Could not say whether it had been caused within a few days or whether it had been more recent, which would rely on present statement as to the state of his back a good deal. Noticed tremors in the fingers. This might be induced by sitting up late at night or by drinking to excess.

To Mr. Skinner—Supposed at the time that suppliant's hernia was due to the accident. Thought this from observation of the hernia being there and the statements of Colpitts.



Snowy whiteness of sheets, shirts and skirts come from the use of Surprise Soap on the wash—never yellow or streaked, always clean and white. Surprise Soap has peculiar qualities for Laundry purposes—good for all uses. SURPRISE is the name of the Soap.

their going out. This would be with reference to C. P. R. cars. Inspected the postal car that day as usual. There was a considerable quantity of coin in the express end. Did not know the weight of fittings at postal end, nor the weight of mail matter, therefore could not say whether it was lightly or heavily loaded in that end.

To the judge—Was satisfied from his own observation the car was in proper condition or it would not have gone out on that morning.

To Mr. Skinner—Could not say what the weight of the coin was. To Mr. Macrae—Knew there was more than one ton and less than twenty tons. Boxes were placed well over the floor of the car; some within 18 inches of the partition. They were piled one on top of another, one tier high. They were well scattered over the floor.

Cross-examined by E. H. MacAlpine—Was employed in Windsor street station formerly. Had considerable experience. Inspected all the cars that morning. Every car in good order otherwise would not have allowed it to leave the station. Closed the door of the postal car that morning.

To Mr. Skinner—Naturally a man would spread the stuff all over the car in which he had to load it. The weight should be merely distributed over the space provided for the purpose. The car would be loaded according to the capacity of the car and the speed of the train.

To the judge—in his opinion the car was safely and properly loaded when it left Halifax. If a car is very heavily loaded behind and lightly in front, do not think that there is any danger of the car jumping the track.

To Mr. Skinner, who was then allowed to cross-examine the witness: Referring to Juror Hicks' question as to car being loaded very heavily at one end, witness said that the question really put to him was if one end were more heavily loaded than the other, would not the first end be heavier? To this he, of course, replied that it would not. The railway was wrong. Asked if at the coroner's inquest he had not said that a car loaded heavier at one end than the other, would be more likely to jump the track at the lighter end.

To Dr. Pugsley—The car was properly loaded, the coin was loaded in the way that it would have an even bearing on the whole car. To the best of his recollection there was no case of a tier of three boxes. The space would be about 19 feet long. All the cars were strong and well built, in first class condition. The running gear was in perfect condition when it left Halifax.

The time table on which the train was run was admitted in evidence and that F. C. Hamilton was the ticket agent at St. John.

miles safe; the passing of the car; agement. Same been in possession. Truro was all section. Albert of the o'clock day, time for Dr. Evans' between running. Engine she broke about Dorchester applied. Evans' accident, to check and 14 brakes straight or 23. Evans' though fore for where driver years.



whiteness of sheets, from the use of Surplus wash—never yellow or grey clean and white. Soap has peculiar quality—good for the name of the Soap.

miles an hour would have been quite safe; that there was no negligence on the part of the I. C. R. as to the loading of the cars; that the loading of the cars was entirely under the management of the C. P. R.

Samuel Tryder, driver, said he had been in that position for 26 years, on passenger cars usually between Truro and Moncton. The road bed was always in good shape, kept so by sectionmen at regular intervals. Albert Wood was fireman on the day of the accident. It was about twelve o'clock when he left Sackville that day, eleven minutes late, six minutes from leaving Sackville to leaving Dorchester is 22 minutes for 11 miles. Was not making up time between Sackville and Dorchester. Was running about 30 or 35 miles an hour. Engine stopped in about 100 feet after she broke away from the train. Stayed about 20 minutes before going on to Dorchester. Knew when brakes were applied. Checked the train on the S curve half a mile away from the accident. Put on 15 lbs. pressure, enough to check the train; 10 lbs. is the full and 15 lbs. the emergency. Took brakes off when the train got on the straight track again. Ran about 26 or 28 miles an hour coming up to Evans's. Could not say as to whether thought it was rather mild. Never before found any difficulty at the curve where this accident took place. Was driver on Milligan's train about ten years.

Cross-examined by Skinner, Q. C.—Made no examination of the wrecked train. Saw the cars just after they broke. They kept on straight and the engine went round the curve. Felt the brakes going on after the train broke. Did not make any calculation of rate of speed at that time before the accident. Thought of the rate, however, as being the ordinary rate of speed.

Alfred Wood, the fireman on the train, was not called. Had been six years fireman with Tryder, passed Sackville 10 or 11 minutes late. All watches have to be kept alike over the road. Thought speed was 25 or 28 miles and hour up to Evans's. Would say train was going about 30 miles an hour just before accident. Looked at watch while coming through, cutting two or three car lengths from accident. It was then 12.20. Were not going as fast as witness had seen it before. The indicator that heats the cars first catches the attention to the accident. The hand of the indicator dropped and witness looked out of window.

To the judge—At 12.20 we were about 3 miles from Sackville and about 3 from Dorchester. The indicator dropped and witness looked out of window. If a car is very heavy and lightly in front, that there is any danger of the train jumping the track. The witness examined the witness: Juror Hicks' question as to whether the witness had seen the train as it was about to jump the track. The witness replied that he had seen it as it was about to jump the track.

James McGill, car inspector of I. C. R., was the next witness. His duty to examine all the cars. On 26th January examined all the cars of train No. 23 thoroughly and found them all in good condition. Cross-examined by Skinner, Q. C.—Did not examine this train any more than any other train. Did not have any freight trains, only passenger and baggage cars. Started at 6 a. m. and examined the cars. The coin was not in the car when witness examined it. His duty was to stop a train if it was not right. If there was six tons of coin there and witness knew it, he would not stop the train; if there was ten tons he would.

To the judge—no capacity is marked on these cars. To Dr. Pugsley—The express company have charge of the loading of their own car. Always had a last look around the train to see how the springs would sit. That day all looked right.

Heber Munkford, car inspector from Richmond, near Halifax, was next called. Examined by E. H. MacAlpine. Inspected the cars of this train the night before the train went out. Had to look thoroughly over the cars and all belonging to them. This was done and the train was in perfect condition. Cross-examined by Skinner, Q. C.—The sleeper was "Sperbrooke." That was inspected between 4 and 7 o'clock in the morning of the day before. The load is generally distributed over a car for balance. Twelve tons would be too heavy a load in one end if the other was light.

To Dr. Pugsley—Did not think it would make a car leave the rails. The danger was to the springs. It was all about the springs that were to be looked at. Six tons in the express part would not be too heavy a load and would not, in his opinion, cause any accident. Postal cars was in service for about three months. Generally run a year before they are sent to the shop for repairs. Everything was in first class condition.

James D. Turner of Truro, car inspector for 15 years, was examined by E. H. MacAlpine. Inspected the train on its arrival at Truro. Watched it running by, examined all trucks, wheels and springs, and everything was in good condition. In passing the train Brakeman Linkletter said there was coin aboard, 5 tons of coin. There was nothing to indicate that there was anything wrong about the car or its loading.

Cross-examined by Skinner, Q. C.—What witness knew was only from what Brakeman Linkletter said. Was not in that car himself. Saw nothing in the condition of the car to call attention to. A heavy piece of machinery ought to be placed towards one end of a car for fear that in the middle it might break the car down by its weight. A heavy car has no tendency to jump.

To Dr. Pugsley—Six tons properly distributed in that car would not be improper loading. The capacity of a car for a fast train would be about 15 tons.

Alex. Fowle, resident inspector at Amherst, was at Springhill Junction on 26th January, 26 miles from Sackville. Examined one side of that train; his assistant the other side. Found it perfect. Moses Legeve was assistant.

Cross-examined by Skinner, Q. C.—Do not tap steel tins with a hammer. These being two metals tapping is no use, as there is no sound. Went under the train.

To Dr. Pugsley—Would not think six tons would have the least effect on the car if distributed at one end. The car ought to carry 15 tons. The case was then adjourned until 11 o'clock this morning.

The case of Tyrrell v. the Queen was resumed for a short time to admit evidence, in rebuttal to that given by Collector Graham and others, in reference to the character of Mr. Bonness.

C. N. Vroom, merchant, was the first witness examined by E. H. MacAlpine. He would believe he acted as Mr. Bonness's word and his promise, no matter what under oath or not. Mr. Bonness had been a customs official and naturally there were some who were opposed to him, but the general belief in St. Stephen was that he was an honest man. The witness believed in his integrity and honesty.

John E. Algar and Alexander McTavish, both of St. Stephen, were next examined by Mr. MacAlpine, and swore substantially the same. Mr. Bonness was generally respected as a reputable citizen, and they believed in his integrity and honesty. They would believe him under oath and would accept his word as the truth.

The case of Tyrrell v. the Queen was finished Wednesday morning. E. H. MacAlpine for the Queen and Wm. Pugsley for the claimant made brief addresses. Judge Barbridge, in delivering judgment, said that there was no contention that the harness, pung and robes were in any way connected with the smuggling and were not used in violation of the law. There was no doubt, therefore, that the claimant was entitled to damages for the loss of the goods seized were smuggled.

The question was not whether the claimant was a smuggler, but whether he was guilty of the crime under consideration. He would, therefore, have to find for the claimant and set the seizure aside. As the goods were not in the possession of the crown to be returned he would award damages to the amount of \$110 and costs for the claimant. Messrs. Pugsley and Stevens for the claimant; Messrs. MacAlpine and Earle for the crown.

At the conclusion of the judgment Mr. MacAlpine stated there would be no appeal to the supreme court of Canada. On the resumption of the Colpitts case, Wednesday, Charles M. Butcher of Halifax, clerk in C. P. R. and Dominion Express office, examined by E. H. MacAlpine, remembered on 26th January, 1897, knew about the loading of the coin on the car; was assistant in that loading; there were 80 boxes loaded in the mail car, 10 boxes in the baggage car; they weighed 140 lbs. each; had a number of double rights to carry them from the office to the depot trucks; the express end of the car would be about 15 feet long; the boxes were evenly distributed over the whole compartment of the car; they were in some places in two tiers, generally at the sides; exercised care in its loading of these boxes.

Cross-examined by Mr. Skinner, Q. C.—Boxes were loaded close up to the partition between the postal and the express part of the car; were loading up to five minutes before the train went out. George Fraser of Halifax, driver to the Dominion Express Co., remembered the day in question and then helped to load the coin; the boxes were evenly distributed over the whole compartment. There were 80 boxes in that car and 10 in the other car.

Cross-examined by Skinner, Q. C.—By care meant that he just placed them in the car. That was all he could do. To Dr. Pugsley—Put the first lot of boxes at the rear end, then put the others in front of them and so on, right up to the division between the compartments. Most of the weight would come forward of the kingbolt; that is, forward of the centre of the hind trucks.

Robert J. Smith, express messenger on the train on day of accident; assisted in loading most of the boxes of coin. From Truro to London-derry role in the car; then in the other; the coin in the postal car was loaded well over the space in the car; did not think they were close against either end of the car, but if it was 15 feet long in the compartment they would cover 15 feet. In some cases, one, but not more than one, box was on top of another. Did not remark the speed of the train before the accident.

Cross-examined by Skinner, Q. C.—Boxes were not piled, one up against the door of the car, otherwise it could not have been opened. There was no passage way lengthwise of the car. Said at inquest that there was about four feet from the boxes to end of car; could not remember saying there that the weight was unusual on account of the kind of the car. Did not intend to say that coin was an unusual load in character but not in weight; often carry more than six tons in a car or compartment of similar character having same dimensions.

To Dr. Pugsley—Had seen much greater weight in weaker cars. These are strong cars.

Robert W. Simpson of the engineering department of I. C. R. was at the scene of the accident the next morning. The disturbed rails had then been replaced. Made a plan showing place where sleepers were first disturbed and location of truck. Witness identifies the plan. Made measurements on the ground and took notes of where the marks were on the sleepers; the ordinates of the curve; the curve was taken from an existing plan. The places of the cars, the notes about rails, sleepers, bolts, were from his own observation.

(Plan offered so far as based on his own knowledge, especially as showing where the sleepers were marked as the cars left the rails.) Henry Coates, the spring down the plan made by last witness, pointed out upon it the place where he found the equalizing bar.

William Apts, sworn, said he resided in Montreal, was master car builder for I. C. R. and had been 25 years master builder; before that had five years in New York and Chicago and nine years as a car inspector. Knew the postal and express cars which was in the wreck; kept run of the cars; knew the springs down the train had been running, since 1892; the postal car since July, 1892; the cars were first class in condition generally. Car over all, was 57 feet; 19 feet occupied by express part. Centre of trucks would be about eight feet from the end of the car. King bolt is in centre of truck. Capacity of whole car would be 20 tons; the express compartment would be a little over half loaded with 11,200 lbs. of copper.

Model of a six-wheeled truck equalizing bar produced and drawings of both four and six-wheeled trucks put in. The capacity of the trucks was 20 tons weight, or 15 tons for passenger trucks at rapid speed.

To Skinner, Q. C.—Estimate of capacity was for the whole car. Some springs were used at each end of the car; there was no need of allowing for the small variation there might be. The bar is supposed to equalize the weight over the four wheels of the truck. The breaking of the bar would bring the body of the car down on the M. and would cause the car to ride more rigidly. One end would be a little lower than the other. Those bars may break through flaws in the steel, but the breaking of the bar might cause the breaking of one.

To Dr. Pugsley—Certainly, equalizing bars have broken down through the train has not left the track. These bars are made by the company, generally in the United States, but made at Dayton, Ohio, by one of the largest companies in the United States. All of these cars were built in 1892; all equally strong so far as he could tell. Those cars could run 90 miles an hour. A train moving on the road bed in vicinity of Palmer's Pond. The curve approaching was an easy curve. The ties were good and the rails well fastened by double spikes. Ordinary speed of C. P. R. express train was 32 miles, up to 40 or 45 miles.

Cross-examined by Skinner, Q. C.—The only reason on his division for running faster at some points than others was because of grades. To the judge—The ties were henlock where I inspected.

To Dr. Pugsley—Trains did not slow up at the curves on his division. Henry Coates, re-called—Only saw the broken end of an equalizing bar sticking up out of the snow. Brought it from the wreck to the coroner's court. It was sent to Dorchester station after that. Witness put it on platform there.

Cross-examined by Skinner, Q. C.—The broken bar was about two feet away from the track. It was much heavier than the snow and it was out of the track. Took it afterwards to Dorchester. Did not look for the other part of it.

David White, master car builder at Moncton for I. C. R., was at the inquest and saw the piece of an equalizing bar, which came from a six-wheeled truck. The shape is altogether different and thus witness could not say positively that the piece came from a six and not from a four-wheeled truck. Familiar in a general way with the construction of the C. P. R. cars. Think postal car would carry 30,000 lbs. weight. 10,000 lbs. might be put in the express part of it. Seven tons in the express part might put the springs down 7-8 of an inch. Six tons would not have any effect so far as safety of train would be concerned. There would be no weight beyond what he had mentioned, say, four tons more as a rule. A 20-ton car would often be loaded to 22-1/2 tons.

Cross-examined by Skinner, Q. C.—Only saw the piece of iron once at corner's inquest. Was not asked, at corner's inquest as to what description of bar this was, but recognized it then at a glance as being from a six-wheeled truck. The C. P. R. cars were put on I. C. R. trucks and sent to Montreal. C. P. R. trucks were loaded on flat cars and sent there also. None of the wheels or axles were broken.

To the judge—The six-wheeled truck requires a deeper bar than the four-wheeled one. Perry Holland of Moncton, draughtsman in I. C. R. office for 5-1/2 years, remembered the accident. He also saw the equalizing bar at the corner's inquest. He knew the difference between a four-wheeled truck, which was used and that from a six-wheeled truck. Was satisfied that it was from a four-wheeled truck.

Cross-examined by Skinner, Q. C.—The king pin was usually further from the end of the car in a six-wheeled truck. Six-wheeled trucks were almost universally used on heavy passenger cars. The postal car could have either four or six wheeled trucks. It was so constructed. To Dr. Pugsley—When examined it was found that the postal car had only four-wheeled trucks. Was usually walking with Mrs. Atkinson, his nurse, who is now in British Columbia. He walked very lively. When music started he could not keep quiet with his feet.

Mrs. Emma Gallagher, wife of proprietor of Windsor hotel at time of accident, was seen by Colpitts coming back on 16th March and remaining until 18th. Saw him in parlor while there was music. Saw him step dancing while witness' daughter was playing. It was laughable to see him dancing, pretty lively, all by himself. Cross-examined—There was 5 or 10 minutes of it.

Miss Laura Tait was at the Windsor hotel nursing some of the patients right after the accident, remained for about nine days. Saw him usually walking with Mrs. Atkinson, his nurse, who is now in British Columbia. He walked very lively. When music started he could not keep quiet with his feet.

Cross-examined—This would be the last few days that he was there. To the judge—Did not act like a man who was seriously injured. Manie Holland of the Windsor hotel, a niece of Mrs. Gallagher, was there at the time of the accident. Miss Corrie was at the hotel the time of the accident; was chambermaid. Saw Colpitts some times. Seemed to be quite well when he left. Saw him about St. Patrick's day, and he seemed to be well then.

Cross-examined—He had appeared as I would see him passing through. Children Cry for CASTORIA.

MANITOBA CROPS. Mr. Ogilvie Takes Issue With the Hon. Mr. Sifton.

W. W. Ogilvie's opinion of the condition of the Manitoba wheat crop does not coincide with that of the Hon. Clifford Sifton, as expressed in a statement to the House of Commons on the 1st of the month.

Mr. Ogilvie has just returned from a trip through Manitoba and the Northwest Territories, and his knowledge of the situation leads him to form an entirely different view to that of Mr. Sifton.

Here it will be said to a representative of the Montreal Star: "I think it a most unfortunate occurrence, indeed, that Mr. Sifton should have been so misinformed as to the situation in Manitoba and the Territories, more particularly as his message to Lord Strathcona will be given wide-spread publication. It was only this morning that I received a despatch from my agent in Winnipeg, in which he repeated his previous statement, that the wheat has been fine during the week, and that with about five days more clear weather the damage to the crops will not exceed 10 per cent. throughout the whole of Manitoba and the Territories."

Mr. Ogilvie added that to his knowledge, 85 per cent. of the entire crops of the province had been stacked before the rain came, and that as far as the southern portion, mentioned by Mr. Sifton, as being 40 per cent. ruined, was concerned, the loss there must have been exceedingly light, as the wheat was the Manonite country, and the grain had nearly all been splendidly stacked previously to the bad weather.

"The reply of Mr. Sifton was therefore erroneous, and Mr. Ogilvie thought it exceedingly unfortunate, as its publication in England would do the province incalculable damage in restricting immigration."

SIR JOHN THOMPSON. A Massive Sarcophagus to Be Placed Over the Late Statesman's Grave.

(Halifax Herald.) A very handsome stone to be erected to the memory of the late Sir John Thompson in Holy Cross cemetery, from a design made by Phillips Hebert, the well known sculptor. The sarcophagus will be a massive affair and will be made from a solid block of granite weighing 12 tons. The tomb will be of cruciform shape. It was the intention to have placed at one of the ends a large bronze medallion of the late distinguished statesman, surrounded by maple leaves, but it was found that the green mould from the bronze would deface the polished granite, and that part of the design will not be carried out. The firm hope to have the sarcophagus finished before the end of the year. When dressed it will weigh about seven tons. It will be eight feet long, and five feet wide. The entire tomb will be polished with the exception of the base. There will be a massive cross cut from the marble, extending from one end of the tomb to the other. The structure will be about four feet high, including base, and will be one of the finest ever erected in the province. The name will be carved at the foot of the tomb. On the head of the cross will be the word "CREDO."

THE PLEBISCITE.

Deliverance of Grand Division, Sons of Temperance, of N. B.

Which the Government Must Do, Failing of Temperance, of N. B. General to Dismiss His Cabinet.

At the last meeting of the Grand Division of the Sons of Temperance of New Brunswick, the committee on the state of the order submitted a report, of which the following is the section in reference to the prohibition plebiscite. This section was adopted unanimously by the Grand Division:

"Section 17—As the grand worthy patriarch has said in his report, the long talked of and long expected plebiscite has come and gone, and in spite of the varying reports that have been published in the newspapers, there is no doubt that there is a substantial majority of the voters polled on the side of prohibition of the liquor traffic. As has been well said by the grand worthy patriarch, 'majorities rule in this country; on a bare majority of the electors voting a government is dismissed and another is placed in power; and the newly elected government may make changes that will alter the whole fiscal policy of the country and the whole business in the country. It is, therefore, idle to say that when every province in the dominion with the exception of Quebec has given a majority for prohibition and the strength of these combined majorities is no great as to wipe out most thoroughly and effectually the large adverse majority in Quebec—it is idle indeed to say that that majority shall not rule. As a method of obtaining the option of the people in a British country, the plebiscite is somewhat of an innovation, whose place under our system of government requires very careful consideration. We live under a system of responsible government. According to the principle of the underlying principle is that the country must be governed in accord with the will of the people. The prohibition plebiscite has come to us in a perfectly legal way. Adverting with the governor general, a cabinet of ministers who commanded a majority given them by the commons, elected by the people, introduced into that house a measure providing for a vote of the people on the advisability of the prohibition of the liquor traffic. The house of commons and the senate passed this measure and it received the consent of the governor general. Under this bill an election was held and the majority of the voters declared in favor of the prohibition of the liquor traffic. Now, as this election was held under the measure to which the house of commons, the senate, the premier and cabinet, consented, when the regular official returns are made up and submitted to these different branches of our government a duty lies with each. In the first place it lies with the cabinet, who must be in accord with the will of the people as expressed by that people in the usual way to carry out the mandate given them by the electorate, and to initiate a prohibitory law, or failing that, to resign their positions and to give place to men willing to do as the people direct. If they should fail to do either of those things, then we believe that it is the duty of the governor general, who, by affixing his signature to the bill, became a party to the measure, to dismiss his advisers and to secure others who are prepared to introduce a prohibitory law into the house of commons, and, if the house of commons should fail to pass the prohibitory measure, to dissolve that house and to call upon the people to elect a new house of commons to pass such a law. This, therefore, may bring us back to another election. Although not constitutional lawyers, to be in accord with common sense your committee believe that this is the course that should be pursued. But we must wait. It takes some time for an expression of the will of the people by vote to be crystallized into a practical measure. We must, therefore, give the government of the day reasonable time. But at the same time we must let them understand distinctly what we expect of them. They must give to us a thorough prohibitory law and they must attach to it the proper machinery for carrying it out."

OTTAWA, Nov. 1.—The secretary of state today received from the clerk of the crown in chambers the full returns of the plebiscite vote, which was 548,042 out of a total of the list of 1,233,949 voters. The division was: For prohibition, 238,463; against prohibition, 10,884.

By provinces the majorities stood as follows: Majorities for Ontario, 39,224; Nova Scotia, 29,216; New Brunswick, 17,335; P. E. I., 8,315; Manitoba, 9,412; Northwest, 8,414; British Columbia, 983. Total, 107,889.

Majority against—Quebec, 84,015. Total majority for prohibition, 13,884.

By provinces the plebiscite vote has shown that in Ontario only 23 per cent. of the list supported prohibition; in Quebec only 8 per cent.; in Nova Scotia, 34 per cent.; in New Brunswick, 25 per cent.; in Prince Edward Island, 37-1/2 per cent.; in Manitoba, 25 per cent.; in British Columbia, 16 per cent. and in the Territories, 27 per cent.

Ezekiel Crocus, aged 84 years, and almost half a century in business at Bear River, died there last week. Mrs. Geo. Parry of Bear River also died last week at the age of 77 years.

Advertisement for "One Day's Work" featuring a watch and a ring. Text includes "FREE WATCH" and "ONE DAY'S WORK".









