

Hon. W.P. Jones Deals With The Valley Railway Grafters

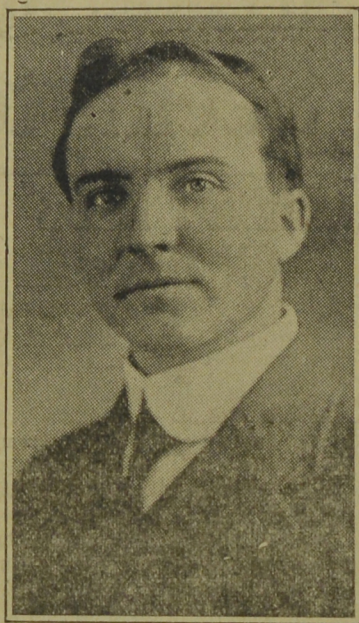
Counsel for the Government Reviews the Evidence in an able speech--Alleges that Tennant and Co-workers Entered Into a Conspiracy to Defraud Public Treasury ---Awarding the Contracts Always Synchronized With an Election.

The following is an extract from the argument presented by Hon. W. P. Jones, counsel for the government before Commissioner Stevens at St. John on Wednesday:

Now it must be remembered that this William B. Tennant, according to the evidence of Mr. Baxter, who was attorney general of the province under the old administration was, in the general election of 1917, the man to whom Mr. Baxter says he paid money enough as he thought to provide for all the expenses of the election in the county of St. John. Mr. Tennant was

then the financial agent of the Attorney General. Whether you would be safe in assuming that his railway activities, both in reference to this Corbett matter and later on, were entirely unknown to Mr. Baxter, would seem questionable. Mr. Baxter is a bright man, a very prominent and active member of the former government, a man who has a complete knowledge of political conditions throughout the province, and one would suppose that it would be extremely difficult for his financial agent to conceal altogether from Mr. Baxter his financial connection with contractors and would-be contractors on the railway, or even to conceal from Mr. Baxter his political campaign contributions.

A Peculiar Position. Mr. Baxter says in his testimony that while these tenders were called for on a mileage basis in December, 1915, at the instance of the provincial government, the government had no intention of accepting any tender at that time or of proceeding with the work. He says the call was made to indicate to Mr. Cochrane, who was



MR. P. J. HUGHES,
Associate Counsel for the Government.

then minister of railways at Ottawa, that the provincial government intended to go ahead with the work, whether Cochrane was willing or not. If Mr. Baxter is correct, he is in a most peculiar situation, namely, that of a public man acknowledging that he called tenders for a large contract; that he was the occasion of business men going to large expense and spending much time in preparing tenders, when it never was the intention to accept any of them. This insincerity of the government must have become known to some of the firms who took the trouble to examine the route of the proposed railway and submitted tenders on a mileage basis, because when tenders were afterwards called for on the unit basis no bona fide tender whatever was received.

Mr. Tennant's Further Activities. It must be remembered that prior to the opening of these tenders on a mileage basis the Nova Scotia Construction Company had some correspondence with William B. Tennant, in which he had suggested that he might open negotiations for them with a view of securing the contract for the Valley Railway, and they had replied that they hoped he would open negotiations with a view to landing the contract. If Mr. Tennant could succeed in driving off, by some means or other, all firms intending to tender on this work, he would be more likely to land the contract for the Nova Scotia Construction Company. He succeeded in driving Corbett off, that is, either his action of the action of the government, and we shall presently see how he succeeded in buying off some other firms.

On the day that the tenders were to be opened, that is the 30th of December, Mr. Todd resigned. He has given evidence before you in which he says that his reasons were his health, that the work was not congenial, and that he was not satisfied with the manner in which one member of the government dealt with the railway question. The tenders were not opened that day, but opened on the sixth of January, 1916, after Mr. Sumner of Moncton had been appointed president of the railway company.

On the 21st of April, 1916, a meeting of the directors was held at which a call for tenders on the unit basis was authorized. Although this was a contract involving two millions of money, the directors thought that a little over a week's notice was long enough and they inserted the call in a few Maritime Province papers and in no others. This notice called for tenders to close on the 5th of May for the construction of the railway between Gagetown and Westfield, a different route from that mentioned in the mileage call, which was for a railway to Rothesay, and consequently tenderers had about a week to examine the work and figure on this very large proposition. It appears that only three firms of contractors were preparing to submit tenders on this work. One of them was the firm of Smith & Merrithew, who were induced by Lindsay, the managing director of the Nova Scotia Construction Company, not to make any tender. Mr. Cozzolino says at page 150 of the evidence that Mr. Lindsay told him, referring to Smith & Merrithew, that somebody

THE SECRET OF SAVING

lies in spending to the best advantage—getting the most for your money. That is what you do when you buy Zam-Buk, and that is why Zam-Buk is the choice of the good housekeeper and careful buyer.

When you buy Zam-Buk you get 100% medicine—not 5% medicine and the balance "fill up," as in ordinary ointments. This explains why Zam-Buk goes so much farther than ordinary ointments and why the results are so much better. Zam-Buk is soothing, healing and antiseptic. It ends pain, destroys all germs in a sore or wound—thus preventing any danger of blood-poisoning—and grows new skin. A Zam-Buk cure is permanent because it purifies and heals not only the surface skin, but also the underlying tissues, so that there is no possibility of the disease breaking out again.

Zam-Buk is composed exclusively of vegetable oils and herbal extracts, with absolutely no animal fat or poisonous mineral drugs, which only irritate the parts they are intended to heal. It can, therefore, be used on the most sensitive skin and is the best balm for baby. It is also best for eczema, ringworm, boils, pimples, ulcers, abscesses, blood poisoning and piles. All dealers or Zam-Buk Co., Toronto. 50c. box, 3 for \$1.25.

Zam-Buk

else was going to put in a tender, and he promised to give them a little more money on a sub-contract and they would not tender against the Nova Scotia Construction Company. The question was then asked Mr. Cozzolino, who was president of the Nova Scotia Construction Company.

Another firm who were prepared to tender was that of Kennedy & McDonald and the third was the Nova Scotia Construction Company.

The tenders were to close on May 5 but on May 4 a series of meetings were held in St. John between Tennant, McDonald, Lindsay and Thomas Nagle. Two tenders were made out, that of the Nova Scotia Company and that of Kennedy & McDonald, in the latter the prices of the important features being uniformly higher.

The way in which the tenders were prepared is illuminating. The N. S. Company's tender was in Mr. Tennant's office where Mr. Nagle could get it. Mr. Nagle told Mr. McDonald that all Lindsay wanted was for him to keep out. Mr. McDonald testified

that Mr. Nagle told him that only one firm was to get the contract, the N. S. Company, but that they could get a sub-contract and they agreed to put in a tender furnished by Mr. Nagle. Mr. Tennant's part in these negotiations was reviewed by the counsel from the evidence, and Mr. McDonald was quoted as saying that he knew it was no use to tender direct.

Suggests Conspiracy. This, said Mr. Jones, indicates a conspiracy on the part of Mr. Tennant, Mr. Nagle, Mr. McDonald and Mr. Lindsay to prepare fake tenders and secure for themselves exorbitant profits.

The magnitude of the profits was shown by the fact that the contractors could pay Tennant \$133,000; Kennedy & McDonald \$42,000 more than they would have paid to other sub-contractors for the same work, and \$12,000 more to Smith & Merrithew.

"If this is conspiracy, and I maintain that it is, it is a crime. It is a crime at common law and under the criminal code." Counsel here quoted from the code.

"I may say that I have given the attorney general an opportunity to read this evidence and that he is ready to take criminal proceedings against these four men under the criminal code."

"Q.—You were buying these fellows off, so they wouldn't tender?"

"A.—I don't know. Anyway, he told me he agreed with them before we had the contract that we would give them a little more money."

"Q.—While the tenders were being called for?"

"A.—Well before the tenders. He said he made a concession; I don't know for what."

Another of the firms who were at that time contemplating the making of a bona fide tender was that of Kennedy & McDonald, railway contractors of ample means and large experience; and the third was the Nova Scotia Construction Company.

That Meeting in St. John.

The tenders were advertised to close on the 5th of May, 1916, and the day before there was an interesting meeting in St. John, or a series of meetings between Messrs. Tennant, Lindsay, McDonald (of Kennedy & McDonald), and one Thomas Nagle, who was representing Kennedy & McDonald.

The result of such meetings was that two tenders were made out, one purporting to be that of the Nova Scotia Construction Company and the other that of Kennedy & McDonald, and in the tender of Kennedy & McDonald the prices in respect to the essential items of the work were uniformly just a trifle higher than those in the tender of the Nova Scotia Construction Company.

As to the manner in which these tenders were prepared, the evidence is fairly illuminating. The Nova Scotia Construction Company's tender was prepared first. Mr. Lindsay had it and Mr. Tennant knew of it and had access to it. Mr. Tennant says that the figures may have been in his office, which Mr. Nagle could get. Mr. Nagle says that Tennant told McDonald: "Lindsay does not expect you to do anything, only to keep out of it." And then again: "The preparation of the tender (Kennedy & McDonald's tender) I don't know where it was prepared. Mr. Tennant didn't want to have anything to do with it. But, however, he spoke to the Nova Scotia Construction Company about it, or I presume he did. I don't remember whether I left my office with Mr. Tennant or not, but I left on some personal business of my own, and when I came back the tender was there on my counter. I don't know who sent it there. We got it. The form was sent down filled in and we got it." I presume that Lindsay sent it down. I told

WOMEN! MOTHERS! DAUGHTERS!

You who are pale, nervous, irritable, who are subject to fits of melancholy or the "blues," get your blood examined for iron deficiency. **MUXATED IRON** taken three times a day after meals will increase your strength and guarantee 100 per cent in two weeks' time in many cases.—Ferdinand King, M.D.

Tennant they (Kennedy & McDonald) wanted to put in a tender."

"Q.—And you told Tennant that the figures were to be higher than the Nova Scotia Construction Company's figures?"

"A.—That was the idea, yes. I talked with nobody but Tennant about it, and when I came back the tender was there as a result of my talk."

Conspiracy Disclosed.

This evidence, Mr. Commissioner, discloses a conspiracy between Tennant, Nagle, Lindsay and McDonald, to defraud the public through the railway company by means of deceit. Lindsay first bought Smith & Merrithew off by the promise of a sub-contract. (Continued on page 6.)

GIRLS! DRAW A MOIST CLOTH THROUGH HAIR, DOUBLE ITS BEAUTY

Try this! Hair gets thick, glossy, wavy and beautiful at once.

Immediate?—Yes. Certain?—That's the joy of it. Your hair becomes light, wavy, fluffy, abundant and appears as soft lustrous and beautiful as a young girl's after a Danderine hair cleanse. Just try this—moisten a cloth with a little Danderine and carefully draw it through your hair, taking one small strand at a time. This will cleanse the hair of dust, dirt or excessive oil, and in just a few moments you have doubled the beauty of your hair. A delightful surprise awaits those whose hair has been neglected or is scraggy, faded, dry, brittle or thin. Beside beautifying the hair, Danderine dissolves every particle of dandruff, cleanses, purifies and invigorates the scalp, forever stopping itching and falling hair, but what will please you most will be after a few weeks' use, when you see new hair—fine and downy at first—yes—but really new hair growing all over the scalp. If you care for pretty, soft hair, and lots of it, surely get a small bottle of Knowlton's Danderine from any drug store or toilet counter and just try it.

BREAKS A BAD COLD IN A JIFFY! TRY IT

You can end gripe and break up a severe cold either in head, chest, body or limbs, by taking a dose of "Pape's Cold Compound" every two hours until three doses are taken. It promptly opens clogged nostrils and air passages in the head, stops nasty discharge or nose running, relieves sick headache, dizziness, feverishness, sore throat, sneezing, soreness and stiffness. Don't stay stuffed-up! Quit blowing and snuffing! Ease your throbbing head—nothing else in the world gives such prompt relief as "Pape's Cold Compound," which costs only a few cents at any drug store.

Have Your Job Printing Done At Home

The Mail now have every facility for turning out High Class Job Printing work and there is no longer any reason why manufacturers, merchants and others should send their orders out of town.

Give us a trial order and be convinced.

We have a new office and up-to-date machinery, all run by electric power, and can turn out work promptly and efficiently. If you have a job of printing call up No. 67 and we will do the rest.

The Mail Printing Co.
327-329 Queen Street, Up Town

CASTORIA

For Infants and Children
In Use For Over 30 Years
Always bears the Signature of *Chas. H. Tuttle*

Imperial Cold Cure

Will check a cold in a few hours. Does not cause ringing in the head.

Price 25 cents. Sent by mail to any address on receipt of price. Sold only by

C. FRED CHESTNUT THE QUALITY DRUG STORE
572 Queen Street.

New Supply of Vaccination Shields 15 cents

—AT—

WILEY'S PHARMACY, York Street

GOING OUT OF BUSINESS SALE

Having decided to close out our Boot and Shoe Business and wishing to do so as soon as possible we are prepared to give some Special Bargains in Footwear.

Special Bargains until Wednesday

Any \$5.50 Womens Pat. Boot for \$4.10.

Any \$5.50 Man's Boot, any style or quality, for \$4.10.

20 per cent discount on all other purchases.

See our window for Special Bargains.

No goods on approval or exchanged. Sale to continue until goods are all sold. Come soon and get your Bargain.

McKAY & CO., - - 306 QUEEN STREET

Custom Tailoring

The New Importations for the Coming Season are now on display. An early inspection will assure you of a large and varied selection to choose from.

We are also prepared to fill all orders entrusted to us for MILITARY CLOTHING at a reasonable price. We are sole agents for the Crown Tailoring Company, of Toronto, the largest Military Tailoring Company in Canada.

WALKER BROS. TAILORS
QUEEN STREET, WEST END

CHALMERS

THE CHALMERS now holds the WORLD'S RECORD for Speed, Power and Stability. Let us book you for your spring delivery in case the price advances. We also carry OVERLAND CARS.

Fredericton Motor Sales Co.
PHONE 352-11 625 QUEEN STREET.

MINARD'S "KING OF PAIN" LINIMENT

The old reliable remedy for rheumatism, neuralgia, sore throat and sprains.

Best Liniment Made

Mr. A. E. LAUNDY, EDMONTON, writes:—"I fell from a building and received what the doctor called a very bad sprained ankle, and told me I must not walk on it for three weeks. I got MINARD'S LINIMENT and in six days I was out to work again. I think it the best Liniment made."

Minard's Liniment always gives satisfaction. For any ache or pain, it gives instant relief.
Minard's Liniment Co., Limited
Yarmouth, N.S.