

# PROGRESS.

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## SIX WEEKS IN THE JAIL.

"PROGRESS" SETS A PERSECUTED MAN AT LIBERTY.

He Had Begun to Think He Was Imprisoned for Life—The Story of Brunswick Belyea's Persecutions by the Law and Without the Law.

On Thursday last, J. Brunswick Belyea, of Hampton, completed his 42nd day as a prisoner in the common jail of the city and county of St. John. The offence for which he was put there consisted of his having a house, having a bad tenant, and making a magistrate's court to help him recover a few dollars due him for rent.

This is not usually supposed to be a crime, but the law which is the basis of the age-old country landed Mr. Belyea in jail. He kept him there, when he would have been a free man if he had been so lucky as to own nothing. More than that, he was, to all appearance, imprisoned for life. There seemed to be no way of getting him out.

The direct cause of his arrest and incarceration in this ill-savored bastille was the fact that he had insulted the county court of Kings. He had not used bad language to it, nor made faces at it, nor chattered up bad names on the door of the court house. He had done nothing, in fact, and that was why the court felt itself outrageously insulted. It wanted him to do something, and that something was the payment of \$14 in costs. Mr. Belyea did not have the money, and so the court put him into jail to stay there until he had a legacy left him or until the angel of death issued a *habes corpus* and his body was carried out in a wooden box.

There was every prospect that the latter, in time, would be the mode of his exit. Mr. Belyea is between 50 and 60 years old, and the St. John jail is not a sanitarium for men of that age in feeble health. It is an abominable hole at the best, and at the end of the 40th day the prisoner began to get alarmed. It was true he was in a debtors' cell, instead of in one of the kennels used for other classes of offenders, but he was not warmly clad, the bedding was scanty, the draughts abundant, and a heavy cold had settled on his system. He had applied for jail allowance and got it in all its nastiness, but its effect was modified by food supplied at times by a friend outside. When this happened, he gave his molasses-and-water tea and unsavory broth to able bodied and more hungry wretches, who were glad to get it. At this rate, it will be understood, it would take some time to bring his sentence to an end by the termination of his natural life. He began to get tired of the prospect, and his story reached the ears of PROGRESS.

Mr. Belyea's house is at Hampton, and he had had one McLean for a tenant. McLean owed for the rent, and as there was no way of reaching any effects by a distraint, Mr. Belyea incautiously brought suit in a justice's court. His previous experience of magistrate's courts in the vicinity of Hampton should have taught him better. When the magistrates seem disposed to do right, as is not always the case, the lawyers make trouble of some kind, so that it is usually cheaper to sacrifice a small debt than to attempt to recover it. Mr. Belyea is fully aware of that fact by this time.

The suit, for a few dollars, was brought in the court of Squire Piers, who seems to have acted fairly enough, and Mr. Belyea got a verdict. Then Lawyer Tweedie, who was on the other side, went before Judge Wedderburn and had the verdict set aside. Mr. Belyea says that the affidavits were not in accordance with the facts, but of this PROGRESS knows nothing. The decision of the judge was given with costs against Belyea, amounting to \$14. This was in the early part of the winter.

In February, Belyea came to this city on business, and while here was arrested under an attachment for the costs. That is why he has been in the jail at St. John instead of in the jail at Hampton.

In contemplation of the law, when the costs of court are not paid the delinquent is guilty of contempt. He insults the court as much as if he called the judge a frowsy-headed, blear-eyed old son of a gun from Blackawayback. The court, thereupon, issues an attachment by which the offender is collared and put in jail, where he stays until he pays the amount or dies. There is no provision made for the prisoner being bailed or otherwise released. He is there hard and fast for all time unless he or his friends raise the amount and get him out. If he and they are poor and the sum is large, the delivery only happens when the undertaker appears on the scene. In this instance, the amount was as much beyond Belyea's reach as if it had been a thousand dollars. He found himself a penniless prisoner because he had tried to raise some money by bringing an action for it. The majesty of the much-insulted county court of Kings was vindicated, and the ruthless insurer was in duance vile—very vile indeed.

An attachment for contempt does not, under ordinary circumstances, admit of bail—that is, the sheriff is not authorized to release a prisoner if bail is offered as in an ordinary case of debt. It was a lawyer's opinion, however, that the supreme court would make an order for bail if the case were brought up on *habes corpus*. To show grounds for such a writ, it seemed necessary that bail should first of all be tendered to the sheriff, and if he refused it, then application would be made to the court. Two citizens were found who consented to go on the bond.

James A. Harding is one of the oldest barristers in the supreme court, and has been sheriff of St. John for many years. In all his experience, no such case had come before him, and he appears to have been afraid of getting into a hole of some kind if bail were tendered. One of the proposed bondsmen went to see him, and got the idea there were technical points which might put him to a great deal of trouble before the affair was ended. He was anxious to help Belyea, but wanted to know more about it. This delay upset the plan for Belyea's release, and the unhappy prisoner again resigned himself to his fate.

In the meantime, taking advantage of Belyea's enforced absence from Hampton, some of the neighborly people of that place, inflamed with whiskey from the other man's place, broke into Belyea's shop, stole what was worth stealing, and destroyed what they did not want to carry away. They also broke the glass of the roof which Belyea had placed over the part of the building which the delinquent McLean occupied as a photograph gallery. Perhaps they thought Belyea was imprisoned for life and would not need the premises again.

He had begun to think so himself. On Wednesday, he sent for a friend and told him that the imprisonment was breaking him down. The friend thought so too. Belyea's case seemed likely to end in a funeral.

Under this supposition, doubtless, and being instigated by the devil and bad whiskey, his neighbors at Hampton had another demonstration on Wednesday night. This time they concluded to make a clean job of it, so they set fire to his house and burned it to the ground. Not a stick of it was left, and there was not a cent of insurance. It looked then as though Belyea might as well stay in jail for the rest of his days. PROGRESS took another view of it.

This view was that Belyea had been persecuted enough. It seemed monstrous that a man in poor health who had lain in jail six weeks for no moral offence should be allowed to stay there another hour when thieves and scoundrels were uniting to destroy what little there was to support him if he ever got out. Acting on this belief the money necessary to effect his release was advanced to him by PROGRESS, paid to the sheriff, and Brunswick Belyea was on his way as a free man. The costs of arrest, etc., had swelled the original \$14 to the sum of \$17.50. Belyea will now seek to find out who robbed and burned his premises.

"A certain man went down from Jericho to Jerusalem and fell among thieves, and they stripped him." This happened a long time ago.

Brunswick Belyea tried to get his own in a magistrate's court. Fate and Lawyer Tweedie were against him. He came down from Hampton to St. John, was thrown among thieves, and was stripped of all he owned in the world. This was in the year 1892, in a land which boasts of its civilization and the protection afforded by its laws. It was done in the name of justice—the same justice which permits a rich man to be respected for swindling his creditors, and sends a poor man to prison for life for the want of a few dollars in cash.

"Holds No-Nothing" Takes the Prize. The second installment of House Hunting experiences is printed on page 10 of today's paper. The competition brought to the front a number of good stories, so many in fact that the judges found it difficult to decide which was entitled to the prize. This was largely due to the fact of no lines being set down, and the competitors had plenty of scope and took advantage of it. Though there were others far better from a literary standpoint, and with more respect for grammar and spelling the contribution signed "Holds No-Nothing" was considered the most interesting and amusing. She pictures what all the others seem to have forgotten—the scene at home, while the house hunters were out.

## ON TRIAL FOR ONE YEAR.

CHANGES IN THE COMPOSITION OF THE COMMON COUNCIL.

Some of the Surprises that the Last Week Has Brought—Men who Got In and Men who Expected to, but Did Not—Probabilities for the Next Term.

At the close of the polls, on Tuesday, somebody suggested that in view of some of the changes in the council, the mayor would need some new rules of order. The reply was that a *resolvo* or a club would be more likely to be of service to him. The new men, however, claim the right to have a fair trial before PROGRESS offers an opinion on this point. They shall have it.

There are eight of them who were not in the council last year, but five of them have been at the board before, leaving only three who are wholly new to the fight. The latter are, O'Brien, of Kings, Knox, of Dukes, and Baxter, of Brooks.

After PROGRESS had gone to press last week it was definitely announced that Ald. Allen, of Queens, had decided not to face his constituents and would retire to private life. He had come to the conclusion that he would not run a cheap election, and it must have been one with him, for he would have had no coaches to carry voters to the polls. The coachmen were indignant that the Consolidated Electric Company (limited) should try to get a monopoly of passenger traffic, and they showed this very plainly when Ald. Allen returned from Fredericton. None of them clamored for him at the depot. It looked as though he would have to walk, when James Pickett came to the rescue and drove him to his destination. Had he run an election, it was the intention of the coachmen to offer their services to his opponent, free of charge.

Ald. Allen's seat in the council is taken by D. Russell Jack, who went in by acclamation, which might not have been the case had it been known earlier that Ald. Allen was out of the field. Mr. Jack can congratulate himself on having had an unusually soft snap this time.

The triangular contest in Kings resulted in Richard O'Brien, the new man, coming in six votes ahead of Ald. Barnes, while the latter was 43 ahead of his defeated colleague, Ald. Blackadar. Ald. Barnes had been of the opinion that his "lambs" would vote the straight ticket, but some of them seem to have jumped over the wrong fence for him. He worked for his ticket, and did not seem sorry when the one plumper cast for him was rejected because the words "for alderman" were not on it. Mr. O'Brien won his election by hard and persistent canvassing, in which he had the valuable aid of the Lantals. He got 153 plumpers. Even those who were opposed to him concede that he is likely to make a good alderman.

There was a fierce rough-and-tumble fight in Prince ward, and nobody knew where he was until the votes were counted. Ald. Nickerson's usually sphinx-like face wore a look of anxiety and apprehension during the day, and he moved around with an unwonted and surprising celerity. "You can't tell who is for you or who is against you," he said. "Nobody can tell who is hitting him on the back," was his opinion. At noon, candidate A. H. Bell was of the impression that he was leading, and according to his own calculations he should have been. When he ran last year, he polled 155 votes. This year he had the definite promise of 265 voters that they would support him, and 190 of these were "sound protestants," on whom he thought he could rely. He got 139 votes in all, leaving 126 to be accounted for. He would have had 140, had not an excited citizen deposited an order for a barrel of lime in the box, instead of a ballot. Mr. Bell cannot understand why he polled sixteen votes less than he got last year. He thinks that unless a man "is in with the ward bellers" it is not much use for him to run in Prince ward.

Ald. McKelvey had originally intended to retire from the council, and it is understood that it was at his instigation Mr. Bell was a candidate. After Ald. McKelvey concluded to run he wanted Mr. Bell to retire. The latter declined to do so. He was in the fight to stay, even if he got nothing more out of it than an "ad." for his business.

Candidate Ryan was reported leading early in the forenoon. He had 77 plumpers, but McKelvey and Nickerson left him far in the rear.

Everything looked so peaceful in Dukes ward that the advent of James Knox at a late hour came like a bombshell. It had been taken for granted there would be no opposition, and Ald. Tufts had even neglected to qualify himself as a voter by paying his taxes. Ald. Blizard rather prides himself on the idea that it is never necessary for him to solicit votes, but his movements last week had the appearance of his coming down to it last. He led the poll, but failed to carry his colleague with him.

There was a warm fight in Guys ward, but W. C. R. Allen did not succeed in getting in, while Enoch Colwell led the

## WILL UNITE TO GET IT.

WOOD WORKERS WILL FIGHT FOR A NINE HOUR DAY.

Young Men Who Judge Themselves in Church—A Sunday Evening Incident—Paragraphs of Interest to City People and Others.

As spring advances the workmen of the city are beginning to meet and discuss their plans for the season. The nine hour day is pretty fairly established, but there are some things to be remedied and made uniform, and these at present are engaging their attention. For this purpose a meeting of the woodworkers is called for Monday night in Berryman's Hall. PROGRESS understands that some serious business is to come before the meeting. Those wood working factories who have conceded nine hours object to competition from those that work ten hours, and they look to the Carpenters' Union to make things right. This is part of the proposed business, and it will readily be seen that any move the men make will result in a difficulty. Those of the carpenters PROGRESS has seen seem determined upon a coercive course should negotiations fail.

That some action is necessary is very true for it is unfair for one factory to work nine hours a day and his competing neighbor, ten.

The James Harris Co. employes are working ten hours and while the firm says they are making out first rate there is a different impression among the skilled workmen who are out. That the latter have the sympathy of workmen in other foundries is very evident and was shown this week when a pattern from Messrs. Harris was sent the rounds of the foundries for casting. The casting was being done in Hazelhurst's when the men found out who it was for and they refused to complete it. No better luck was had in Lower Cove or in Carleton though the proprietor of the foundry there told his men they were sending work away from the country.

There is no doubt that all workmen are determined to have a nine hour day and the sooner the manufacturers make up their minds to it the better. A repetition of such a strike as the millmen's would do incalculable injury to trade in its present condition.

## IS IT HIS DUTY OR NOT?

A Question as to Defects in Applications for Liquor Licenses.

Some of the people who are opposed to the granting of liquor licenses are of opinion that the chief inspector has gone beyond the line of his duty in the way of giving an advantage to the applicants. The law requires that the petition accompanying a license must be accompanied by a certificate signed by one-third of the ratepayers in the polling subdivision, with certain other particulars. The act provides that:

The chief inspector shall, on receiving any petition as aforesaid, erase therefrom all names in respect of which the particulars hereby required to be set forth are not as aforesaid.

It is claimed that, in some cases, the erasures made in pursuance of this section reduced the number of names to less than one third, so that the application would be invalid. The chief inspector, however, sent back the paper to have it amended by the addition of new names. In one instance, it is asserted, he did so no less than three times. Had he not done so, the license would not be granted, and those opposed to that license feel that the inspector went wholly outside of his position in favor of the liquor dealer.

When PROGRESS asked the chief inspector if he had sent back papers to be thus amended, he admitted that such was the case. He claimed that those who objected to such a course did so because they did not understand the law. The point seems to be one that ought to be settled. If it is the duty of the inspector to see that the lists are complete, there is a standing guarantee that no application can hereafter fail on account of technical defects.

## "TA-RA-RA BOOM-DE-AY."

"Progress" Will Print the Words and Music in Next Saturday's Paper.

"Ta-ra-ra Boom-de-ay" has caught on in great style and bids fair to rival "Annie Rooney" in popularity. It was first sung by Miss Lottie Collins, a few weeks before Christmas in London at a Tivoli matinee. It did not really catch the public till early in March. Since that time it has been warbled all over London. It came to America and now it is heard every where. One of the Hettie Bernard Chase company sang it before a crowded house at the Opera house last Friday evening. It was the first time it had been sung in St. John in public, and the two who sang it had hard work to get off the stage.

An additional verse was introduced which hit rather hard at two aspirants for aldermanic honors. The singer had to call at a lawyer's office the next day and apologize to one of the candidates. The actor said he was perfectly innocent of the crime. He was a stranger in town, and wanting to introduce a "local hit" had asked a man he was introduced to for pointers. The man sat down and wrote the lines. He sang them that evening.

PROGRESS next Saturday will print the words and music of Ta-ra-ra Boom-de-ay—without any local hits. This is a new song in this vicinity, and although sung in London last December only became the rage in New York a few weeks ago.

## Her Idea of a Gentleman.

Every time the turnstile at the ferry house turns another cent is supposed to be added to the pile behind the window, and when anyone gives the turnstile an extra jerk the gate keeper is naturally very far from pleased. And he sometimes gets angry. This happened one evening this week when a woman went through, and it looked as though the turnstile would never stop. The gate keeper remonstrated and asked the woman if she knew that he would have to pay seven cents out of his own pocket. "Well," was the reply, "I think a gentleman would pay 50 cents before he would say anything about it to a lady."

## HAS HAD ENOUGH OF THEM.

Breen's Backers Write a Letter—How the Public Was Prejudiced Against Him.

"One of Breen's backers" has published a letter in which he claims that Breen was used better than any athlete ever known in the city, because he got all the stakes won in the recent races. When it is considered that Breen was the only one who had to exert himself to win them, it is hard to see where the claim comes in. The backers had to run all the risk, but those who saw the races know what that amounted to. They had a sure thing and knew it, and in view of the amount of money won, it cannot be said that they acted generously with the man who won it for them, when they pinned him down to the very letter of the agreement—even if the gate receipts were "to pay expenses."

Breen is a young man and this was his first experience with sporting men. He has learned a great deal. Before he left St. John Breen remarked that he would have nothing more to do with the men who backed him this year, and those who know all about it say he is justified in his decision.

The greatest injustice done the skater by his backers was the publication of the letter to Laidlaw. It was an abusive, blow-hard effusion, and as few people knew Breen at that time, those who read it could not form a very favorable opinion of him. People who knew Breen to be a modest, unassuming fellow, were surprised at the letter, but none more than Breen himself, who felt very badly over it, and said that an explanation was forwarded to Laidlaw. Breen did not write the letter, nor did he see it until it appeared in print. That it gave the people an unfavorable impression of him, was evident from the reception he received at the rink compared to that accorded McCormick.

Breen is at Kennebecas Island devoting all his energies to boat building.

## LACROSSE TAKES THE LEAD.

The St. Johns Take It Up and Will Make It the Game For May 24.

This will be a great summer for lacrosse in St. John. It will be the 24th of May game at the St. John A. A. grounds, and that is saying a good deal. Base ball has gone into the back ground and all the clubs are discussing lacrosse. Although the Unions who have been the leaders in the lacrosse movement have gone out of existence, this will no doubt prove to have been a wise move as it has thrown several of the most enthusiastic workers and players into the associations which are in every way more fitted to boom the game. The St. John Athletic club has been the most fortunate one in this respect, as no less than seven or eight of the Unions' best men will be in that club. It is hard at present to say who will be on the different teams, but it is safe to predict that the material in each of the three city clubs will make the games exciting and worthy of a large attendance.

The St. Johns will probably have the strongest team, but will be closely followed by the Beavers and Shamrocks. The former club has appointed a strong lacrosse committee composed of Frith, Robinson, Milligan and Allingham, and intend getting on a good match on the queen's birthday.

From what can be learned, lacrosse in this city at least, will boom during the coming summer, and once the public see the fine points of the game, as much interest will probably be manifested in it here as in the west—Cornwall, Ont., for instance—where the merchants have a printed notice as follows: "Closed on account of lacrosse match."

## HE WAS A COLONEL.

But He Had to Open His Baggage All The Same.

A few days ago the customs officer at the railway station found three heavy trunks strongly strapped and three boxes securely nailed, among the baggage on the western train. He looked around for an owner and discovered one in the person of a military-looking man who was approaching. He saluted him with the usual "Open baggage, please, for examination."

"Aw, I can't open it, you know," was the reply of the owner. "But they must be opened," was the brief rejoinder. "I can't do it, you know," persisted the owner. The customs officer looked him over calmly, and then began, "There are three trunks for which you have keys."

"But the boxes, you know, how could I open them," interjected the traveler. "Any man who carries baggage like that ought to have a tool chest along," was the custom's retort. "What do you mean—aw—by speaking like that to me. You will get into trouble."

"And who are you?" "Colonel —, of Halifax," was the prompt reply. "That doesn't make you any better than these men opening trunks all around you. Baggage must be opened." And it was opened and 75 cents duty collected.

## ONE KIND OF CHURCH GOERS.

How They Put in the Time Until the Benediction is Pronounced.

There is one class of church goers in St. John that has been a prominent feature of the evening services for many years. Those who belong to it can be found in nearly every church in the city, and they never fail to attract more or less attention. They are the young men who glide into the back seats after the opening prayer and endeavor to enjoy themselves until the benediction is pronounced. Before this part of the service, however, they are usually all dressed and ready for the street; and in an incredibly short time after the "amen" has been said, have secured good positions on the outer edge of the sidewalk where an excellent view can be had of the congregation as it passes out.

In one of the leading churches last Sunday evening the occupants of the back seats attracted almost as much attention as the minister. Although members of the congregation turned and stared at them it had no effect. They laughed and talked and had a good time generally. The fact that two or three pews separated the talkers seemed to make no difference, business being carried on with the greatest indifference to the surroundings. They were evidently in for a good time and had it. The straight backed pews were not as comfortable as might be desired, but this objection was removed by the youths placing their feet on the cushion and laying off in the corner. And so it went on all evening in a way that would not be tolerated in the Salvation army, and although in the same church the army is hardly looked upon as a shining example in any particular respect, it is not probable that one of its officers would be obliged to exercise his paternal authority in keeping order.

## Two Will Be Left Out.

The mayor has written to Ottawa for a verification of figures in regard to the polling districts in which applications have been made for liquor licenses. His decision will be made public on Monday, so he says. In Prince ward the number of licenses will be two less than it was last year, and there is an impression among the public that the ones to be left out are two prominent dealers on the north side of King Square. The mayor has nothing to say on this point.

## Not Personal Effect.

A prominent official of the I. C. R. arrived from Boston a day or two ago with a fine looking bicycle, which at once attracted the attention of customs officer Lowrey. The official was of the opinion that the machine, being for his personal use, was not liable for duty. Officer Lowrey thought that it was, and his opinion carried the weight of authority with it. The official proceeded to Moncton with \$18 less than he had when he arrived at St. John.