

PROGRESS.

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THE CONSOLIDATED CASE

LATEST DEVELOPMENTS ALL POINT TO SETTLEMENT.

Some of the incidents connected with the proceedings—the judges and Mr. Pugsley have several interesting bouts—men who are now out of a job.

The celebrated consolidated case this week took a new turn and it looks as though it is to be settled. The history of the rise and fall of electrical companies in this city is an interesting story, and a sad story to a good many who placed their trust and their dollars in the defunct Eastern, New Brunswick and old Railway companies. The rapid fall of these companies and the prosperity of the present electric lighting and traction company are good commentaries on what bad management can do.

Some hundreds of thousands were invested in these companies by local and foreign stockholders but on that eventful day when it was sold at Chubb's corner three or four years ago the whole thing brought only some \$90,000 odd.

Then ensued the legal complications and dramatic incidents which made up the history of the consolidated case, and the litigations will make quite a hole in the \$90,000, so that bond holders and lien holders will get but a fraction of their claims while the stockholders lose all they subscribed in the companies.

In the course of the equity proceedings relative to the distribution of the moneys it suddenly became known that Mr. Pugsley, trustee for certain bondholders, had obtained from the Receiver General of the province \$46,000 of the amount and he had obtained it on the strength of an order issued by Mr. Justice Hanington, judge in equity. He placed the money to the credit of his personal account in the Bank of British North America.

Thereupon arose a hullabaloo. Judge Hanington claimed he had not issued such an order and Mr. Stenographer Fry's accuracy as an officer of the court was brought into question. The late C. W. Weldon was appointed a commissioner to enquire into Mr. Fry's conduct in the matter and the latter was exonerated.

Then proceedings were instituted by certain bond holders to recover the money from Mr. Pugsley. The latter claimed that he held the money as trustee for certain bondholders, that he had it at interest, and that he was perfectly justified in keeping it. Furthermore, as much as gave the judges to understand that he intended to keep it in the interests of the bondholders, until the apportionment was made of the amount and until also, what concerned him deeply, his own costs were settled.

It did not appear, however, in this light to the judges. The money had been placed in the hands of the provincial authorities, the credit of the province was at stake, and the way the bondholders were clamoring for their money made it appear as though Mr. Pugsley's championship of their cause was self-assumed.

On several occasions the judges have sailed for Mr. Pugsley in right royal style and a couple of weeks ago they gave him a beautiful dressing down, expressing their indignation with no uncertain sound.

From the Supreme court bench Judge Hanington said it was a scandal throughout the land, and the proceedings were an attempt to perpetuate a gross fraud by means of the court.

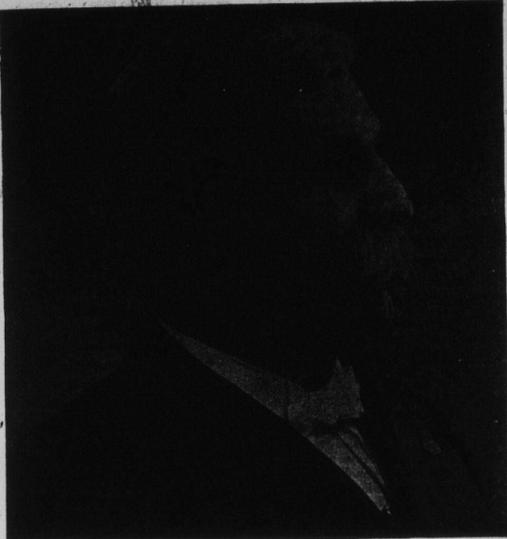
Judge Barker likened it to a comedy of errors, and Mr. Pugsley's dual position to the case of Dr. Jekyll and Mr. Hyde.

The Chief Justice, Judge Vanwart and Judge Landry also condemned the proceedings most emphatically, and when it was stated that Mr. Pugsley had given notes for certain liens the court was amazed that the province and the courts, though some one claiming to act for them, should have to descend to giving promissory notes. The idea was evidently to them novel and laughable.

Mr. McLean demanded that Mr. Pugsley be examined before the bar of the house. The result of the out-burst has been to bring the matter to a culmination. The Chief Justice has taken it in hand and on Monday of this week he was in consultation with Messrs Pugsley and McLean arranging a settlement. This was effected and by it Mr. Pugsley must within three months give security for the payment of the money to the bondholders. They will therefore get it in time, but the litigation will probably have taken a good slice out of it for Mr. Pugsley did not neglect the matter of

THE END OF HIS CRUSADE.

A Portrait of Francis Murphy, The Famous Temperance Lecturer Who Has Been Here Two Weeks.



Probably by the time PROGRESS reaches its readers, Francis Murphy will have finished his work in St. John. This week he has lectured under the auspices of the temperance societies and the financial arrangements have been of a different character. There seems to have been some difference between Mr. Murphy and the gentleman who brought him here, Mr. Morley McLaughlin, but the public have not been taken into their confidence to any great extent and perhaps it is just as well. It is regrettable that there should have been any hitch that hindered for an hour the progress of such an excellent crusade.

Still the value of silver collections as mixed collections has been fairly well determined. The best audience in the Mechanics Institute only contributed a few cents over \$41 to the good cause and the

costs in the arrangement of the settlement. The matter of the payment of costs is to be dealt with by the chief justice.

It is another case of the celebrated Jauridice stripe and its counterpart locally in the famous Hunter will case. It one were to go into the matter of costs it will be found that the legal expenses of the equity and supreme court proceedings during the dozens of hearings, the cost of preparing the numerous lengthy documents, and the printed cases, the expenses of the receivership and of the various commissions to deal with matters here and to take evidence abroad, will have eaten up considerable of that \$90,000.

But it is certainly satisfactory that this will all stop now and that there will probably be nothing more about this case, and the enterprising legal lights of the city will have to look up some other big cases for pickings.

THE MILITIA TROUBLES.

Where did General Gascoigne get his Bonus Information?

HALIFAX, Nov. 25.—Appropos of the militia troubles in this city a story is being told at the expense of the present occupant of Bellevue, General Montgomery-Moore. It is something like this:

A well-known politician, a native of Nova Scotia and now resident in British Columbia, was dining with the general. In the course of the conversation the Canadian militia came under discussion. The story goes that the general expressed himself in general terms but somewhat strongly in adverse criticism of the militia.

Desirous of knowing more particularly what it was on which this harsh criticism was based the politician, in all innocence asked:

"Is it because the militia have not seen active service that you have not a higher opinion of their qualities?"

There was a very awkward pause after this query; the politician did not know why but the reason is that the general himself is free of all personal experience of the rear of an enemy's camp. He would like to have seen a battle and render him

temperance societies. The evening's lecture at Carleton which is a stronghold of temperance yielded the munificent sum of \$20 while Fairville sent \$16 from its audience. How Mr. McLaughlin could pay Mr. Murphy \$250 per week out of such a response is hard to understand. And so both of them seemed to think and conclude.

At any rate Mr. Morphy went to a temperance hotel. The Clifton, and the ladies of the W. C. T. U. have carried their point in that direction. Incidentally it may be remarked that the famous lecturer says that he thought he was coming here with the approval and endorsement of the leading churches and temperance societies. On the strength of a telegram he received from Mr. McLaughlin, but that it turned out otherwise as no such understanding had been arrived at.

horns de combat. The story is merely given for what it is worth.

Did the 66th P. L. F. officers act the part of wise men in resigning because they believed themselves insulted by General Gascoigne? This is a question that is now causing as much discussion as the results of the G. O. C. There are those who say the officers could have done nothing else as honorable men than throw up their commissions, while others take a different view, holding that they should have stayed with the battalion and thus remained in a position to seek an investigation from the militia department. There is much to be said on both sides. After resigning, strictly speaking the officers have no right whatever to come forward seeking redress. They took all the redress by their own act. The affair has the look of a strike. But the greater portion of the community incline to the view that the resignation was the manly course, and the course, after all, most likely to quickly obtain for them the vindication they sought. Even if the officers were carried away by a wave of excitement, and acted somewhat rashly in resigning wholesale their very impetuosity will have a good result in respecting the powers that be with a sense of the importance of the case.

Whether their action was wise or not the officers had a chance to withdraw their resignations, a chance they refused to take. The resignations were handed to the D. O. C. but that officer did not send them to Ottawa for several days. He held them, knowing the minister of militia was only a few miles away. On Sunday, at a conference between Hon. Dr. Borden and some of the ex-officers the suggestion was made, with the minister's full concurrence, that they withdraw the resignations on a pledge of a prompt investigation. But the officers were obstinate and would not retreat one inch. They declined to withdraw, and insisted that investigation take place first, and if victory perched on their banners at the inquiry then they might be induced to don their uniforms once more. There the matter stands, therefore, and nothing now remains but to await the investigation and to watch for its outcome.

The man who likes betting would have a pretty sure thing in wagering that the 66th will come out on top and that Belloc, as General Gascoigne will be asked to make some kind of mild amende honorable.

ASKING FOR INCREASE.

CITY OFFICIALS WHO THINK THEY NEED MORE SALARY.

The T. R. A. agitation seems to be having its reaction now—Next Year the Tax Bills Will be Greatly Increased—The Fire Dept's Appointments.

Every movement has its reaction and the T. R. A. agitation in civic affairs seems to be having its reaction now. When the Tax Reduction scheme set in there was to be no further increase in the city debt and economy was to be exercised in the matter of salaries and current expenditure for city services.

But alas, for such resolutions. In the last couple of years the debt has been increased more, probably, than in any two years of the city's history. The Sand Point works will add something like \$300,000 to the \$3,000,000 odd of present bonded indebtedness. Very few will be found to object to the expenditure, however, for though it brings no direct revenue to the city now it will in time in the shape of wharfage, etc., when the freight business has become well established. In the meantime it is creating a lot of work at Carleton during the winter season and a small population is employed there day by day in the work of loading and unloading the steamers.

But next year the tax bills will be increased no inconsiderable item. For the last three or four years as a result of T. R. A. agitation the tax rate has stood at 1.46, it having been previously 1.50; next year it will jump back to and beyond the old figure and it would not be a rash estimate to say that it will be \$1.52 per hundred.

In view of this the application of three or four officials for increases in salary would not seem to be opportune. On Monday Director of Safety, Wisely, and Chief Engineer Kerr of the fire department asked for an advance of \$300 each in their salaries, making them both \$1200, the old figures before the reform council got in their prancing work. The safety board decided to recommend the increase without much ado, but on Tuesday when Street Superintendent Martin asked for a similar increase from \$1,000 to \$1,200 before the Board of Works, a different mode of procedure was adopted. On motion of Ald. Daniel it was decided to recommend that the application be handed over by the common council to a special committee to report on.

These matters were dealt with in common council yesterday and at this writing (Thursday) it seems quite probable that all three applications will be handed to the special committee. Retrenchment, in view of the big expenditure at Sand Point, is more necessary now than it was in 1893, and it is hardly likely that the increase will be voted. It is also said that City Engineer Peters is asking for an addition of \$300 to his present salary of \$1080. As he is to get a bonus this year of \$500, however, this also will hardly be looked upon with favor.

That much disputed fire department appointment, the story of which was told in PROGRESS two or three weeks ago, is not settled yet. There were three motions before the Safety Board on Monday. One was that Wm. Taylor be appointed which was lost on the casting vote of chairman McGoldrick; another that Wm. Donahue, Chief Kerr's appointee, be engaged which was lost, only three voting ay; and the third that the matter be laid over, which was carried.

It was rather a peculiar proceeding and the board are no nearer a solution of the difficulty than before. Both candidates' applications were voted down, so it looks as though they did not want either man. Then whom do they want? Some of the aldermen will have to change their views before the meeting to be held next week to further consider the question if they are to arrive at a decision.

There are nine members of the Board of Safety and they were all present at the meeting. In the case of each nominee five opposed the nomination. Chairman McGoldrick, Ald. McPherson, Waring, Parry and Hamm opposed Wm. Taylor's nomination and Ald. Tutts, McMulkin, McArthur, Smith, and Parry opposed Wm. Donahue's nomination. Ald. Parry opposed both nominees but at the next meeting he will necessarily have to support one or the other. He has the balance of power. If he votes for Donahue along with Ald. Waring, McPherson, and Hamm

there will be a tie vote and Chairman McGoldrick will give the casting vote for Donahue. If on the other hand he votes for Taylor with Ald. McArthur, McMulkin, Tutts and Smith, the latter will get the nomination of the board and Ald. McArthur will have gained the point for which he has been fighting so earnestly.

A FREDICAL LOCATED.

Through "Progress" a Father Hears of His Long-Absent Son.

"A dozen years ago or more a raw looking Cape Bretoner sat amid the clicking instruments in the Western Union Telegraph office here and rattled out 'fimy' for the newspapers and all the various tales of finance, war, love and activity that the telegraphic wires tell. He did not shine while he was here and was looked upon as somewhat erratic. But fighiness is a sign of genius sometimes and though it may not have proved so in this case it has at least shown considerable cleverness. His name was George Philpots and he remained here but three or four years. Then he sought the wider sphere of the United States and soon eschewed tripping the light fantastic on the keyboards of the clicker to take up the pen. He has met with success and is one of Uncle Sam's typical journalists with all the versatility that distinguishes them. He writes for the Sunday papers, and dishes up humor and racy description for the omniverous American public. But he has essayed higher flights than this, for he is novelist and playwright as well, and has turned out some clever novels and plays and some catchy operettas. He has acted in some of his own plays too. But he has not imbibed only of the froth from the cup that the gods of letters hold out. He has essayed the more serious work of journalism as editor and leader writer. The old time Western Union boy wears the name of GEORGE PHILPOTS no longer. By legislative enactment he had it changed to George Vere Hobart and under that euphonious title his weekly contributions to the Sunday papers may be found."

Under the caption "Nova Scotia Abroad" the above recently appeared in the Editorial columns of PROGRESS. It tells the story of a provincialist success abroad, and adds one more name to the long list of Nova Scotians who have won fame and honor in the neighbouring republic. Of the thousands who read the paragraph only a very few perhaps gave a second thought to George Philpots, or, as he is now known, George Vere Hobart. PROGRESS heard the tale and recorded it in the usual way, glad to tell of the success that had come to one who had even for a brief season made this city his home. Forgotten as soon as written, it was yet destined to be invested with a pathetic interest, and the sequel will appeal more to the reader than did the original story.

A week ago from distant Fort Hawkesburg, Cape Breton, there came to PROGRESS the letter which follows, and which tells in its own way the tale of a son's forgetfulness of the old father and mother in the provincial home, waiting day after day for news from the boy in the "States"—news that never came until it reached them through a news paragraph written by chance.

In the hurry and bustle of newspaper life there is little time for indulging in sentiment, but a very few moments after the receipt of the letter every member of the staff was busily and eagerly looking up all they knew about "George Vere Hobart," and a few hours later a letter was on its way to the old father in the Cape Breton home. Following is the letter received from Port Hawkesburg:

PORT HAWKESBURG, Nov. 15, 1897.
EDITOR PROGRESS:—A few days ago a friend of mine gave me a copy of PROGRESS and in looking over its editorial columns I noticed an item commenting on "a raw looking Cape Bretonian who sat at the clicker of the W. U. Telegraph office" etc. Sir, I ask you as a favor if you can possibly do it, to give me the address or whereabouts of the man referred to, G. V. Hobart Philpots, as I have not heard from him for many years and I am a very close relative, his father. If you exchange papers with any on which he works please send me copy; or any clue to his place of abode will be thankfully received by your obedient servant,
ANGUS PHILPOT.

Beautiful Roses.

Mrs. W. H. Jones, the Germain Street florist, makes an unusually brilliant display this autumn: she has two rose houses at Torryburn that are dreams of floral beauty, and her establishment in the city is well stocked with that beautiful flower. Her Thanksgiving trade was unusually large this year and she has shipped many orders to different parts of the province.

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