

# PROGRESS.

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## FACTS FOR THE JUDGE

WHICH IN THIS CASE ARE THE PEOPLE THEMSELVES.

From the Committal Book, which is the Day Record of the Force that Burchill was in Lower Cove with Covay in July—Is Anything More Wanted?

There can only be one excuse for returning to that unsavory police business, only one excuse for inflicting it once more on the reading public and that is the remarkable and convincing evidence that has come to light since the conclusion of the trial—evidence that, it is quite true, should have been brought forward at the time and completed the chain of testimony that would have shown even the most doubting that there was not a shadow of doubt of the presence of Sergeant Covay in Lower Cove with Officer Burchill at the time when it was charged that he committed one of his most serious offences.

It will be remembered that it was upon the evidence of the "truthful" Rawlings and his book, that the magistrate concluded that it was impossible for Burchill to be in Lower Cove any time during July and the early part of August, and as that evidence was contrary to that of Burchill himself, who swore he was there with Covay—and swore, moreover, to the offence charged against his superior officer—and of the Murphy girl and others, he concluded that Burchill and the Murphy girl and the others, were giving false evidence. Acting on the basis that if they swore falsely in that they swore falsely in every case, the magistrate gave his decision. To make the case as clear as noonday, the words of Mr. Ritchie are quoted. Here is what he said:

If any one of the charges were proved, it was sufficient to convict Covay. Mrs. Woodburn had detailed very specifically matters in connection with Covay's visits and his conduct. He reviewed her statements and pointed out how good her memory was in reference to smaller matters. Bowen's testimony was reviewed in a similar manner, after which his honor took up the Rose Murphy matter, and said that evidence of an indecent assault had been given. In this Burchill corroborated Mrs. Woodburn, and Rose Murphy agreed with them to a certain extent. He must confess, he said, that if according to his view, the Murphy assault had been omitted, he would have experienced great difficulty in deciding the matter. Mrs. Woodburn had been so specific that had the case rested outside the assault, it would have been difficult to decide. Against his view of the matter the assault had been brought in. Covay denied it as he did the other charges. There was wilful and corrupt perjury somewhere in the case and they must throw the mantle of charity over no one but call a spade a spade. Covay was charged with assault, the date being August. All witnesses seemed to agree that there were only three present, but Mrs. Woodburn had said Boyle was there too. In July or August who should have been there? The record showed that Covay was on duty day and night in turn. The assault, it has been alleged, happened when Burchill was on night duty on Sheffield street. Covay was then day patrol sergeant, and Sergeant Hastings night patrol. Covay could not have been there at all. For the week ending 11th July Covay was night patrol sergeant, and George Moore and Burchill were at York Point. If the prosecution was correct in saying that Moore was drunk and Burchill transferred to Sheffield street, who was at York Point? Would Burchill have been taken to Sheffield street, and if so, which of the men there, Rankine and Woods, did they remove? Moore was absent on Tuesday, Wednesday and Thursday, and if Burchill was removed to Sheffield street he and Rankine and Woods must have been there while no one was at York Point. Moore came on again next week, went to King square and was suspended for a week. The question was about these men and he must take the book for it. By it he found that Covay and Burchill were not on duty on Sheffield street together during July and August. While time was not all together essential, great latitude had been allowed. The book showed that it was impossible for Covay to have been there.

Strange as it may seem the very best evidence that Burchill and Covay were on Sheffield street during July was, figuratively speaking, right under the nose of the lawyers and the court.

The committal book stands in the same relation to the police force as a day book does to a man's business. If there any arrests made the committal book will show more than that it will show where those arrests were made, and who made them. It also tells a good deal more such as the prisoner's nationality, his age, his offence, and what time he transgressed.

But PROGRESS will prove its case simply by the day book of the force which has been pretty thoroughly examined by a representative of this paper since the "investigation" ended.

The entries in it show that on Saturday July 5th Moore and Burchill were on duty at York point because they together arrested a man named Andrew Chiehy at 12 o'clock for drunkenness.

At the investigation the prosecution claimed and Burchill swore that he was transferred from York point to Sheffield street. The defence denied this and according to the "truthful" Rawlings' private record book such was not the case. That it was the case beyond the shadow of a doubt is proved by the entry in the committal book the following Wednesday July 9th, which says that Burchill and Rankin arrested a man named John Hart, between the hours of nine and ten o'clock in the evening, for being drunk on the Barrack Green. Further than this, to show that Burchill was transferred Monday, July 7, an entry in the committal book says that Rankin and Burchill arrested James Ross between ten and eleven o'clock in the evening, for

being drunk on Sheffield street. Further than this, to show that Sergeant Covay was also in that vicinity at the time named, there is an entry in the committal book, made by Sergeant Covay, which says that he arrested William Peppet on Tuesday, July 8, at 7 o'clock, for drunkenness on Carmarthen street.

If that evidence had been given at the investigation, the result could not have been the same. Even the magistrate must have been convinced. After it is read, it is amusing to read again Mr. Carleton's remarks on this point. This is what he said:

Thanks to the excellent police records it was possible to show that in July and August Covay and Burchill could not have been together on Sheffield street. They had not counted on these records, and if they had done so he would have had a much harder case for he believed that these people, lying on one side of the witness stand, would have arranged testimony so as to meet the books. Both Burchill and Rose Murphy had been uncertain as to the date, but the police records proved it to have been impossible for these men to have been together on the date mentioned. He believed that had it not been for the records Boyle would have sworn to it too, but when he saw the records he backed out. Another lie from Burchill might have injured his client's case beyond repair, but it had not come.

Thanks to the "excellent police record," it can be shown that Burchill and Covay were on duty together on Sheffield street in July. Is there any more evidence needed?

These facts are given that the majority of the people who have thought with PROGRESS all along may have their belief confirmed. The police magistrate has a splendid opportunity to glance over the same authority that PROGRESS gleaned its facts from, the committal book. That is indisputable evidence, and proves the very point that was lacking in the opinion of the magistrate and the counsel for the defence, viz: that Burchill was in Lower Cove on duty in July.

**What Mr. Forbes Says.**  
Mr. Forbes, the prosecuting counsel, was somewhat excited when PROGRESS talked to him about the evidence that was overlooked. He had heard all about it, and had the dates and days down fine. More than that he claims that the committal book was kept out of the way and could not be got when Burchill was on the stand. Weatherhead could not get a chance to look over it, he said, to get what he wanted, and it was in this way the evidence was overlooked.

**WHILE THE OFFICER SLEPT.**

The Story of Mr. Donovan's Experience in the Back Street Lock-Up.

A man named Donovan got very drunk recently, in the vicinity of the back shore. According to all accounts he is in the habit of getting in this condition. He was unfortunate, however, on this particular evening—that is at the first of it. He ran into the arms of the police and got locked up. Mr. Donovan was very cold, and while in the lock-up made such a rumpus, in his endeavours to get warm, that Officer Jenkins allowed him to come out of the cell and sit by the fire. Officer Jenkins also took advantage of the stove, for it was his "hour in," and the night was cold. Mr. Donovan was evidently very poor company, under the influence of the heat, but he soon found that officer Jenkins was the very best of company for a man in Mr. Donovan's position at that moment, with a morning scene in the police court in his mind, and no money to pay a fine in his pocket. The officer became drowsy, and was soon in dreamland. He was probably dreaming of promotion; of the advantages of being a sergeant, as experienced by him while performing the duties of that office during Sgt. Covay's "vacation," and was unwilling to disturb the sweet delusion.

Mr. Donovan, however, was awake. He was very wide awake to his opportunities, and while the officer slept he made the best of his time. He turned the key in the door and stepped out into the cold December atmosphere. When the officer awoke he was alone. The door was open, and Mr. Donovan was invisible.

Donovan was arrested again next day and fined for drunkenness.

**Weatherhead May Be Reinstated.**

There is a pretty authentic rumor floating about to the effect that in his distribution of peace, good-will and justice to all members of the force at this the beginning of the new year, Chief Clark will reinstate John Weatherhead to his old position in the North End. PROGRESS learned that this had been intimated to the friends of Weatherhead, though the latter will neither confirm or deny the rumor. In fact, he won't talk about it, and that is probably where his head is level.

**The Performance at the Bijou.**

The Bijou theatre had a very good programme this week, many new features being introduced. One of the latest additions to the company is a high kicker, who with Queenie Hetherington as a status in pink tights, but a very different style of costume from that of the Cortland sisters, was a great attraction.

## ANNOUNCEMENT FOR '91.

PROGRESS TO BE ENLARGED TO SIXTEEN PAGES.

Some Reasons For the Step—Forecast to do it By Pressure of Matter and Advertisement—One or Two Features Already Arranged For.

A sixteen page paper every week! That is PROGRESS' first announcement for the year 1891.

Not a very important one perhaps in the opinion of some people but it is all important to PROGRESS and its readers. It means a good deal to double the size of any business at one bound and in very few instances can it be done. For nearly a year PROGRESS has been too small—has not been large enough to be able to print all the interesting matter that has been sent to it in one way and another. The advertisers, too, have had their say and clamored for more than their share of room until many issues contained as many columns of advertisements as of reading matter. That is not the kind of a newspaper that the publisher of PROGRESS wants it to be and as its readers know they have quite frequently received ten and twelve pages when advertisements over-ran the usual space.

That appears to be the case every week now, and warrants a permanent enlargement of the paper. Many of its friends have asked, "Why do you not publish twelve pages instead of sixteen?" There is more than one reply to this question, and they invariably have the desired effect of convincing the inquirers. So far as the mechanical work is concerned a twelve page paper of PROGRESS style is much more difficult to publish than one of sixteen pages. Besides, it is not as handsome a sheet, and appearances go a long way with newspapers as with everything else. But the greatest reason is that twelve pages will not contain all the new features that will enter into the larger PROGRESS.

It is not necessary to go into them at this time. They will be announced in good season, and will be a genuine surprise and delight to the readers of the paper.

None of the present popular departments will be neglected. In fact, the ever increasing scope of one of them has in a greater degree than any other forced the present move. PROGRESS has conquered the opposition to the "social and personal" feature, and is not ashamed to say that it has been one of the roads on which it has traveled to success. So far as New Brunswick is concerned it is fairly well covered, though there is some notable exceptions where good and regular correspondents are rarer than diamonds. It is not necessary to mention the places, for some day they will come into line, and be represented as faithfully as, for example, Moncton is now. But there are towns of considerable size in the sister provinces who have been asking to be represented in PROGRESS. Good correspondents have professed their services, which have been declined for want of space to print their letters. There will be no such reason in the sixteen page paper. There will be room for everything that is good and worth reading, such as come in week after week from bright men and women throughout the Maritime provinces. As it is now PROGRESS prints more original and better contributions than any of the newspapers. That it will continue to do so, can be readily understood.

The increased space will give more opportunity for that all important feature of the journalism of today—illustration. Already arrangements have been made for a series of splendid portrait reproductions of many of the prominent men of the provinces. It is the purpose of the editor to conduct this series without an interruption, and to gain that end a considerable number of portraits are now in the hands of the engravers, and the sketches are in the office. This will be but one of the score of attractive features that are contemplated for the year.

The enlargement will not be made for some weeks—just when depends somewhat upon the firms who supply printing materials for the present plant of PROGRESS, which, while more than ample for eight and twelve, will not suffice for sixteen pages.

In the meantime this fact may be borne in mind that PROGRESS as a sixteen page paper will be the first of that size in Canada.

**A Bad Break for January 1, 1891.**

The Evening GAZETTE, made a bad break the first day of the new year. After all it had to say about its "poets corner" in a recent addition, it palmed off an old newsboys address used by the "silly and stupid" Daily Telegraph in 1880. It was a neat bit of plagiarism for the first day of the new year. Here is the first verse of the GAZETTE'S 1880 address. See how the GAZETTE corresponds with it.

Ring, glad bells, through the frosty sky!  
Say that the old year passeth by;  
Say that the new year draweth nigh;  
For which the nations long,  
Say that the eyes are growing bright  
That have waded and watched through the long,  
dark night;  
Say that the sky hath a gleam of light,  
And an echo of distant song.

## FREDERICK'S BAD BOY.

He Listens to a Powerful Sermon from Bob on the Subject of Christmas.

So Christmas was come and gone. Ma got a gorgus dressin' case from Uncle Dick coz she oney had seven uv 'em befor, and I spose Uncle Dick tho't they was g-tin lonesum. And she got a butter-cooler which I spose was to match the wether. And I got a hankerchief frum Uncle Dick and a hankerchief frum sister and a hankerchief frum my chum Billy Jones. So I spose my nose must be gettin' popeler, but so many hankerchiefs looks monopulus, wether that is, got a luvly limbook and five royl rooster vases. Acorse we had, to keep our end up in the leadin' circles regards uv expense, so Ma she boarded at Jim Murrey's bookstore for about a week, and Pa got mad at last, and asked Jim wot he would take fer the hull stock? And Jim sez, Mr. Smith, sez he, I jist want to show you somethin' fer 25 cents that Edgemoor is sellin' fer more'n eighteen dollars. And Pa, like phool, went in and wen he cum out Jim had him loaded up with books, and boxes and paper nives and jumpin' frogs and statues till you'd tho't he was a travellin' Crismus tree or owned about a hundred children. The oney man wot could tech Pa was Mr. Blare who got wot was left. Mr. Blare sez he was thinkin' of handin' over the parlement bildin' and horse-barn to Jim to call it square.

I spose Pa must be kind uv hard uv now coz he spent about a hundred dollars gettin' himself elected as the most popeler alderman fer givin' three barrels of flour and a barrel uv sugar to the poor. Don't you think you could get more flour and sugar than that fer the poor, sez I, fer a hundred dollars? But enyway Bob, the man who was sawin' our wood fer us last week, wot Pa beat him down ten cents a cord, he sez he don't take no stock in Crismus.

Wots the use uv people buyin' wot they can't pay fer and givin' wot they don't want to give to people who aint thankful fer 'em, sez he?

Wots the use uv sendin' out cards with yaller skies and red snows and blue angels on 'em, sez he, and gettin' back yaller snow banks and red angels? sez he.

Wots the use uv stuffin' the poor children uv the town up to the bustin' pint on New Year's and lettin' 'em go to blazes the rest uv the year, sez he?

Wots the use uv a man givin' old gobblers to all his employes and then beatin' down their wages to starvashun pint, sez he?

Wots the use uv starvin' yure minister all the year, and then surprisin' him on Crismus with gold-headed canes and brass-headed thanks, sez he?

Wots the use uv a man spendin' fifty dollars on a big dinner fer Crismus when the sheriff is follerin' him round the streets, sez he?

Wots the use uv a woman entertainin' her guests with smiles and cake and pie on Crismus, when every other day she's a tetter to snax, sez he?

Wots the use uv a man puttin' up a tall Crismus tree with peccer and good will on it, when he's cross as a bear with a sore head to everybody the munit its down, sez he?

Wots the use uv a man wot cheats his naber 364 days in the year tryin' to cheat the Lord by chippin' in a dollar more to the Church on Crismus, sez he?

Wots the use uv a man sayin' God bless our home when he knows theres homes thats cursed with want and despair, sez he?

Wots the use uv people who sell rum to make the poor still poorer givin' ten cords of wood to a minister to take the cuss offen their iniquities, sez he?

We want more genuine charity fer the sufferin' poor and less fuss and fethers on Crismus. We want people who don't uncorner their benevolence on Crismus on the house-top to bottel 'em up in the safe fer the balance uv there lives, sez he. We want people who will pay more attemshun to the poor and cold and friendless ones uv earth than to swappin' gold and silver gimcracks with each other on Crismus, coz it's fashionable, sez he. People who will give work and cloze and bread to people who was bro't into this and world without askin', and who have no cloze nor work nor bread.

Every day might be a Crismus, if the strong would lift the weak; every voice might be a song if the proud would help the weak; for, I think, Jimmy, the flower wich grows in the cold and barren place, and needs the rain uv humen kindness, is uv more consequence to Him wich made it, than the gorgus hothouse plants uv pride and fashion, wich grows in soil uv man's preparin'.

So, after Bob told me all this, I didn't feel like makin' enemy more jokes, and so I say, "Good luck to PROGRESS, and may it be powerfu fer truth and goodness through all the glad New Year." JIMMY SMITH. Fredericton, Dec. 31.

## ALL WERE BENT ON FUN.

NEW YEAR'S DAY A GREAT TIME FOR THE MERRY MAKERS.

How the Year 1890 Went Out and the Greetings for 1891—Old Time Customs Revived—No Snowballing with Hard Snow—New Year's Evening.

It was real winter weather. The hard day, snow, the mercury at zero, stars that shone like diamonds and a sharp, piercing wind left no doubt as to the season. Here and there on the quiet streets people hurried to one or other of the churches, and were glad to get indoors, while a great number of the regular watch night worshippers evidently thought the game not worth the candle, and stayed at home. For the services were not so well attended as in former years. And many of those who did go were chilled when they came out.

Twelve o'clock! and the new year rolled in. It was a solemn moment for some, and a very insignificant one for others, especially the giggling girls and restless young men, who invariably bring up in the back seats of the churches year after year. But as Trinity's chimes rang out, and the bells of the other churches joined in, there was silence. Hundreds sat with bowed heads, and listened to the bells. Some prayed. Others made merry by the fire-side, played games or sang; some tripped the light fantastic into another year, while thousands slept, to awake in eighteen hundred and ninety-one.

And it was a very happy new year indeed. A holiday, and a most delightful one, too. Not very cold, plenty of snow, good drivin', good walking. The stablesmen were happy, and so were their patrons. All the horses were out. Single sleighs, pungs, double-seated sleighs and carryalls, were forced into service. The roads were black, and the fyers flew.

Yet there were crowds of people up town. The streets looked lively, and old customs were revived—and it was a great revival as far as the sled gangs were concerned. The teamsters were out in force, and every one of them had a crowd of singing men and youths clinging on to each other, and singing for all they were worth. One met them at every corner singing everything from Salvation hymns to "Roll a man Down." It was a regular old-time holiday, and as the day wore on many of the singers grew hazy and their words indistinct.

Hundreds again spent the afternoon in the rinks and theatres, and the curlers went in for a good day's sport, and had it. Then there were at homes in the lodge rooms, and receptions, and reunions, while on the streets the newsboys worked the New Year's address scheme for all it was worth, and the boys at the street corners shied hunks of ice at the travelling advertisement of the Bijou theatre. But the snow was not of the right kind for snowballing, or that old time nuisance might have been revived. Such golden opportunities as the gamins had for the sport in the crowded sleds of merry celebrators have not presented themselves for years.

People make the most of fine holidays, and follow one thing up with another in rapid succession, until the day is done. So, as early as seven o'clock the streets were black with pleasure seekers, bound for places of amusement. Skates shone under the gas lamps or electric light, and at times it seemed as though everybody was bound for the rinks, and was determined on getting there in time to secure standing room at least. The Palace rink was crowded, almost uncomfortably so, and the ice was not of the best.

Across the street men poured into the Bijou, and in 't's St. Andrews rink the curlers again went at it. Further up the street, the Y. M. C. A. people and their friends enjoyed the programme for the opening of the new track.

At the Institute H. Price Webber was again on hand in a yellow costume, in *British Born*. The hall was crowded, and the company at its best. In this play the audience gets the full benefit of the pure unadulterated H. Price Webber, in all his grotesqueness and humor, and the company gets all the applause and approbation that excited British subjects can give. Which is saying a good deal. How they howled when Mary Hope threw the British flag over her lover and saved him from the guns of the Bolivian regulars in British uniform! And what scorn the gaudy governor of Bolivia brought upon himself in his Knights of Pythias uniform! But the genial Price in his yellow waistcoat of concertina construction, which formed part of the uniform of the parish of Simonds police, and was presented to him by Brother Needham, carried the crowd. He kept the audience in the best of humor, and worked upon the feelings of the irrepressible gallery gods to such an extent, that between the acts a number of them lunged footwear of unusual size and unique construction over the railing of the gallery and dangled them to the music of Harrison's orchestra, in full view of the respectable people in the re-

served seats, and to the horrorification of their outraged senses of sight and smell.

Then Humphrey Price Webber made a speech which brought almost as much applause as the acting. It was a good speech, and gave his reasons for not charging 75 cents admission. Much as he would like to do this, the genial manager had not the requisite "gall" to charge the audience such a sum for seeing any show in such hard-bottomed chairs as those in the Institute.

**THE TRIALS OF A SEXTON.**

The "Noble Art" an Apparent Necessity in Furthering his Idea of Duty.

One of the city churches begins the New Year without a sexton. His resignation is the result of an amusing unpleasantness between him and some of the church workers, one of whom was a lady. As the story goes each seems to have had an idea that they "owned" the church or had a claim on it of some kind or other, and attempt at a settlement of the matter resulted in the sexton's resignation.

One day last week he went into the Sunday school and found one of the bibles completely surrounded by novels of the East Lynne and Rider Haggard stamp. This shocked his fine religious sensibilities, and he immediately proceeded to put the books away, so as to leave the bible free from their degrading influences. When the lady visited the schoolroom and missed the books, she demanded an explanation. She got one, but it was apparently not very satisfactory, for according to the sexton's story, she struck him in the face with such force as to send him across the room. Then there was a scene. The pastor of the church was appealed to, but the difficulty was not settled.

Wednesday night the sexton had another experience. He was ringing the church bell in a way that did not suit a member of the choir, who approached him on the matter. The result was that each seemed to have entirely different ideas as to how this duty should be performed, and one told the other in very plain terms that he knew nothing about it. This brought on a climax. The sexton was struck a blow in the face, and he retaliated, by catching hold of his opponent and forcing him to the wall. And the bell ceased to ring.

**LYTELL AND THE CONSTABLE.**

He Makes the Acquaintance of the Law For Debtors.

Mr. Lytell has again made the acquaintance of the St. John constabulary force, and had a somewhat narrow escape from interviewing the deputy sheriff.

Lytell appears to be either unfortunate or extravagant. His friends are fond of relating how he refused an offer of \$150 a week to star the season in a large American city for the excellent reason that he wanted \$200, only to "manage" a company of his own, and be almost stranded in a Canadian town.

When the Palace Theatre closed Miss Moore was engaged for two weeks, at \$30 a week, by the Lytell combination. The time expired last week, and Mr. Lytell made his usual preparations for going to Moncton and Halifax without liquidating with the fair Moore, who accordingly interviewed a lawyer. A little inquiry on his part disclosed the fact that Lytell was billed to appear at Moncton Saturday evening, and also billed for St. John. That was an excellent blind but there was a constable with a writ at the railway station all the same, and when Mr. Lytell was about to bid adieu to this city by the sea, he was presented with the grip and writ of the law.

The company went to Moncton. Mr. Lytell remained behind and spent a few hours and extra dollars, settling up the affair. Local manager Melville went bail for his appearance at trial, and the Canadian Pacific carried him to Halifax.

**Ten Dollars for the Best Cartoon.**

PROGRESS has an offer to make to those who draw or attempt to draw. To the person in the maritime provinces who will send in the best cartoon on any local subject, social or political, a prize of \$10 will be given. The competition is open to any and everyone excepting those directly connected with PROGRESS office, and the only condition is, that the drawing shall be in this office on or before January 15th.

**He Stands Alone in His Class.**

Chief Clark delivered an oration New Year's eve. He wished all the men a happy new year, and hoped all unpleasantness would be forgotten. The chief then referred to his long acquaintance with Ald. Connor, how he had played with him at school and had watched his successful career with a great deal of interest. He also paid high tribute to the abilities of Ald. Kelly, and wound up with "But, gentlemen, there is only one chief of police."

**She is Well Known in St. John.**

The advantages of being a good educationist are many, even to those who do not aspire to the platform. Miss Sarah J. Fadden, who is a graduate of the Emerson college of oratory, Boston, and always an attraction at church and society entertainments has opened a class at 164 Princess street, where ambitious young people can spend some time to great advantage.