

PROGRESS.

Board of Works

8 May

VOL. V., NO. 247.

ST. JOHN, N. B., SATURDAY, JANUARY 21, 1893.

PRICE FIVE CENTS.

SIR LEONARD IS THERE.

WHETHER HE WILL CONTINUE TO BE THERE IS UNCERTAIN.

Some Points About the Men Who Have Been After the Position, and Why None of Them Have Got It—Why It is Possible Sir Leonard May be Appointed.

Who will be the next governor of New Brunswick?

This question has been before the public for the past two years and many names have been mentioned for the position. At one time Senator Boyd seemed to have the inside track. He was known as a great friend of Sir Leonard Tilley and as a man who had done much for his party.

Then, Chief Justice Allen's name became very prominent in connection with the position. His appointment, it was urged, would be most satisfactory to liberals and conservatives, and besides the making of him governor would create a vacancy on the bench.

When the Allan boom seemed at its height Hon. Peter Mitchell entered the field and his friends on all sides of politics pressed his claim. He was pointed to as the only one of the "fathers of confederation" who had not been substantially rewarded.

The medical fraternity of St. John about this time concluded that they should put a candidate in the field and unanimously agreed upon Dr. Bayard as their choice. Since then it is understood that two of the St. John members in parliament have been divided between Dr. Bayard and Senator Boyd and that the latter's prospects have suffered materially by the nomination of the doctor.

Mr. Temple, M. P., had an eye on the governorship, but it is said of late that he has abandoned efforts in that direction and is working hard for the vacant senatorship.

For a time the names of Messrs. C. N. Skinner and E. McLeod, M. P., were to the front, but the appointment of the former by the local government to the office of Judge of Probates put him out of the race, and it was learned that Mr. McLeod was pulling the strings for a supreme court judgeship, and was not seeking to be the successor of Sir Leonard Tilley.

During all this time it was felt on all hands that either Hon. Mr. Foster or Hon. Mr. Costigan could have the position, but it appeared that neither of these gentlemen wanted to retire from the cabinet.

It not Costigan, why not Burns or Adams? thought some active Roman Catholics who immediately began a boom for Mr. Burns, their efforts were so successful that Mr. Burns' appointment, to take effect at the first of the year, had been agreed upon. Opposition to that appointment, however, came speedily, and from an unexpected quarter. The French of their province, though their then French representative, threatened to withdraw his support from the government if Mr. Burns was appointed. They regarded him as an enemy of the French and pointed to his opposition to the promotion of Judge Landry from the County court to the Supreme court bench in support of their charge. PROGRESS without holding that a man should receive public recognition, because of his religion, would be pleased to note that the "big plums" were more evenly divided among representatives. Should, however, a Roman Catholic not be appointed governor or Supreme Court Judge those of that faith will not be able to lay the blame upon their protestant brethren. PROGRESS has it on the highest authority that the government would have promoted Landry to the Supreme Court bench but for the opposition of Burns and Adams, and it is equally positive that Burns would now be Lieut-governor, but for the opposition of Judge Landry's French friends in this province.

The statement has been made in usually well informed circles during the past two weeks that the dead-lock over the governorship was so great that Sir Leonard Tilley was not likely to be disturbed until he had finished another term, dating from October, 1890. It was alleged that Hon. Mr. Costigan, finding that in view of the opposition of the French, he could not have Mr. Burns appointed, had objected to throwing his influence for any of the other aspirants and that as a compromise between Foster and Costigan, Sir Leonard's re-appointment had been agreed upon and actually made.

PROGRESS is in a position to state that so far Sir Leonard has received no official communication as to the government's intention regarding the position. He has not yet made arrangements to reside in Fredericton during the sitting of the legislature, which fact would seem to indicate that he is not at all certain whether he is to continue in office much longer.

The very latest report is that Hon. Mr. Costigan is to take the governorship himself. It is stated that he is not satisfied with his new position in the government. Whatever truth is in the report it is more than likely there is no foundation in the reason given. If Mr. Costigan takes the governorship it may be

regarded as evidence of his belief, the government intend taking a position on the Manitoba school question that would place him in an inconsistent position if he remained a member of the cabinet.

Unless the new governor be Hon. Mr. Costigan, the present outlook is that Sir Leonard Tilley will continue to administer the affairs of his office for some considerable time to come, an arrangement that would satisfy everybody with the exception of the numerous aspirants.

IT WAS DONE VERY QUIETLY.

But the Central Figures in the Case Realized the Forces of It.

When the county court resumed its session on Thursday for the purpose of passing sentence on Dr. Randall and Cephas B. Welton, convicted of conspiracy, there was much less of a crowd than might have been anticipated. There was a great deal of speculation as to what the sentence would be. Strong representations had been made with a view of getting the convicted men off with a term in jail, but there was a general feeling that this of itself would have no weight with Judge Peters unless he felt such leniency was permissible from the circumstances of the case as shown in evidence.

No indication of the judge's intentions could be gathered from his face or manner. He seemed in excellent humor with himself and all the world. During the time that he sat waiting the arrival of some of the counsel, his face wore a pleasant smile, and once or twice when the clerk of the court leaned over to speak to him in an undertone he laughed with all the jollity of a happy youth. To judge by his manner, one would suppose he intended to let the prisoners off with a merely nominal sentence. There was not a trace of severity about him.

The prisoners looked anxious and worn when they were brought in. Confinement and anxiety had told on them, and Welton in particular had shrunk to a smaller size than he used to be. Dr. Randall looked haggard and weary. Messrs. McLeod and Curvy shook hands cordially with the men, who took the salutations in a prefatory sort of way. They had come to be sentenced, and until that ordeal was over they had no mind for anything else.

Judge Peters did not keep them long in suspense. Mr. McLeod leaned over the clerk's desk and addressed the court for a minute or two in a voice wholly inaudible to the public. It was understood he was protesting against the passing of sentence. The prisoners, who were sitting in a row at the foot of the barristers' table, were then asked to stand up. It was evident that Welton was very nervous. Dr. Randall did not show so much agitation.

There was not an unnecessary word in the short, sharp sentence of the court. Strong representations had been made in favor of the prisoners on the ground of previous good character, but there was nothing in the evidence in the case to call for any leniency. The sentence was of imprisonment in Dorchester penitentiary for five years.

Mr. Curvy immediately went up to the prisoners and talked to them in whispers for a minute or two, smiling all the while as though the whole affair was a very good joke. He was evidently trying to encourage them with the idea that they had plenty of fighting chance yet, and that the argument on a writ of error would put another complexion on matters. They appeared to accept this view, for they were escorted back to jail, looking far from discouraged, despite one fact that there is apparently only one more fighting chance between them and years of convict labor.

An Idea in Ferry Tickets.

The ferry committee has not yet solved the problem of monthly passes, but something will have to be done before long to take the place of the rebate system. Mr. Lawson of the Globe job office, has in the meantime hit upon an idea for a ticket which seems to have considerable merit. The tickets are to be made up in book form, with say 150 in a book, attached to stubs. Each book or series of books bears a letter or several letters, and when a person is entitled to reduced fares he buys one of the books and the letters with which it is marked are registered at the toll houses. Tickets are not good when detached, and will be accepted only from the person to whom they are issued, while each book is good only for the particular month for which it has been sold. Whether the idea will strike the committee favorably or not remains to be seen.

Wrote Wiser Than He Knew.

At the last meeting of the common council a communication was received addressed to the "Sitty Council" of St. John. A man to whom this was pointed out was moved to remark that there was as much wit as there was bad spelling to be seen in the words. The council is in the habit of sitting so long when it meets that the term "sitty" is by no means out of place when applied to it.

ALD. KELLY'S NEW ROAD.

MOORE STREET EXTENSION TO THE FRONT IN AN ARBITRATION.

The Chubb Estate Wants Damages, and Gets Them, to a Limited Extent—The City Engineer's Idea of a Ten Per Cent. Grade—The Ten Begging.

The extension of Moore street, North End, has been one of the great schemes of Ald. Kelly, and any honor there is attached to the work must rest on his shoulders.

The street runs parallel with Paradise row on the hill to the north. Its extension is authorized by an act of the last session of the legislature, founded on a bill sent up by the common council. Moore street extension was needed, it was alleged, in case of fire among the blocks to the north of Paradise row, and it was also claimed that the extension would so increase the value of property that the increased assessments would more than pay for the work in the course of a certain or uncertain number of years.

Ald. Kelly usually gets what he starts after, and he saddled the city with the extension of Moore street. The public will use it, to a limited extent.

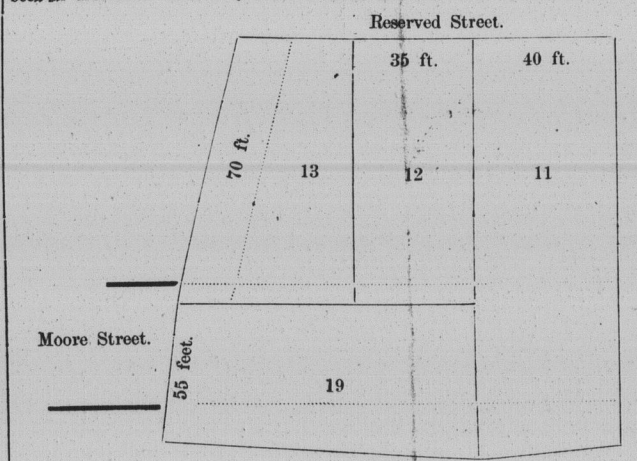
One of the results of the scheme has been an arbitration which has just ended,

otherwise. The estate did not want to be benefited by the road. They had a reserved road of their own which had been conceded to the city years before.

After a good deal of unnecessary evidence as to title, which was undoubtedly sound, the city engineer gave evidence to the effect that the extension of the street would increase the value of the property by making the lots more easy of access. He also testified, as an expert engineer of thirty years standing, that he thought the proposed grade of the new street would be about ten per cent. At the southern end of lot 13 the road would be lowered about 15 feet. A road might be made sloping upward at the same grade of ten per cent. to the reserved street, thus giving access to the rest of the property. The width of such roadway would be taken off lot 13.

The second diagram shows the grade of the street and the depth of the rock cutting through which Mr. Peters says a street with a grade of ten feet in a hundred can be run to the reserved street. Where Mr. Peters asserted there was earth there happens to be solid rock, and in one place it has a depth of more than twenty feet.

Mr. James Kirk, who knows the locality pretty well testified that the grade of a street on lot 13 would be the same as the



in regard to the damages that ought to be paid to the Chubb estate. The Home for Aged Females, as a devise under the will of Thomas Chubb, is also interested in the matter. The relation of the street extension to the property is shown by the plan, in which all the numbered lots are owned by the Chubb estate.

It will be seen that the extension will take all that is worth taking in lot 19 and will slice off the ends of the other lots. To get at the amount of compensation from the city for the value of these lots has been the aim of the arbitration. They have decided that \$200 is a fair figure, or at least that is the opinion of two of them, while the third, in the person of Mr. Ira Cornwall, representing the Chubb estate, thinks that \$200 and the counsel fees is something less than enough. With this idea he has filed a protest with the mayor.

The arbitration has been between the Chubb estate and the city. The arbitrator for the former was Mr. Cornwall, while Mr. Thomas Millidge represented the city. The third man was Mr. Robert Jones, who was appointed by the local government.

There was apparently no reason why the local government should have to appoint a man, but it did so because the arbitrators could not agree as one. Mr. Cornwall submitted the names of twelve or fifteen well known citizens, but none of them were considered good enough by Alderman Kelly and McGoldrick, of Dufferin ward. Some of the names which did not suit these two were Edwin Fisher, James C. Robertson, Charles F. Kinnear, S. S. Hall, George Robertson and Thomas McAvity. They wanted a man of their own, and they got him in the person of Mr. Jones, after application to the local government.

Mr. Jones, after his appointment, made a declaration of independence by saying on one occasion: "If you imagine because these men had me appointed that they can influence me, you are mistaken." Why did he think it necessary to make such a remark?

The city claimed, or rather the aldermen for Dufferin did, that the proposed new street would be of such value to the rest of the property that there was scarcely any claim to be entertained. To prove this theory two city officials were called, in the persons of Hurd Peters, city engineer, and W. F. Bunting, chairman of the assessors. The Chubb estate thought that as about a third of the property was taken, it should be allowed a third of the valuation of the whole block, but Mr. Bunting thought

grade of Princess street, from Prince William to Water street, which is about the steepest hill in the city. He thought the extension of Moore street would depreciate the value of the Chubb property one-half. At the point where there would be the least depth of rock, the street would be five feet lower than the land, while there would be a difference of over twenty feet in a middle. It would require a ladder on a stairway to get at the property.

James Tait, who has lived on Fort Howe for the last sixteen years gave evidence of a similar tenor. He thought the street would be of no benefit to the property.

Mr. Bunting's evidence was remarkable for the statement that the block of lots is

now valued at \$1200. If a third of this required for the street, were taken away, it was his opinion that the assessors would value the remainder at a sum not less than is now assessed on the whole. He did not think any value could be assigned to the land south of the rock as it stands now, nor would he fix a value on the strip of land south of the new road after that road is constructed.

The Chubb estate was willing to accept \$400, a third of the assessed value of the block. The two arbitrators decided that \$200 was enough, whereupon Mr. Cornwall, with S. B. Bustin as his counsel, filed a protest. He claims \$200 more and the expenses of counsel caused by the unnecessary insisting on proof of title. And he also wants to know what is to become of the strip to the south of the road. He has strong objections to relinquishing it to lots of the electors of Dufferin ward whose lots happen to abut on it.

It is quite possible there will be some more fun over Moore street before the extension is completed. The estimates for the work are said to be ridiculously low, and the performance is likely to be a very much more costly affair to the ratepayers than has been so far indicated by the promise.

Somebody Wants to Know.

A petition to the Government of Canada signed by the bar of St. John, praying that Mr. Justice Palmer be elevated to the Supreme Court of Canada, contains the following statement:—

"Judge Palmer possesses legal acquirements of the highest character, a man of great intellectual force and capacity."

What man of great intellectual force does Judge Palmer possess? Can it be Charles?

AS THE DIRECTOR SAYS.

THE BOARD OF WORKS STANDS BY AND HE DOES THE WORK.

Why the Deficit in the Street Department More Than Holds Its Own—A System of Operations Not Supposed to be Contemplated Under the Law.

The deficit in the public works department in the street account will probably amount to \$25,000 this year. It may be, and very likely will be, more than that amount, judging by the rapidity with which it has increased in the last four years, or since the union of St. John and Portland.

At the time of the union, in round numbers, the deficit was \$7,000. In 1891 it was \$23,000. At this rate, the estimate first given is likely to be under the mark.

The amount appropriated for the street was \$40,000, so that the deficit is now considerably more than half that sum. The idea of the director of public works is that the deficit should be funded and made a charge upon the future generations of citizens. There are other people who think that it ought to be wiped out by curtailing the street expenditures for the next few years.

What is there to show for the deficiency? Without doubt there is a great deal. A large amount of work has been done in the street department, and apparently well done. It may be that a great deal of it was not necessary, and it is very possible some of it was necessary. So long as aldermen are elected on the ward system, however, and so long as each section tries to get as much expenditure as another section, without regard to the welfare of the city as a whole, so long must there be money expended which is not really called for by the circumstances. Every man tries to make himself solid with his constituents by getting as much as he can. From his point of view, if he does not get it, the other man will.

As the present director of public works once remarked when he was active in civic politics, "to the victors belong the spoils." The board of works is supposed to have the control of the expenditure on the streets and as a matter of theory it has. As a matter of fact the members of that board play a comparatively insignificant part in the direction of affairs. They have a director who directs, and saves them the trouble. Where there is a matter involving the expenditure of thousands the board exercises its functions, but in the minor matters the director does as he pleases. A member of the board may find a gang of men cutting away a rock in Carleton or Portland, widening a street, or putting gravel on it. "Who told you to do this?" he asks, and when the boss tells him that the order came from Director Smith or Superintendent Martin, he has got an answer that is sufficient for him. The board has not been consulted, the board knows nothing about it. It is enough that in the opinion of the director the work ought to be done.

Now it is more than possible that Messrs. Smith and Martin know more about the streets and their needs than do the members of the board, and it is probable, too, that they are working, as they believe, in the best interests of the city. Unfortunately the union act was not framed with a view to such a condition of things, and in the contemplation of the law the board and not the director should be the body to authorize the work to be done. It is by the aggregation of the smaller expenditures that the increasing deficit has been reached.

The director of public works has more power than the mayor of the city. The mayor is liable to be called to account by both the council and the people. The director on the contrary, expends the city money as seems best in his judgment, and that is the end of the matter. If his judgment is infallible, it is all right; if not, the principle is all wrong.

When a member of the board of works wants to find out what is being done in the way of expending the city's money to improve the city streets, he has to go to the director to find out. Whenever he does so, he is liable to be surprised by finding a good deal going on which should have had the sanction of the board before it is undertaken, but of which he then hears for the first time. It is all right enough, no doubt, and whether it is or not the board has nothing to say about it. Director Smith has considered the work necessary, and has undertaken it. That is the end of the matter.

This is all wrong, and wholly out of accord with the letter and spirit of the union act. Director Smith is admittedly a good man for his position, and knows what he is about, which is very much more than the men who are supposed to control him. do. His books are well kept, and always ready for inspection, but to the average alderman they might as well be written in Greek, for all the light he can get from them in regard to what the director is or has been directing. Supposing he can comprehend them, all that he can learn is that a great deal is being done of which he never dreamed, and that, except for facing the bills, the board of works is not in it.

Isn't it about time the board of works rose to be something more than a committee to consider and report on matters referred to it by the council? Isn't it nearly time for it to begin to direct the director? There is a general impression that it is time.

NO SKATING ON HALIFAX HARBOR.

Nor Even the Floating Ice Often Found in Harbors at this Season.

A Halifax correspondent is moved to make this positive denial of a current report:

It is a matter of curiosity to people where some of St. John daily papers get their information about Halifax doings. The fact that three St. John dailies have persisted in stating that Halifax harbor has been frozen over, and that there has been good skating on it, has aroused the wrath of that venerable body the "Board of Trade." The writer is in a position to state that the harbor has not been frozen over this winter, nor has there been any floating ice in it which is so common in all harbors in the winter time.

It does seem strange that newspapers should insert malicious slanders on Maritime Province ports, instead of trying to place their advantages before the world. Surely these ports have not so much trade that we can afford to scare any way by fabrications.

His Honor Kept His Head Clear.

In a recent matter before the equity court, the proceedings had advanced well into the afternoon when one of the council, Mr. J. D. Hazen, rose to address the court. He did not proceed with his argument, however, because Judge Palmer requested him, as a favor, to refrain from doing so. "I have to play a game of chess with Dr. Macrae this evening, and I want to keep my head clear," was his Honor's explanation. As the game was understood to be the final one in a championship series, Mr. Hazen could do no less than defer his remarks till the next morning. The best part of the story is that, despite the special precautions he took to keep his head clear, the judge failed to win the game that evening, and Dr. Macrae came off victorious.

At Home to their Friends.

The apartments in the Masonic building which are now being fitted up for the use of the various bodies of the Ancient and Accepted Scottish Rite, will be ready for occupation early in February. Before the actual work is resumed it has been decided to have an At Home on the evening of the 10th of February, at which the members of the Rite may invite their friends to partake of their hospitality and enjoy an hour or two of social intercourse. The number of invitations will necessarily be limited, but will include both ladies and gentlemen. When the apartments are fully fitted for the work of the different bodies, the members of the Rite in this part of Canada will have good reason to feel a pride in the arrangements of their new quarters.

What Mr. Gunter Has to Say.

The following is among the communications received this week:

Fredericton, N. B., Jan., 14th., 1893.
EDITH OF PROGRESS.—I notice by your paper of this date an article in defence of F. D. Crowley, and charging me with persecuting him. I deny any such charge, but would say all I allege has been proved in open court. I want you to understand, Edith, that I never passed over my door sill, and the statements in your paper are all in keeping with the one I have mentioned, and if restitution is not granted me by you, I shall seek legal proceedings to enforce it.
Yours Respectfully,
J. B. GUNTER.

PROGRESS is quite willing to accept Mr.

Gunter's word that the girl never was in his house, and takes this opportunity to correct the statement. With the best of intentions, any newspaper is liable to err as regards matters of detail.

Mightier Than The Chief.

At the curling match, on Wednesday night, strict orders were given by the management to allow nobody on the ice, and "Billy" Laere undertook to see that the instructions were carried out. Suddenly on the forbidden territory loomed up the figure of the Chief of Police, who is supposed to have a sort of a roving commission to go wherever he pleases. To "Billy's" mind, however, orders were orders, and he was bound to carry them out. Stepping up to the chief, he informed him of his infraction of the rules, and proceeded to escort him off the ice. The chief went, like a good little man, and told "Billy" he did not blame him a bit for doing his duty.

Mr. Legere Is All Right.

A law-suit in Moncton over a few dollars, which has gone to such lengths that it seemed to be more a contest between lawyers than the original suit, was described by a correspondent who left the impression that one of the parties, Severo Legere was not a man of property. Mr. Legere takes objection to this statement, and, inasmuch as he is a contractor and a farmer there does not appear to have been any ground for the correspondent's statement. Such is the statement of a well known resident of the county and PROGRESS is glad to make the amend to which Mr. Legere is entitled.