

S. M.

Obeying telegram 13th, had number messengers ready 16th expecting writ arrive that day. Did not arrive till noon to-day. Meantime number started and number proclamations posted before arrival. Some lawyers say this illegal and be necessary postpone. Others say having received writ before time for posting ex-pired proceedings correct. Shall I post-proclamations. pone?

was received from Mr. Chapleau :-

Replying to your telegram, I beg to say go ahead.

Continuing, Mr. Carlyle said that on nomination day at Mr. Sayre's request he had a conversation with him. Mr. Sayre said he had been led to believe objection grams sent were submitted. would be taken to Mr. LeBlanc's nomination paper on the grounds that he had not resigned his seat in the Legislature. Witness replied he would not object himself, but he had heard the rumor. Mr. Sayre then explained the objection would be absurd, for when a man accepted the nomination, he became practically dead so far as the Local seat was concerned, and he read the act to prove this. Witness told Mr. Sayre he would receive the nomination considering it a resignation of the other seat. This conversation was at ten in the morning, and two minutes before two in the afternoon Mr. Sayre handed in Mr. LeBlanc's nomination paper and his appointment as his general agent. He then asked if any reply had been received to the protest, and when told no said that was strange. During his nomination speech Mr. LeBlanc said something about the sacrifice he was making in resigning his seat to run the election. He thought both LeBlanc having resigned.

To Mr. Sayre-Mr. Carlyle said at the time he received the protest he had heard Mr. L. Blanc spoken of as a candidate, and

had since told him the seat was not va-cent if the election was illegal and if it. Sterling and Fine Plated cant if the election was illegal, and if it was an illegal election it was a question for argument whether he had a right to his of the latest styles. Out of town orders will re-ceive the best personal attention of the subscriber.

Mr. Hanington and several other members-That's fair.

To Mr. Sayre-When I say I honestly **Teacher Wanted** resigned I thought the election was a legal one, and with that view resigned and ran for the Dominion. When I found the election was illegal I thought perhaps the resignation was illegal. Mr. Sayre said there were som mat- ply at once, stating salary, to ters of which he would like to make a personal explanation, and he also desired to make an argument on the case. Committee adjourned till 10.30 Monday.

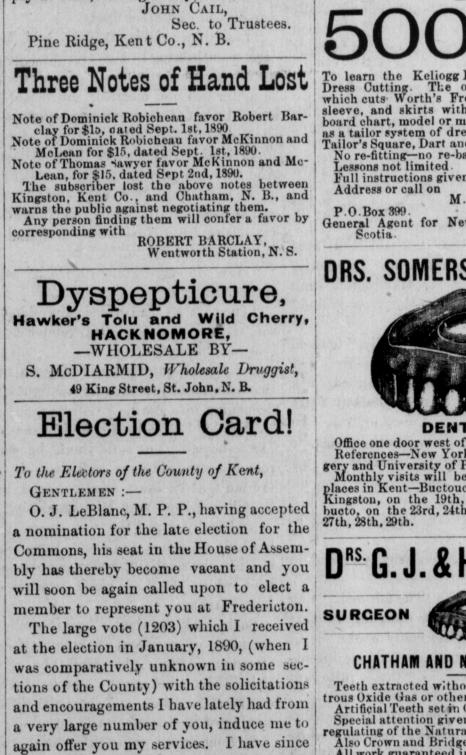
FREDERICTON, April 6. The Leblanc investigation was resumed

this morning. Mr. Carlyle was re-called and examined by Mr. Sayre. He further explained some matters connected with the posting of the

R. W. L. Tibbitts, Deputy Provincial The next day the following telegram Secretary, told of having received Mr. Leblanc's telegram resigning his seat and said he telegraphed him he must resign to two members and referred him to section of the act. The day after nomination he Hawker's Tolu and Wild Cherry, told young Nealis, clerk with Black, that Leblanc had resigned. Copies of tele-

> This finished the evidence and Mr. Sayre began his address. He contended that the election was illegal. The returning officer had no right to commence proceedings till he received the writ. Not having the writ before proclamations were posted the election was void. He read from the election act as to the duties of the returningofficer and claimed that the officer had power to extend the day of nomination, not having received the writ in time to give the eight days' notice required by law. He contended that Mr. Leblanc's resignation was not binding because of having accepted nomination in an election which was void. Had he won the seat he would not have been able to hold it if pro- and encouragements I have lately had from ceedings were taken on these grounds. Mr. Colter asked if the proceedings were again offer you my services. I have since

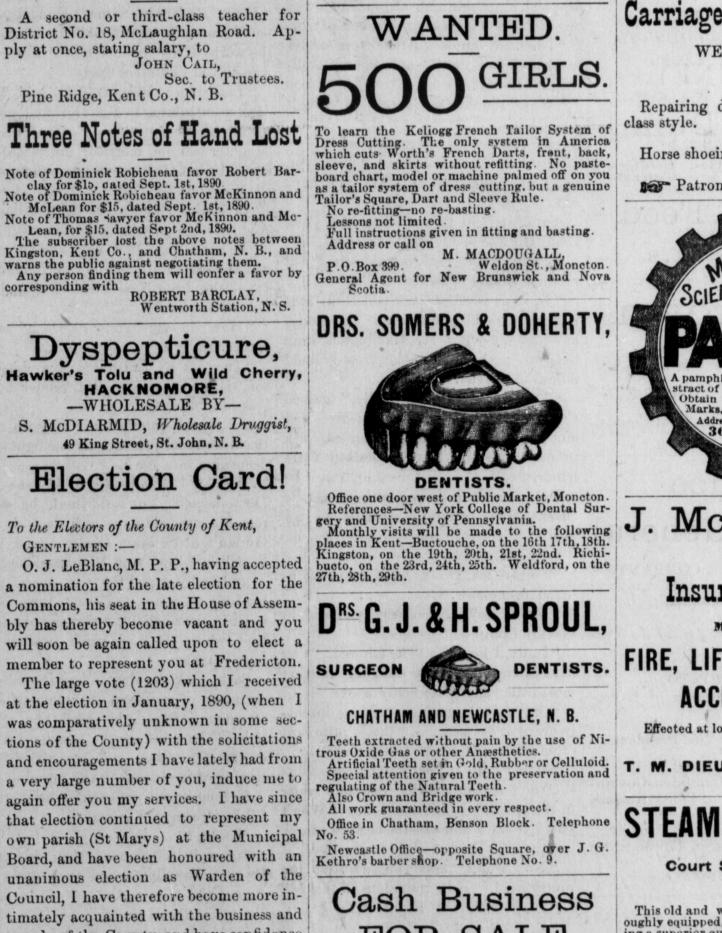
same grounds. Mr. Sayre said he had not heard of any. Board, and have been honoured with an He read from Maxwell on Statutes, page to run the election. He thought both Pheney and Sayre also referred to Mr. 354, and Rogers on Elections, page 262, in support of his contentions He could not timately acquainted with the business and find a case directly bearing on the present one, for he never before heard of a returning officer issuing proclamations before receiving the writ. Section 9 of the elec- in the higher position to which I aspire. tion act required the returning officer to If honored with a majority of your he proceeded to tell of the different persons endorse the writ and take the oath of whom he heard referred to in the matter. office before taking further action ; consequently publishing the proclamation before being sworn rendered them of no more effect than if published by a private legislation, no matter by whom introduced individual. He quoted from the Danaher liquor case to prove that the duties of a returning officer were imperative, not directory, and from the Glengarry election case to prove that the acceptance of nom- and bridges shall not be overlooked by me, ination did not bind resignation. Mr. Phinney called Mr. Sayre's attention to sub-section three of section 21 of election act, which he claimed allowed nominations to be filed any time after the date of proclamation and before nominbe legal even if other matters were il- are are now willing to trust the represent-Mr. Sayre did not agree with this. He thanked the committee for the patient hearing. He regretted not to have witnesses. He thought he could prove ab-solutely that in some parishes notices were not even posted till after the 17th. Sayre had protested against the election being held on the grounds that the writ pear as counsel, but desired to quote some was received too late and the proclamations posted before it was received, but of this he did not speak to him. Mr. D. D.



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W.TREMAINE GARD, 81 King St., St. John, N.B.

being taken against Dr. Legere on the that election continued to represent my own parish (St Marys) at the Municipal unanimous election as Warden of the timately acquainted with the business and people of the County, and have confidence thas I can faithfully serve your interests votes my chief aim will be to advance the votes my chief aim will be to advance the interests of my native County, and for this I will sell my entire stock en bloc, consisting of Tinware, Woodenware, Toys, Fancy Goods, &c.,



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R.

At that time Mr. Sayre was a candidate, with his card in the papers, and Mr. Le-Blanc was not chosen as a candidate till the Last, some days later.

Attorney General Blair was asking Mr. Sayre to commence his address when Mr. Phinney objected that Mr. LeBlanc should be heard. Mr. Blair had no objection to his giving testimony, although he did not see what he would know about the posting of the election petition. Mr. Phinney thought as he claimed the seat, which according to his views was vacant, it would be better for him to take the stand,

Oliver J. LeBlanc, sworn and examined by Mr. Phinney, said he was a candidate at the recent election Kent county. The evening before nomination he appointed Mr. Sayre his agent. He had heard Mr. which in my judgment may tend in tha of May.

direction.

Your local wants with reference to roads and I will do my utmost to secure for Kent

a fair share of public money.

I therefore solicit the active support of all who so generously assisted me in my former contest, as well as all others who ation of the County in my hands.

I will endeavor to make a thorough canvass of the County, and trust to have the pleasure of explaining my views to a large number of the electors.

Again soliciting your votes and support 1 am, gentlemen,

Your obedient servant, JOHN B. GOGAIN. St. Mary's March 10, 1891.

AT A BARCAIN. Will be assuredly closed out not later than 1st

G. L. SANGSTER,

Victoria Block, Moncton, N. B.

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