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QUEER LAW IN SYDNEY.

A NEW ANECDOTE FROM AN ENGLISH CORRESPONDENT.

Mr. Morrison, who killed a man at Mira, was well treated at the Magistrate's Office of that town—Courtney extended to Other Unfortunate Gentlemen.

STREET, Jan. 22.—The matter of the execution of criminal law in Cape Breton is one that has never yet been touched on in any paper, but perhaps you can bring to the notice of the public that this country is such a peculiarly safe one for the unfortunate who stray from the path of rectitude.

About two years ago one Morrison was sentenced to six months in jail at Sydney for killing a man at Mira. He was fortunate enough to be allowed the privilege of spending his holiday in the jail, but in one of the ante-chambers of the court room, a nice pleasant room overlooking one of the finest harbors in the world, Sydney harbor. It was his own preference to occupy a nice airy well lit room with a good view and pleasant surroundings and no worse company than his own thoughts, to herding with criminals who have been guilty of the grosser crimes of selling liquor, disturbing the peace and the like, and being in that particular part of the court house commonly called the jail, surrounded by stone walls with un congenial companions.

Four months ago one Bouin was sentenced to jail for three months for shooting one Doyle in a drunken row in front of Bouin's saloon at Glouce Bay. As this gentleman was not a native of Cape Breton or to the manor born the usual courtesy was extended to him as to a distinguished foreigner committed to the offices of an official of the county of Cape Breton by a judge of the supreme court of Nova Scotia, as our own people might hope to receive in his country sunny France. He chose a comfortable well finished bedroom as far removed from the quarters to which the judge had consigned him as it was possible for him to get. There he also spent a pleasant holiday.

At the same time as Mr. Bouin was invited to become a guest of the Queen for the period of his stay in town one John Doyle was sentenced to two months in jail at Sydney for having unlawfully murdered, brutally with malice aforethought, etc., etc., struck Bouin when Bouin was shooting at his father.

As Doyle was anxious to investigate the inner workings of the places of punishment in Cape Breton he was assigned a room in the basement (i. e., the jail) where he found several others already there who had been recommended there for the good of the country. As a result of his investigation a serial story copyrighted will shortly appear in one of the New York dailies, "the royalty on which will compensate Doyle for the loss of time necessary to give the subject the proper attention and the disagreeable surroundings and great difficulties under which the necessary information was obtained. It must be borne in mind that Doyle from a very strong sense of duty remained for two whole months in the jail, that amount of time being found necessary to obtain the necessary information.

About a month ago one Musgrave was sentenced to three months in jail for being too obliging. He allowed the liquor sellers to pay him \$5 00 not to prosecute them by the holy Scott act. To him was tendered the freedom of the city (i. e., the court house and yard, exclusive of the jail) which he gladly accepted as a token of esteem and respect. Although a strong temperance man it was found necessary to bail him out. He is now awaiting with interest the time when he will be in again, which is in June, when perhaps he will prefer to occupy the basement.

About a week ago one D. G. McDonald, Government Savings Bank agent at Sydney, found it incumbent for him to make the acquaintance of a judge who inquired particularly into his private affairs—but more particularly into the financial standing of the bank for which he was agent. The result was to the finances of the institution recommended Mr. McDonald's interviewing the sheriff as to the possibility of his obtaining accommodation in the hotel for the short period of three months. Of course as a Dominion official a suite of rooms were placed at his disposal and he decided on at once taking up his quarters there. Mr. McDonald decided on a bedroom and a receiving room from among the ante chambers of the Court Room. As the rooms were not ready for his immediate occupation, Mr. McDonald at once placed an order with the firm of McDonald, Haurhan and Co., of which he was a senior member, and in a room in the rear of whose store the bank had been, for the necessary furnishing as befitting a gentleman of his standing. The rooms were soon fit for the honorable gentleman's occupation, and he was made as comfortable as a clear conscience and a three months' holiday could make him.

Owing to Mr. McDonald's time being fully occupied otherwise, the government

have found it necessary to transfer the the agency of the savings bank to the post office. Mr. McDonald thinks that the pleasure of an enforced holiday will not compensate him for the unkindly way in which the government have treated him, a good conservative. Of course Mr. McDonald's friends tried to stop the prosecution by paying the money back and threatened the government that they would lose two or three votes here, not to speak of the many they would gain, but it did not do any good.

Mr. McDonald is a director of our new Sydney Hotel and in a private room of the hotel Mr. McDonald was interviewed at first by Mr. Cahon of Halifax who had been commissioned by the Dominion government to make his acquaintance, and Mr. Moseley, the stipendiary magistrate for the town of Sydney, who happened to be there, slyly took notes of the conversation for future reference. It was a little informal family affair, almost "private, no reporters need apply." Mr. McDonald being naturally bashful did not like to be seen in such company in business hours since people might say nasty things.

Our local papers were so pressed for space they leaving a large advertisement of McEld, H. & Co., that they were unable to acquaint their subscribers with the fact that Mr. McD. had retired for a while from public life nor even of the change in the management of the Savings Bank. Mr. McDonald of course transacts his business in his new quarter with the aid of such facilities as electric light, telephone, etc.

This little town of ours is growing, thanks to the process of booming. Unless I am mistaken this way as catering to the comfort of prisoners should, it known, prove the greatest boon yet. If you will kindly insert this as an advt., and charge to profit and loss you will have the thanks of our citizens. There must be thousands who, if they only knew the excellent accommodation and the agreeable way in which our Queen's Hotel is managed, would flock here every winter. I venture to say there is not the like in any other town in the Maritime Provinces.

As the attorney-general is head of this department in Nova Scotia he would likely give any information. Of course we can offer other inducements, such as warrants outstanding for a couple of years and the men against whom they are going to their work every day and such like, but I think I have shown enough to make this town a very favorable winter resort; if not, more anon.

A Famous Nova Scotian.

That famous Nova Scotian, the late Admiral Sir Provo Wallace, has been much mentioned in provincial papers in connection with the "Chesapeake" and "Shannon" incident, but it is not generally known that the native of Halifax who became "the father of the British navy" was the youngest sailor ever engaged as an able seaman. He was born on April 12th, 1791, and was entered on the pay-sheet of the "Oiseau," as an able seaman in the British navy on May 1st, 1795, or when he was little more than four years of age. From that ship his name was transferred to the "Prevoysant," and then again to the "Asia." He left the "Asia" in 1800, and soon after he was in the "Cleopatra," though he does not appear to have actually joined the frigate until October, 1804, when he was between thirteen and fourteen years old. At the time of his death in England in February, 1892, at the great age of 100 years and ten months, his name had been enrolled on the books of the British navy for ninety-seven years.

An Election in Church.

One of the liveliest scenes ever witnessed in a New Brunswick church—and this is saying a good deal—was the election of a minister in the Baptist church at St. Martins a few days ago. There were two candidates in the field, Messrs. Thompson and Lawson. Some of the ladies of the congregation took an active part in the campaign, and were seen in all parts of the church, distributing printed ballots with much zeal. "Many were the stratagems brought into play to secure votes," says PROGRESS' correspondent, "and some of them were very laughable ones." Whether the ladies took part in these stratagems is not stated, but it is to be presumed that women's smiles and wiles had something to do with the outcome of the election, which resulted in a decided victory for the Thompstones.

A Forged Letter.

A short time ago, a young Wellville man received a letter purporting to be from a gentleman in England well-known to him, requesting him to attend a case in New York about the first of January. The young man made preparations to go on his journey, but found at length that the letter was a clever forgery, perpetrated by another young man about town. The hoaxed gentleman is making an effort to "get even" with the joker.

PROGRESS' is on sale in St. John at the King's Chapel news stand, corner of School and Front streets.

THE DARK HORSE WON.

JAMES G. FOSTER GETS THE PROBATE JUDGESHIP.

Hon. A. G. Jones' son will have to beg Count With the Registrarship—Mr. Foster who not thought of as a Candidate—His Qualifications.

HALIFAX, Jan. 24.—The deadlock regarding the appointment of a judge of probate to succeed Hon. S. L. Shannon was broken yesterday when premier Fielding gave the position to James G. Foster, until then, registrar of probate. Of all the surmising as to who would get the place no one ever thought of Mr. Foster. He was the dark horse, and was given the judgeship in order that Harry T. Jones might be made registrar. The fight for the place was exceedingly interesting not only among the barristers, but outside the legal profession as well. A month ago F. H. Bell was sure of the position as if he had been appointed. His friends were of the same confident frame of mind. But he went down before the overpowering influence of Hon. A. G. Jones, and, if party services are to count, Mr. Jones certainly had right and might on his side as compared with Mr. Bell or the other active candidate in opposition to the successful one. The liberal members of the bar objected to Harry Jones' appointment either as judge of probate or taxing master. It was the latter objection that shut out John T. Ross. H. T. Jones had never been publicly mentioned as registrar till he got the place.

Mr. Foster once ran a local election with W. S. Fielding and the late M. J. Power for the local house, which is about all he ever did for the party, and the change has not been made to suit him. For some time past he has been a resident of this city only at intervals, and two weeks ago returned from a protracted absence in the United States, where he has been on private business. His work as registrar was nominal and was done altogether by Douglas Howe, Mr. Foster's deputy. Mr. Howe is a nephew of the late Hon. Joseph Howe.

It is a question whether the bar will be satisfied with the appointment that has been made, but after the display of peculiar taste made by the liberal members of the bar in memorializing Mr. Fielding against Mr. Jones, it is not likely the premier cares much whether they are pleased or not. One thing is certain, there are today hard feelings in several hearts as to the two weeks campaign for the position, for the place went not to F. H. Bell, F. A. Congdon, J. T. Ross, W. B. Wallace or any of the others who were prominently named for the judgeship.

If there is a distinction between being a candidate for a position and an applicant for it, then W. B. Wallace was the former, and not the latter, in the race for the probate judgeship. If he did not advocate his own claims others did for him. Regarding Alderman Wallace's pocketed resolution of congratulation to Sir John Thompson, on the occasion of his banquet here over a year ago, the facts were substantially as stated by PROGRESS. He promised it a chance came to move the resolution in the council. He did not move it, and, after the meeting, stated that he had found that it could not carry and therefore made no attempt.

THEY ARE NOT ALL OFFICERS.

That is the Reason the 66th Won't Play With the 63rd.

HALIFAX, Jan. 24.—Crickets in England is said to be able to level all class distinctions, and all men are equal at least while on the crease. Sport generally has been held to be a leveller, and it is a good thing that on the athletic field, it is no where else, "all men are equal" except by the superiority that causes with triumphs of physique or skill. But there is one thing that sport, or nothing else can do. Distinctions that do not exist, except "in the mind" of a peculiar few, cannot be swept away even temporarily. This is a paradox which was furnished this week by the action of the hockey committee of the 66th P. L. F. The officers of that battalion are all "swell", and most of them are good fellows. But it was the height of ridiculousness for them to meet the challenge from the 63rd, rifles hockey team as they did. Their reply was that they could not accept the challenge because the team from the rifles was not made up exclusively of "officers." If the 63rd wished to play today with the 66th, a team of "officers" only must be entered.

Man for man, the personnel of the two teams is equally good in a social or any other sense, perhaps with the advantage in favor of the 63rd. Who will deny this who reads the names, which are as follow: 66th Hockey team—Lieutenants Stairs, Moss, Harrington, Lee, Stewart, Grant and Oliver. 63rd Hockey team—Lieutenant L. M. B. Bullock, private Keating, private Brown, private Bennett, private Bishop, private R. F. Forbes.

There is nothing sportsmanlike in this refusal to meet the 63rd team, because,

forthwith, they are not "officers," and there is less sense in the imaginary distinction which the 66th players see fit to create.

The 66th, it seems, among 550 officers and men, can find its best or only hockey team among the officers, while the 63rd, with half that number, recruits its best players from the rank and file, and cannot put together an officers' team. They have won distinction in defeating the waddlers' hockey players.

MR. COOPER GOT THERE.

A Smaller Judgeship But Important for Him.

The chair of the county court judgeship was not the only one that has been looking for an occupant of late. There was the more humble one of the justice for Lunenburg, which had become vacant by the death of the late Justice McNaught. Fairville has become an important centre and this is now quite a good office. Of course the chair is not as nicely padded as was that of the county court but still it is comfortable and it brings in to the incumbent anywhere from \$500 to \$1000.

There were several applicants who sought the gift from the local government. Chief among these were Dr. Daniel Berryman, Mr. Ephraim Chapman, of McKeown, Barrhill, and Chapman and Mr. Samuel Cooper. The other two being St. John men and Mr. Cooper being a Fairville man he won. Mr. Cooper was formerly foreman in Sutton's mill at South Bay. He is an excellent man and will no doubt fulfil his duties well.

What is the Reason of This?

The contribution from St. John will not swell the Lady Thompson fund very much. Very little has been subscribed. At the bank of Montreal there is a small subscription, at the bank of New Brunswick there is none, and this is about the way at the other banks. What is the reason? Do the people of St. John feel too poor, or do they think that the obligation is a slight one? In answer to the first question it may be remarked that there are few that have so much money that they feel they are spending any from the other calls upon them. Indifference also accounts in a large measure for the absence of contributions. Perhaps people are so democratic that they do not think Lady Thompson should be made any more of than any one else. It was suggested that the government's best course would have been to have given Lady Thompson a pension out of the public funds.

Mr. Slater was Indignant.

Mr. James H. Slater was called upon this week to make a contribution to the city funds for an infirmity of the House of Commons. He did so, but very grudgingly, and in the course of the proceeding, told the officers of the law what he thought of them. He wanted to know why Chief Clark and Magistrate Ritchie were having him up all the time when there were other places on Union street selling without license that were never looked at. He was very indignant and displayed much oratory. Mr. Slater may have some ground for complaint. There are places about the city, that are selling liquor right along without license and that could be convicted without much trouble. Sunday selling, selling after hours, and all the other ways in which the regulations are broken might be diminished.

A Fracas in a Private House.

A Truro correspondent tells of a club meeting in one of the most recherche houses in the west end of that town which broke up in as dire confusion as Bret Harte's "society upon the Stanislaw." After welcoming the members of the society the lady retired to another room for a minute, and some of the members of the club took advantage of her absence to have a very unsocial row. These unruly members used the bric-a-brac for purposes for which it was not designed—battering each other's heads. The lady of the house thought it incumbent upon herself to dismiss the club, which she accordingly did.

The Old Man Got the Prize.

The account in last week's PROGRESS of the gallant young man who took a young lady to a Wallace Hopper play and, when her ticket secured the leading prize, kept the premium himself, has created considerable comment. This item has been vouched for, and another instance of the same kind has come to the notice of the Hopper company. This time it is an old man who appropriated the present that a little girl had won. There are a few mean men in St. John.

This Required Much Courage.

The gallant rescue by Mortimer Day of the two lads who coasted over the wharf at Indian town reminds one of Fred Young's heroism. It requires dauntless courage and nerve for a man to jump into the narrow space between a vessel and a wharf, in pitch darkness and take his chances of drowning with two help'ed, struggling boys. This is what Mr. Day did and he deserves all possible credit for such an act.

THE ELECTORAL CAMP.

THE NINTH-PROVOKING SCENES IN BALLOT-DISTRIBUTION.

A Man in Short Pants—Mr. Brown, alias Mr. Bernasconi—The Leader of the Duke Street Four Hundred—One Man did not Earn \$300, but Spent It.

If one wanted to see an interesting sight on Saturday last he had only to visit the electoral camp and watch the politicians distributing the privileges of the ballot. Revisor Knowles sat at a large table in the centre of his office while around it were gathered the politicians of both sides engaged in lively discussion and examining the documents that were piled before them. About the room were gathered interested spectators who came and went and watched the proceedings.

It was a comparatively free and easy court and there was no dearth of humor, for whenever the fund of the politicians ran low Joe Knowles was present to fill up the gap. The court did not consider that its dignity was assailed by indulgence in light humor and it is also a fact that its judicial functions were not impaired thereby. It was thought that the revisor was very fair in his decisions and the liberals had little complaint to make.

There were, however, some points in which they felt that fortune did not smile upon their endeavors. It may be stated, by the way, that they were the only parties to file any objections. The conservatives did not have any, but the liberals had a big stack of them. Some of them were filed against minors and aliens and there are some minors and aliens still on the lists and who will be able to vote in the election unless challenged.

In the case of the aliens the liberals could not swear that they had not been naturalized and so they remained on. In the case of some of the young men there was also lack of positive proof and they also are O. K. But it is evident that the parties who swore as to the qualifications of three persons must have stretched their consciences a little. One young man was supposed to be about twenty-four. A couple of the conservatives present were confident of that. He was summoned, however, and informed the court that he was nineteen.

In one case the liberal objectors claimed that a name on the list was that of a mere boy. "Why, he is in short pants," they said. "That isn't evidence," replied a conservative present, "you'll have to produce the pants in court." "If that's going to affect the qualification," remarked another, "what about the bank clerks who wear them?" But the short pants did not disqualify him.

There was an interesting case of repetition of names. G. A. Brown and G. A. Bernasconi appeared on the lists and they proved to be one and the same person. The mystery or romance was explained and the error rectified. Mr. Bernasconi is a civil engineer and has resided here on two different occasions. When he was here first he was called Mr. Brown, now he goes under the correct one. When Mr. B. sought to give a young lady his name she disliked the appearance of Bernasconi as too suggestive of Italian banditti and suggested plain Brown instead. He of course cavalierly acceded to her request and he became plain English Brown. Now Mrs. B. has become reconciled to being called Mrs. Bernasconi. Perhaps the fad for improving upon the good old English names with the hyphenated and other forms had reached her.

There is one man who swears vengeance against the electoral court. This is Mr. Chas. Diggs, the leader of the Duke street four hundred. Mr. Diggs feels that he has more right to be on than Mr. Addison. Mr. Diggs was before the court and was assured respecting his qualifications. They asked him if he had an income of \$300. He hardly thought he had. Then they asked him what rent he paid. "Twelve dollars," he plaintively replied, "you know I haven't got a very good house." Then reflecting upon the hardness of fate at not getting on the lists, Mr. Diggs took his departure with his little satchel.

One young man who was objected to was summoned and asked concerning his qualifications. He said that he did not earn \$300 a year but he spent considerably more than that. But they did not counter upon him the franchise. They did not think that a man's capacity for spending money was as good a basis for the vote as his capacity for making money.

Mr. A. E. MacIntyre was the chief liberal authority on age. He always knew the young men objected to from infancy up. He remembered when they were babies and so knew their years. The champion joker present suggested that he must have been in the nursing business.

About twelve hundred names have been added to the list for the city and county and the question arises where did they all come from. It is probable that there is more than one solution. The population

of the county may have increased slightly, the hard work of the committee may have resulted in getting on the names of all eligible voters and a few more besides, and it may be that the families are larger than in 1891 owing to the dull times in the republic which have kept young men home and brought home others who were away.

HE HAD NO REGARD FOR TRUTH.

Mr. Bubb is Convicted Out of His Own Mouth.

The article in PROGRESS last week which dealt with the Bubb Comedy Company reference, as it is called, provided by this company. There was one reference in that article which appears to have given Manager Bubb not a little concern, as manifested by his desire to appear in print. The article said that in making his announcement of Thursday's bill he had the bad taste to speak contemptuously of "East Lynne" as done by Price Webber's company in the opera house last New Year's day.

Mr. Bubb writes a letter to the morning paper denying that he made any uncomplimentary reference whatever to H. Price Webber "in any of his addresses from the opera house stage," and takes occasion to express his admiration for Mr. Webber although he has "no personal acquaintance with him."

This letter of Mr. Bubb is evidently inspired and his denial is as absurd as it is useless in view of his language on the occasion referred to. It is not claimed, nor did PROGRESS say he spoke of Mr. Webber by name or as an individual but it is asserted that he did speak disparagingly of that manager's company in their production of "East Lynne." Every one who reads the St. John papers—perhaps every adult listening to him—knew that H. Price Webber's company played "East Lynne" in the opera house at the matinee last New Year's day. Now when Mr. Bubb, whose vanity has led him to call the patrons of the opera house during his stay—admission ten cents—his "friends"—speaks of the performance of "East Lynne" last New Year's day every one knows it is of the Webber company he speaks. And when he expresses himself on the subject of "East Lynne" and uses the words "I hear this play was put on in your city New Year's day. Now we don't do it as that company did. We play it," it does seem, notwithstanding his denial, that he did refer to Webber's company and that he did speak contemptuously of them and their work. No other solution is possible. If worth while it might easily be argued that as Mr. Webber was in the cast of "East Lynne" he did refer to him in an uncomplimentary manner.

Further comment on Mr. Bubb's letter is perhaps unnecessary, save this—that his silence on the features of his production as mentioned last week is an admission and strong proof as well that PROGRESS' description is absolutely true. A ten cent admission will fill the house even though there be no "orchestra" as an attraction.

If Mr. Bubb's letter in other respects is as inaccurate as it is in respect to his denial of uncomplimentary reference to Mr. Webber's company, then he has certainly placed himself in a very unenviable position before the public of this city. That his letter was inspired seems probable from its very manner and matter. As a matter of construction some one might say it suggests an excuse that for purposes of self interest might have been made by the management of the opera house; it suggests an ingenious mind that recognizes that Mr. Bubb has to return to this city and cares little for his reputation so long as dollars—in the form of 10 cent pieces—are directed to the increase of opera house revenue; it suggests also a fear that the bad taste of the remark, if no denial were made, might so annoy Mr. Webber that, latter on, it would become an expensive matter for the management. The fact is that the opera house directors were so pleased with the business done by Manager Webber and his company last Christmas and New Year's days that they lost no time in securing him for next Christmas and New Year's day. Some one might also conjecture it as probable the management has said, "We don't care anything about Bubb. We must get him to subscribe a denial of PROGRESS' article, and he can say something about a 'roasting' being threatened if he did not advertise. It will never do to let Webber believe that we would be silent when he was attacked in our house or that we would allow such a thing to occur."

The attack was made however, and Mr. Bubb is the transgressor.

One more word. Mr. Bubb in his letter to the daily papers said that he had been asked for an advertisement for PROGRESS coupled with the threat that unless it was given the paper would roast him. This lie is scarcely worth contradicting. If Mr. Bubb can produce a particle of evidence that any one connected with PROGRESS asked him for an advertisement or threatened him with a roast, it will be a sufficient reason for his discharge.