

## CITIZENS PUBLIC LIBRARY MEETING

Held in the City Council Chamber Last Evening the Mayor Presiding.

A FULL PLAN OUTLINED BY MR. PERCY POPE

And Generally Approved—Hope of Securing a Room in the Colonial Building and the Bequest of Hon. T. W. Dodd—Many Names Enrolled for Membership in the Library Association.

The public meeting called by the Mayor to promote the movement for a public library convened last evening in the City Council Chamber. The Mayor presided and Mr. W. H. Croskill was appointed Secretary. Among those present in addition to those above named were Mrs. Percy Pope, Mrs. A. A. Bartlett, Mrs. Wm. S. Stewart, Mrs. MacCreedy, Miss Pippy, Mrs. F. J. Nash, Miss Lena White, Miss Newson, Ex-Governor McDonald, Judge Fitzgerald, Judge Warburton, Hon. F. de St. C. Brecken, Judge McDonald, Dr. Anderson, Prof. Jordan, Prof. Arsenault, Messrs. Percy Pope, Horace Haszard, H. J. Cundall, Col. Moore, J. T. Mellish, George E. Hughes, M. L. A. W. L. Cotton, C. D. Rankin, A. E. Ings, Thomas May, G. D. Longworth, A. A. Bartlett, F. J. Nash, J. K. Ross, John Newson, A. W. Sterns, T. J. Harris, Robert Fennell, Mr. Lepage, R. Smith, D. McRae, R. McDonald, J. E. B. McCreedy, D. B. Stewart, J. O. Hyndman, Geo. Bremner and others.

of their valuable papers and the housing of a museum. More recently the Historical Society has been formed and they felt a like need. This had again directed attention to the still greater need of a Public Library, and it was thought desirable that a room should be secured which would accommodate them all. Last fall the movement took shape in the form of a memorial to the Governor in Council asking that the old Legislative Council Chamber be set apart for that purpose. The memorial had been very largely and influentially signed and presented to the Premier. It had yet to be formally considered by the Council but in the meantime the Premier had empowered him (Mr. Pope) to say he was most favorably impressed by it. In the meantime the noble bequest of the late Hon. T. W. Dodd of \$5,000 had become available as soon as proper organization was effected. The trouble was that while other societies were organized the Library was not. Yet fortunately an Act of the Legislature passed in 1888 had prepared the way. Under that Act the Charlottetown Library Association was chartered on terms of \$50 constituting a life membership and \$2 yearly payment a membership. He suggested that so soon as terms for the room, etc., had been arranged with the Government a public meeting of citizens be called and the organization completed. He believed that this plan would operate better to create an interest in the Library than would a large grant. If we could at the same time gain for the public access to the books of the Legislative Library so much better, and he had hope of this. If we get 200 members at \$2 each, and the bequest of Hon. Mr. Dodd, he thought there would be little difficulty in utilizing the money to the best advantage. He read the memorandum of enrollment which was passed round the room and signed as below:

## SOMETHING TO PLEASE THE PALATE

When this is accomplished, it means much to those who, in the past, have not been able to thoroughly enjoy the first meal of the day—breakfast. A breakfast that is not satisfying or that is not enjoyed, cannot fit people for the duties of the day. Malt Breakfast Food not only pleases the palate of young and old by its delicious flavor, but it imparts to the body and brain a vim and vigor and ordinary oatmeal and other grain foods cannot give. Malt Breakfast Food satisfies the appetite, and gives to the system a nourishment that quickly develops bone, muscle and tissue. It is the Malt with all its virtues and valuable properties that does the good work. Try this peerless breakfast food in your home if you are a stranger to it. It will meet your hopes and expectations. Ask your Grocer for Malt Breakfast Food.

## Boots Half Price

Reduction for cash only. Losing money on this sale but will do it to clear out a job lot on Men's and Women's wear. Now is your chance while it lasts. We are sole agents for a celebrated make of Ladies and Gents Boots; which we will have this Spring, and want to make room for them. Gent's Boots \$4, now \$2.00 Gent's " \$3, now \$1.50 Ladies' " \$2, " 1.00

GOFF BROS.

Mr. H. J. Cundall by request read a copy of the bequest of Mr. Dodd for library purposes as follows: "I give and devise to my trustees the sum of \$5,000 to be applied by them in their absolute discretion and in such manner as they or the survivor of them may deem best towards the establishment of a Public Library in Charlottetown. All accumulations of interest on said amount

## EMPEROR WILLIAM FIELD MARSHAL

Crown Prince of Germany Invested with the Order of the Garter.

## THE KING RETURNS THANKS TO THE EMPEROR

Official Order for Deep Mourning Till March 6th. Proclamation Being Made in the Counties—King Remains Grand Master of the Masons—Favorable Comment of British Press on the Closer Accord with Germany.

### OFFICIAL ORDER AS TO MOURNING.

LONDON, Jan. 28.—(Special).—The public will wear deep mourning till March 6th and half mourning thereafter till April 17.

### KING REMAINS GRAND MASTER.

The King has notified the Masons that he will continue in office as Grand Master, which office he held while Prince of Wales.

### THE KING AND EMPEROR WILLIAM.

All the English papers comment with keen satisfaction on the exchange of courtesies between the King and Emperor William and hope the result will be the absolute removal of a great misunderstanding.

### PROCLAIMING KING EDWARD VII.

The ceremony of proclaiming the King

continues in all counties of the Kingdom.

GERMAN CROWN PRINCE DECORATED. At Cowes this morning the Crown Prince of Germany was invested with the Order of the Garter.

### STRENGTHENING GERMAN FRIENDSHIP.

The King in a brief speech thanked the German Emperor for his visit at this time of sorrow and bereavement and dwelt on the personal and other ties uniting their two countries.

EMPEROR WILLIAM MADE FIELD MARSHAL. The Emperor of Germany was made a Field Marshal of the British Army, on his birthday.

There are seven Field Marshals in all, of whom King Edward is one. Emperor William was before an Admiral of the Fleet and Colonel of Dragoons.

## THE HEAVENS ILLUMINATED

### A Fierce Blaze in Souris Destroys Two Buildings.

### THE TOWN HAS A VERY NARROW ESCAPE.

Mr. H. H. Acorn's Large Store With Contents Destroyed—Mr. S. P. Campbell's Store and House Burned—The Citizens Act Promptly and Were Aided by the Down-pour of Rain.

SOURIS, Jan. 23.—(Special).—At 8 o'clock yesterday evening a disastrous fire broke out in the house above the store occupied by H. H. Acorn and within a few minutes the whole of the large frame building was an entire ruin. The flames, fanned by a strong west wind, hastily ran through the building and enveloped it in a huge mass of flame and smoke, which latter poured out in great volumes. From the very outset there was no possibility of saving the building or stock and when the citizens arrived they devoted their attention largely to prevent the flames from spreading to the adjacent buildings, each of which would have been a victim.

Despite the heroic efforts of fireman and citizens the shop and dwelling of Mr. S. P. Campbell caught and only a short time elapsed before it too was burned to the ground. Mr. Campbell saved his furniture but has no insurance on his building. At 11 o'clock the fire was reported under control. During the progress of the blaze the heat was intense. The heavy rain aided materially in supplying water and the moist condition of the buildings no doubt saved thousands of dollars. During the progress of the fire the engine got out of working order.

pending its actual payment over for purpose aforesaid to be applied toward the same object."

Mr. Cundall said without consulting his co-executor he could only express his individual opinion, which was that the amount of the bequest would be available for the Library when a permanent organization was formed and a permanent Librarian appointed. He thought the present time very opportune in every way to establish a Library.

Mr. Pope mentioned that he had conversed with Mr. Haszard, the other executor referred to, and he, speaking for himself, had expressed himself in similar terms to those of Mr. Cundall.

## ROYAL Baking Powder

Made from pure cream of tartar. Safeguards the food against alum.

Alum baking powders are the greatest menaces to health of the present day.

Cash vs. Credit—Ask every merchant in this city, what they think about the principle of paying spot cash. I venture to say they will, without an exception, endorse the principle of doing business on cash basis, yet credit has been, and is, the bone of business life in this City. We predict the time has come when our merchants should set and show greater independence and educate our people, by showing men the advantages of paying spot cash for all their purchases. As a consequence our people both buyers and sellers interests would be very much enhanced.—J. T. McKENZIE, Tailor.

## ELECTION TRIAL OF MARTIN vs MCKINNON

Petitions Brought Under the Provisions of the "Controverted Elections Act."

## THE DAY TAKEN UP IN ARGUING LAW.

Intense Interest Manifested in the Proceedings.—An Army Of Witnesses to be Examined—Mr. Martin will be Examined This Morning—Court will Resume To-day at 11.30 at Termination of Oral Examination.

The trial of the Petition of Alexander. Martin vs. Donald A. McKinnon was commenced yesterday before Mr. Justice Hodgson and Mr. Justice Fitzgerald.

Counsel for Petitioners—W. S. Stewart, K. C.; A. A. McLean, K. C.; and H. R. McKenzie. Counsel for Respondent.—Dr. Pugsley, Attorney General of New Brunswick, A. Peters, Attorney General of P. E. Island, F. L. Haszard, K. C.

The Court Room was crowded evidencing the intense interest taken in the trial. A very large number of witnesses will be examined.

Mr. Haszard applied to have certain particulars delivered on behalf of the respondent McKinnon amended by adding further particulars.

Mr. Stewart contended that it would be unfair to Mr. Martin if the Respondents were permitted to so late a stage in the proceedings to amend the particulars. Mr. Martin would not have an opportunity to look up evidence to contradict the statements contained in such particulars.

Mr. Pugsley on behalf of the respondent argued that it was the bounden duty of the Court to alter and amend the particulars as the course was open to Mr. Martin to apply for an adjournment of the trial in order to investigate whatever evidence he can obtain necessary to his defence. The object of the trial was to ascertain the truth of the facts, hence the Court was bound to do everything to bring the facts before it in the interest of justice. The Court held that the amendments asked for by respondent, (Mr. McKinnon) should be allowed. While the rights of all parties would be safeguarded by the Court yet the proceedings in this case being different from those in a civil suit the filing of additional particulars will be allowed reserving however the question of costs, except Mr. Martin by affidavit will disclose to the Court that such allowance would interfere with his defence.

On application of Mr. F. L. Haszard, the question of the substitution of the word Petitioner for that of Respondent next engaged the attention of the Court and it was held that such alteration would be allowed with costs as the error misled no one.

Dr. Pugsley then submitted the following points for the decision of the judges:

- (1) That the notice of trial as required by the statute had not been given by the Petitioner.
- (2) List of objections to votes should be rejected on the grounds of insufficiency of time given.
- (3) That Mr. Martin was guilty of contempt of court in refusing to answer the questions asked at the oral examination held before Master Longworth and that he intended to apply for the said refusal and that proceedings in consequence be stayed.

### AFTERNOON SESSION.

After recess Mr Stewart contended

that Mr. Pugsley had no faith in the grounds on which he based his application, otherwise he would not be here to try the petition and that the amendments asked by him if granted by the Court would have no meaning. Mr. Stewart quoted the rules of the Court and the statutes of the Province and other authorities to show that the contentions raised by the Attorney General of New Brunswick were applicable only to the English Controverted Election Act and had no application to the statutory provisions made by the Parliament of Canada and as recognized by Canadian courts.

Attorney General Peters argued in support of Dr. Pugsley's motion contending that in the computation of time, Sundays were to be excluded according to the practice as it is in England since May 1st 1874.

The Court held that the point raised by Dr. Pugsley in respect to the excluding of Sundays in the computation of time was not in accord with the practice of the Court and the Provincial and Federal statutes relating thereto and that the rules of Court adopted in England in 1874 did not apply to the present arguments by the Respondents (McKinnon's) counsel.

Dr. Pugsley then submitted that the petitioner (Martin) should be committed for contempt of court for his refusal to answer a number of important and proper questions asked at the oral examination before Master Longworth. He read affidavits and the questions put to Mr. Martin by the Respondent's (McKinnon's) counsel, which Mr. Martin had refused to answer, on the grounds that such issues were not enumerated in the petition and that he had been advised by his counsel not to do so. He then refused on the same grounds to produce his books and vouchers containing any entries of disbursements relating to said election. Dr. Pugsley quoted the statute bearing upon oral examinations, contending that Mr. Martin in his refusal was acting in contradiction to the provisions of the said statute and that in so doing Mr. Martin was guilty of contempt. He then asked that a rule nisi be made whereby Mr. Martin would be required to show cause why he should not be committed for contempt and if petitioner (Martin) is committed (Mr. Martin) would answer the questions and produce books referred to in the preliminary examination.

The rule nisi was granted and made returnable instanter. Mr. Martin's counsel Mr. Stewart on behalf of the petitioner then showed cause against the rule and argued that question put to the petitioner during the preliminary examination were foreign to the issue raised by the petition and that Martin was within his legal rights when he refused to answer the questions asked.

The Court after deliberating on the argument submitted by counsel on both sides for and against the rule sustained the contention that the questions should have been referred to the judge or judges by Master Longworth at the time of said refusal. The Court allowed Respondent's counsel to bring the matter up in another form, in consequence of which Mr. Martin will have to answer certain questions which he refused to answer at the oral examination held on Wednesday evening before Master Longworth.

Court then adjourned until 11.30 this morning. Previous to the session of the Court this morning the examination of Mr. Martin will be held commencing at 9 o'clock.



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American Steel and Wire	41
American Tobacco	114 1/2
Brooklyn Transit	76 1/2
Burlington	131
Continental Tob.	44 1/2
Federal Steel	53
Federal Steel Prfd	n11
Louisville and Nashville	87 1/2
New York Central	141
Rock Island	121 1/2
St. Paul	144 1/2
Tennessee Coal and Iron	67
Union Pac Prfd	69 1/2
United States Rubb	20