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MR. LYNCH'S PLAIN TALK.

He Tells About His Transactions With Judge Vanwart—How He Came to Lend Him \$500 and His Unsuccessful Attempts to get it.

From time to time PROGRESS has published court records and information of the proceedings against Judge Vanwart, but there has been much surprise expressed that some one of his many creditors did not come forward and make some statement regarding their transactions with him. The only creditors who have made any row have been Photographer George A. Buckhardt and Mr. Timothy Lynch of Fredericton. They did not hesitate to press their claims and they asked for an examination of the judge the same as they would of any other man who owed them, and whom they thought could pay.

The lawyers of Judge Vanwart thought that a member of the Supreme Court bench should be exempt from such an indignity as an examination before a County Court Judge and they appealed after a time to the Supreme court to sustain their idea. But the brother judges of their client could not see the matter in that light and the decision given by Judge Barker against their contention was clear and convincing.

Then Mr. Lynch asked that the Judge be examined to see if he was not in a position to pay his judgment claim of \$561. The story of the court proceedings before county court Judge Wilson has been but partially written and even that part must have brought the blush of shame to those who held the reputation of the judiciary dear. The latest phase of the proceedings when the law was suddenly amended while the case was going on adds a new and unpleasant feature to the case. Now Mr. Lynch has come to the front with a letter explaining his side of the case and he puts the facts in a straight forward way. The excuse of his explanation is perhaps found in the first paragraph in which he speaks of the attempts that have been made to fasten some personal interest upon Mr. Geo. F. Gregory who is his lawyer. After stating that Mr. Gregory only proceeded as he is instructed him and even then not quickly enough, Mr. Lynch says:

Prior to the second of March, 1899, I had no connection, business dealings or transactions whatever with Judge Vanwart. We had never had any particularly friendly relations and he had no claim whatever upon me for friendly assistance. On several occasions the judge had applied to me to indorse his paper, but I had resisted his importunities until on the second day of March, 1899, he asked me for a cash loan of \$200, and on my declining he pressed me more determinedly than ever before to indorse his note for \$200, and after much persuasion and argument on his part I consented. He immediately proceeded to draw up a note and while in the act of doing so, said: "Let me make it \$500. I know just where the money is coming from to meet it and you will never hear of it again." After much hesitation I consented. A note was drawn up for \$500 at two months and I indorsed it for him; he discounted it and got the money.

While the note was current the judge made frequent applications to me as he would meet me upon the street and in hotels and by telephone to indorse for him for a further sum of \$2,000, urging that he had a chance and could make a hundred per cent on it if he had it even only for a few days. These applications I resisted and firmly refused to comply with.

When the \$500 note became due the judge did not pay it, took no trouble about it, nor even communicated with me upon the subject. The note fell due on the 6th of May and I had to pay it.

Before putting the note in suit I personally applied to the judge to make some arrangement, offering to give him time, as much as he would require, if he would secure it to me, and if he could not secure it to accept \$10 a month until it was paid. He said he could not secure it and he did not think he could pay \$10 a month. Nothing that I proposed seemed to awaken in him any interest or response.

In the latter part of June, hearing of the judge having procured a cash loan of \$10,000 upon mortgage of his property I instructed Mr. Gregory to apply to him for some payment or settlement of the

note, but no satisfaction or proposal of any kind was received from him, and on the twelfth of July I commenced suit. The judge put in an appearance to the suit for the purpose of defending it, the effect of which would be to hinder and de-

lay me and materially increase my costs of obtaining a judgment.

The law is opposed to a man putting in a defence to a claim which he cannot dispute and has no good defence to, and upon application to a judge, but at considerable expense to me, Judge Vanwart's defence was set aside and I obtained judgement against the judge on the fifth of September last for \$561.

Execution was issued, the sheriff visited the judge and was told by him that there was nothing he could levy upon.

In the meantime the judge was apparently enjoying all the comforts of life. I could see no evidence of hard times with him and I learned of his making many payments to other people.

At last wearying of waiting and seeing no inclination upon the part of the judge to make effort to pay me, I gave instructions to have him examined under oath to learn what he had done with all the property and means he had had in his possession and what property and assets he had yet remaining out of which I could realize my debt, the law allowing to every judgment creditor that right.

I had seen that the judge had lived as if comfortably well off. I had become aware of his being very largely in debt and I could not suppose else, and do not still suppose, but that so much debt represented some property acquired and in his hands of some kind somewhere.

Was it not reasonable under the circumstances that I should wish to know what chance there was for me to get back my money?

My proceedings to have Judge Vanwart examined were commenced on the fourteenth day of February last, and by reason of futile objections, obstructions, frivolous excuses and indulgences to the judge and his lawyers, Messrs. Pugsley and Hannington, I did not get the judge sworn for examination until the twelfth day of April, and in the afternoon of that day, after an adjournment of the examination at Mr. Pugsley's request, a bill was passed through the Legislature with extraordinary speed, which had the effect of limiting the scope of my enquiry into the judge's affairs.

My progress has not been rapid, but I intended to persevere to the end, and if nothing more is accomplished, the public

will have an exhibition of how dishonorably a judge of the Supreme Court can conduct himself and how successfully he can frustrate enquiry; and all at my expense.

Mr. Lynch's explanation has made it possible for others to speak and new lawyers are speaking of their clients cases. They come from all over the country and some of the circumstances in connection with the claims are of a truly remarkable character. What the outcome will be is hard to forecast.

Pickle St. John.

Despite the very sensible letters written



WALTER DAVIDSON.

One of the best young speed bicyclists in Lower Canada. (Wheeling over his bicycle on page 2.)

AN APOLOGY SETTLED. IT.

A North End Slander Case That Resulted in the Arrest of One Man—His Inability to get Bail—What it was About.

A young man named Williamson got into trouble this week on account of a warrant issued by Mr. Green, the expressman, who had reason to believe that the former had been talking about his wife in such a way that her reputation was in danger. Accordingly he engaged Messrs. Bustin & Porter to take the matter in hand and upon an information being sworn out before Chief Justice Tuck a warrant was issued and Williamson was arrested.

It seems that Williamson was once in Green's employ and during that time had the confidence of himself and his family. When he was married, however, differences began to crop up and the origin of them is said to have been a wedding gift which was not just as agreeable as those tokens usually are.

Much talk followed and when Williamson went to work at the pulp mill it did not cease. Anonymous letters began to be received and one at last was sent to an employe of Mr. Green's which he thought gave him sufficient ground for action.

In the meantime Williamson had returned to the city and started up express business in company with another man and of course in opposition to Green. This did not smooth matters—perhaps it aggravated them—and the arrest for slander followed.

The jury fixed the bail at \$500 and when Mr. Williamson found himself in a fair way to spend the night in the jail he began to look around for some two persons who would be responsible for him. That was easier said than done. The sheriff has an objection to "straw" bail and it was not easy at that hour to find anyone well enough acquainted with the expressman to go his bail. So he spent the night thinking over his case, in comfortable yet confined quarters. The next day the parties had a conference and by reason of an apology or other inducements Williamson was set free and the case dropped.

In the North End were the parties live, many stories are told of the affair that have little foundation in fact, but there is enough truth in some of them to raise a hearty laugh at least.

AN AFFLICTED FAMILY.

Two Children of A. G. Sherwood Have met Tragic Deaths.

With the breaking of river ice the rolling St. John delivered up another of its winter victims on Sunday last in the person of Mrs. W. E. Straight of McDonald's Corner, Queens country, whose death by drowning occurred on the night of December 23rd last. Mr. and Mrs. Straight had left their pretty little family of four children in good care and set out on foot to cross the river to purchase a few toys and sweets for the bright eyed babies at home. Theirs was a Santa Claus errand, but how sadly did it terminate. Both father and mother unwary of the treacherous air holes about in the ice walked into a big opening. Mr. Straight struggled with superhuman effort to keep his wife and himself above water, but the chilling stream and heavy clothing of Mrs. Straight made her recovery impossible and she sank. Her husband sank too, but strange to say appeared on the surface again when he made a last desperate grasp for the edge of ice. Help arrived just before he lapsed in an unconscious state in which he remained for a long time.

All winter long a gloom hung over the quiet country village at McDonald's Corner, the residents knowing that one of their most beloved young women who was everybody's friend, was lying entombed under the ice. A family in this city also put in a winter of deep mourning over the sad event, as Mrs. Straight was the daughter of Mr. and Mrs. A. G. Sherwood of Brussels street, residing in the Centennial School building. Soon after the drowning their daughter's infant child was brought to the home of its grandparents, where it is still being tenderly cared for.

It was on Sunday morning last that a man named Parks was rowing down river in a small boat that he discovered a body floating near the shore. When taken to the land it was found to be that of Mrs. Straight, for whom the good folk round-

about had been grappling for some time. Burial was held Monday, but tomorrow a memorial service will be held in the McDonald's Corner church. Mr. and Mrs. Sherwood, their son and daughters, left by the steamer this morning to be present.

The tragic death of Mrs. Straight comes with particular pangs to the grief-stricken parents in this city, as it is the second member of their family having met death from other than natural causes. Twelve years ago their manly son left Boston for Concord Junction, N. H., there to board another train to proceed in a different direction. He was too early for his second train, but what actions after that time were, nobody has ever learned. A flying express train in rounding a sharp curve noticed a man's body lying across the track. The train was stopped, but the man was dead. However the doctors and jury said death had occurred a long time before, as his hacked remains evidenced. The body being placed on the track was only a trick of the murderers.

For weeks and months the best detective ability in New England worked on the case, but to no account. The brutal slayers escaped. The body had in the meantime been brought home to the prostrated family and buried. To this day nobody knows who killed young Sherwood although it is thought while wandering about waiting for his train he was accosted and waylaid by murderous tramps, intent on robbery.

The Sherwood home on Brussels street is again in tears and the sympathy of the community goes out to them.

Beer Shops That Need Inspection.

The list of beer licenses granted or likely to be granted has been published. There are many of them and they afford some room for thought. If there were no beer licenses on Sheriff's street for example the character of that noted thoroughfare might be altered. But a beer license is an excuse for a shop and a shop a resort for the unwary. It is safe to say that there is more whisky sold on the sly in such places than in what are known to be unlicensed places. When the inspector calls there is no stock on hand but a bottle or a flask is not a hard thing to hide and the inspector has reason to think that for a long time Amelia Francis kept her stock hid securely. The place was found at last but no one would have suspected it had the usual caution been observed. It almost seems as if some beer shops need greater inspection than the bars.

Prof. Frank Whetsel's Success.

Prof. Frank Whetsel the banjoist is home for a few weeks visit, but resumes his musical duties abroad as soon as he leaves town again. Since Mr. Whetsel left this city some months ago he has been constantly employed by the high class vaudeville companies in New York, Boston and the other American big cities, and his playing has been received with the greatest praise by the best critics. In the United States he is known as a classical banjoist, his selections being almost entirely of the higher classes of music. Mr. Whetsel is now under engagement to go direct to Germany with Von Schelsa's grand concert company early in June there to play in the principal centres, after which the Russian cities will be toured. Prof. Lansing of Boston, America's foremost banjo instructor, is proudly referring in his "ads." to our young townsman as one of his pupils.

His Friends are Indignant.

The friends of Mr. Geo. K. Burton claims that he was promised the local appointment vacated by the selection of Mr. W. A. Lockhart as collector of customs and the action of the members in ignoring him afterward is to be accounted for yet. There is a good deal of indignation expressed but election day is distant and it will have time to die out as other bursts of a similar nature have.

Boy Wanted.

A bright boy can secure a good situation at office work by applying at Progress office.

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Umbrellas Made, Re-covered, Repaired. Boreal 17 Waterloo.