## BROGBESS.

OL. V., NO. 243.

ST. JOHN, N. B., SATURDAY, DECEMBER 24, 1892.

PRICE FIVE CENTS.

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gines that any twelve men are likely to found among who there will not be one more who will rease to convict him.

Unless, indeed, there could be a reous test applied by which members of on to which he belongs could excluded. It is not possible for such scrimination to be made, and if it were, ere is no certainty that the disagreeing an would not show up as usual. Besides, last jury has shown that even members nination may be willing to vote

is not to retain the pastorate of his ch under any circumstances. There egation prior to the last trial, but the explanation" which, Pastor Welton isconvinced his friends that his sphere

very apparent in the atmosphere his is natural, though it is really not a atter m which the good name of the de-bination is involved. Even if Sidney Telton had been shown to be guilty it which he was connected or the parti-nlar church over which he ministered.

ubt by choosing another pastor. It has been generally felt by the unpreju-ticed public that Dr. Randall was entitled any sympathy there was to be given. hatever his subsequent connection with he affair, he seems to have been pulled not it by some more designing friends in the first instance, and he has had no chance of explain himself. Such a chance was piven to Dr. Bethune and lawyer Allen W. Bray, and they smoothly explained that thild they had attested to this and that thick was not true, they had—though threw denough in ordinary matters—been threw denough in ordinary matters—been threw denough in ordinary matters—been to serve. By the courtesy of the judge, the context of the recent trial; that is to say, a jury room would be fitted up with some modern conveniences necessary for the comfort of those unfortunates who have to could expect, and so it has. It is Christmas weather, the composed the jury were members of the municipal council the country would have an additional bill to pay as result of the recent trial; that is to say, a jury room would be fitted up with some modern conveniences necessary for the comfort of those unfortunates who have to could expect, and so it has. It is Christmas weather, clear and keen, but not too cold for comton to the country would be fitted up. nto it by some more designing friends in the first instance, and he has had no chance hich was not true, they had—though hrewd enough in ordinary matters—been nisled by the representations of others. Dr. Randall might have had an equally

The others accused could not help themselves by making hin out as offender, but the proof of his wrongdoing would have been the proof of their own guilt. Mr. Beid ought to be able to eat his Christmas

The lawyers connected with the case are some ways as much objects of interest a dollar a day.
the prisoners. Apart from several who we appeared at intervals from the wilds ave appeared at intervals from the wins-of Albert, there have been enough in all conscience around the court. Mr. Pugsley represented the crown, but Messrs. John Kerr and A. W. Marke were also for the cution. Mr. Kerr was retained by he Union Mutual company, and it is un-terstood that Mr. Macrae has got, or will derstood that Mr. Macrae has got, or will get his pay from the New York company. It is said that the latter wanted Mr. Pugary to act, but that he pointed out the difficulty of his doing so while engaged for he crown, and secured the job for Mr. Macrae, who by the way, is quite an active carbon in classics.

orker in election campaigns.

Mr. Melecular represented the Weltons, and appears to have bent his energies to the task of saving Sidney Welton, whether anybody else was convicted or not. He acted as counsel for all the accused. Mr. MeLeed represented the Weltons, and appears to have bent his energies to the test of saving Sidney Welton, the ther anybody else was convicted or not. He acted as counsel for all the accused, but Dr. Randall's lawyer in the first intended was L. A. Curry. It would appear at it might have been good policy for the back; overhoots or rubbers for the feet are always desirable things in this city to have found his client's case of St. John and always appreciated as gits by everyone who receives them.

WHER WILL THE SUIT END?

Moneton Lawyers Who are Fighting for the Fun of the Thing.

They Have Them.

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doesn't to seam or fall by the Weltons. The some however, there appears a certain amount of abreved calculation in the arrangement. There has been a general impression, that so long as Rev. Sidney Welton was in the affair, the jury would be found to convict him. That is to feel me and the search and the s the doctor was innocent.

The three jurors stood out against the conviction of any of the three. In the secmajority, leaving only two to hold the fort.

On an individual ballot being taken, Mr. Kirkpatrick stood out, and declared that it

recreation permitted them by the sheriff in having a liberty beyond the little jury room, the night they were locked up in the court house, did not meet with the approval of

the judge.

The saddest feature of the whole affair is that others then the accused are severe suf-ferers, and this applies with particular force to the family of C. B. Welton, for whose The desire to avert what the world might aider a great scandal on a large and exceed denomination of christians has

WHY THEY COMPLAIN.

deal of fault to find with the accommodat-

ions provided for them when ordered by the court to remain in for the night. If they had been compelled, as most juries on that church, however, is now reported to criminal cases are, to remain together all presentation from them representing the state of affairs. According to them—and their testimony cannot be disputed—there hatever his subsequent connection with affair, he seems to have been pulled jury outside the walls of the room, the The same Gideon Reid, whether guilty made up his mind to do a certain thing. But apart from all this it is not to the a jury has to remain together in consulta-tion that it cannot do so with any comtort. The old days of bread and water and the onght to be able to eat his Christmas er with a good appetite, if not with a conscience.

The old ways of break and it is not starved verdict have passed and it is not right that citizens accustomed to the ordinary conforts of life should be deprived of them when serving their country—even for

Christmas at Fairville.

The church of the Good Shepherd, Fair The church of the Good Shepherd, Fair-ville, will observe the festival in conformity with the ancient English custom. The first evensong of the day will be at 7.30 this evening and the midnight celebration of the Holy Eucharist will begin at 11.30. Tomorrow there will be celebrations at 8 and 11 a. m., the latter being choral with a sermon on "Christ the Redeemer." There will be children's service at 3 and choral evensong and sermon at 6.30 p. m. The evensong and sermon at 6.30 p. m. The priest in charge, Ray J. C. Titcombe, has issued a tastefully designed sheet showing the holy day services during Christmastide.

such faith in Mr. Curry that he believed he of that city are taking the eye of the public would not have undertaken the case unless but St. John, all things considered, has nothing to hide its head about. Special reference to some of the best displays is made elsewhere, but particular reference may be made to the exhibit of Messrs. Manchester, Robertson & Allison, because it is in line with one of the most noticeable oston displays in regard to the utilizing of light dry goods in the construction of a bridge and the surrounding scenery. The advantage with this exhibit is that it has a local character, showing our area. was impossible for him to do anything else.
So ended the trial, and the jurors were bridge and the surrounding scenery. The So ended the trial, and the jurors were released. They did not find a great deal of fun in their work, and even the little local character, showing our own suspension bridge, with the tamiliar wood boats sion bridge, with the tamiliar wood boats local character, showing our own suspension bridge, with the familiar wood boats and rafts of logs below, so naturally that anybody must recognize it at the merest glance. It is really a most creditable piece of work, and so appropriate that it merits more than the usual notice among Christmas decoration.

Mr. R. B. Smith then brought an action of trespass in the county court of Westmortand, and now the county court of Westmortand, and the county court of Westmortand, and the county court of Westmortand, and the county cour

where so much that ought to be said has to where so much that ought to be said to be omitted for want of space. The display be omitted for want of space. The display pleas Mr. R. B. Smith demurred before all around is good this year, and fine judg- Judge Wedderburn (thinking Judge Landry all around is good this year, and fine judgment has been shown in making the tree to be related to the detendant within exhibits both artistic and attractive to the prohibited degree of consanguinity). masses. So long ago as last Saturday night Mr. Geo. H. McKay succeeded in impeding traffic on Charlotte street by the quaint devices in his window, and the demurrer. The Judge gave judgment disforts of two able bodied policemen were necessary in order to keep a passage open for the public. Other merchants, however, at church, however, is now reported to criminal cases and to occupy the jury room the anxious to free itself from all possible to the time and to occupy the jury room the judge would no doubt have had a strong shelves may be so arranged with reference shelves may be so arranged with reference to form and color that pleasing pictures can be presented and a really fine effect

The candy stores seem to be doing unusually good business this season. There are more of them than there were last year

observance of Monday as a holiday, will credit of the county of St. John that when give those who have been hard at work, two days of rest. Next week they will

give those who have been hard at work, two days of rest. Next week they will start in with fresh energy, but alas, next week a good many of the storekeepers will not have the same kind of a rush, they have had this week.

PROGRESS is taking Christmas very quietly and philosophically. The season brings to it a great deal of extra work, and there has been no effort to get out a distinctively holiday number. The leading advertisers insist on having their space, and what they have to say will be found useful reading. A good many people defer making their holiday purchases until the last moment, and they may in many cases save money by looking over PROGRESS before they start out to-day.

There is, however, one feature of this issue to which attention may be directed, and that is a Christmas story, "The Midnight Mass," written by a St. John man, whose modesty will not permit him to sign his name. It will be found worthy of perusal, and it may be that, having been read, some may be able to guess the name of the author.

With the hope that the wish may be completely fulfilled, PROGRESS wishes all its readers a Merry Christmas.

Mr. Simonds then in the interests of his client, Severe Leger, and with the view to the recovering of the said \$3.02 and costs, served the said vacating order on said City Court Judge, and ordered and had a writ of fieri facias handed to Constable Mordecai

decorations.

S. Kath. W. Wilberforce Wells, Q. de. and Simonds appeared for K. and Keith, Borden and Simonds appeared for I. Poirier, and E. Girouard appeared for C. E. A. Simonds. The several lawyers for the defence pleaded not guilty, and Judge Palmer's vacating where so much that ought to be said has to to be related to the delendant within the

Upon the arguaget before Judge Wedmissing Mr. Smith's application on the ground that he did not wish to interfere with a Supreme Court Judge's order. Mr. Smith then got a stay of proceedings and served it on the defendants with a view to appealing from Mr. Wedderburn's judg-ment, but he did not appeal. He gave notice of trial for the November term of the Westmorland county court and the cause was tried before Judge Landry without a jury at the adjourned November county court at Dorchester, and he gav judgment for the plaintiff for \$20.00. All this for \$3.02, and the end is not yet.

The attorneys for the defendants are now perfecting their papers on appeal to the supreme court en banc again; and the case to serve. By the courtesy of the judge, however, the one night the jury had been in a position to testify before he accused. All that came from him afterage, viewed in its relation to the story of deon Read, only served to convict him the first trial.

Clear and keen, but not too could for considering the court of his acts had been in a position to testify before he accused. All that came from him afterage, viewed in its relation to the story of deon Read, only served to convict him the first trial.

Clear and keen, but not too could for considering the court of the judge, fort. Everybody also agrees that if there were only two or three inches of snow there would be nothing to be desired. The sone way be here by New Year's day, and the liverymen are hoping it will stay until that day is over.

The concurrence of Christmas and Sunday is ver.

The concurrence of Christmas and Sunday this year, will make this an unusually busy Saturday with everybody, and the busy Saturday with everybody, and the supreme court of appeal in the empire, the Privy Council of England. Very probably asset through all the ramifications of the supreme court of Angles as a holiday, will. is not likely to stop there, but may in all probability go from the supreme court of that Mr. Lester was ill. Under these circular in the supreme court of the complete that Mr. Lester was ill. pass through the probate court also, as before it gets through all the ramifications improbably have departed this life.

One fact which is a matter of dissatisfaction to the lawyers but of indifference to tion to the lawyers but of indifference to the parties in the original suit, Leger and Poirier, is the fact that 'neither of the said last-named gentlemen has any patent or visible property whereon to satisfy the several lawyers' bills of costs. In fact the said lager and Poirier seem to have lost all interest in the progress of the suit. They are in utter ignorance of the stage it has now reached and have no manner of curiosity or speculation as to what may be the ultimate result. On the other hand the lawyers are just as much interested as when the suit

The question of whether an alderman ought to be attorney for the plaintiff in a suit against the city came up incidentally at the board of works the other day. In 1889 the city wanted to get rid of at old building near the barracks, formerly used as a pest house, and sold it to E. N. S. Stewart for a trifling amount. Mr. Stewart took possession of his purchase and started to move it to another site, with a view to fitting it up as a tenement house. A great outcry was made, and Dr. Bayard was among the remonstrants at the council. speculation as to what may be the ultimate result. On the other hand the lawyers are just as much interested as when the suit commenced. The \$3.02 does not seem to be the only point of interest to them. On the contrary, they seem to give very little thought to the commenced. The \$3.02 does not seem to be the only point of interest to them. On the contrary, they seem to give very little thought to the eventual and ultimate propect of the recovery of this fabulous sum of \$3.02. They say they are merely fighting to find out it they can, what is the law in this case. Now after such an exhibition of disinterestedness who will say that lawyers. disinterestedness who will say that lawyers are greedy and only work for money. Lawyers work, not for money—that is only a collateral and secondary consideration to them—but they fight for the fun there is in

them—but they fight for the fun there is in winning a case and to establish the broad principles of the law.

Kay and Keith (like the little boy who did not know it was loaded) feel bad. They say they did not do it with malice atore-thought.

MORGYON.

MB. STURDEE IS IN THE FIELD AND

Lieut. Hetherington and Military Etiquette

-Cut Rates in the Auctioning of the
Fisheris-Add. Davis and Litigation
Against the City.

of the opinion that he has good fighting of works, attended and asked permise

third term. A third term does not, on a term and a half and wanted to be elected

heard from officially of late, but it was currently reported a while ago that he was erman Baxter and White remain at the board, a new element of dissatistaction may arise in the council. All three are military men and there are nice points of etiquette to be observed in that connection. Lieut. Hetherington's commission dates back to 1891, while that of Lieut. White goes back to 1889, and the mayor would therefore be the junior of the alderman from Welling ton, and both the junior and subordinate of Captain Baxter, who represents Brooks ward. It is all right for Mayor Peters to say, Ald. Baxter, "sit down!" or "Ald. White you are out of order!", but for a junior lieutenant to address a senior lieu-tenant in that way would be at the least dis-respectful, while his ordering a captain to sit down might be almost construed into an act of insubordination. The city fisheries are to be sold at and

reduced rate of compensation to the auctioneers. There has been a war of rates the committee met. there was a tender and an application. The former was from T. T. Lantalum, who offered to do the selling for the very moderate, sum et. \$8. The application was from Geo. W. Gerow, who did not name any figure. Chairman Mc-Lauchan said he had spoken to all the auctioneers, but it was learned that W. A. Lockhart, not having taken out a license could not be considered. Somebody suggested that Mr. Gerow's figures ought to be obtained, and Ald. Knox was sent out to interview him. He found him somewhere around Prince William street and rushed back to the committee with the information that, low as Mr Lantalum's figure was, that of Mr. Gerow was still lower. would do the job for \$7.50; "but I didn't tell him what Lantalum's figures were," Ald. Knox hastened to explain.

not been consulted, and possibly with the cumstances it was decided to divide the work between Messrs. Lantalum and Gerow, at \$1 each. If either was dissatisfied the other was to have all at \$8. The

be willing to give that figure. This cutting down to less than half price and contesting 50 cents is a small business at best.

The question of whether an alderman ought to be attorney for the plaintiff in a resigning. building near the barracks, formerly used as a pest house, and sold it to E. N. S. Stewart for a trifling amount. Mr. Stewart to the tide flowing beneath, has been the centre of much attention this week. It is a

which preceded it, is said to be that of Ald. Davis.

Mr Skinner is also named as the attorney in a suit brought by Geo. E. Quinlan, a tormer employee of the ferry, whose interests have been championed by Ald. Davis at the council and in committee.

As Mr. Skinner's name appears in these cases, it must be assumed that Ald. Davis has no interest in them, but it is quite different in the case of a certain Cantain

HINGS NOT OF RECORD. | doctor to stand or fall by the Weltons. | AS CHRISTMAS SEEMS, | formed and fall by the plaintiff for the BOTH WANT THE OFFICE. | Bensen, in which a writ has not yet been issued. The captain claims \$375 for damage to his schooner in the Market alip. When the matter came before the council, Ald. Davis wanted the board of works to take action the next day, and said that it they did not a the board, a week later, the matter Henry Lawrence Sturdee is in the field as referred to the harbor committee. Ald. a candidate for the office of mayor, and is Davis, who is not a member of the board chances. One thing is certain, he has begun the campaign in sufficient time to tully mature his plans.

Mayor Peters has also intimated to his fine that the result is the belief that there was a liability. He friend that he will be a candidate for a third term. A third term does not, on warned him to be cautious as the represenprinciple, seem as objectionable now as it tative of Captain Benson was present.

did when Mayor Lockart held the office for Ald. Davis, thereupon declared that he was the paid solicitor of the captain, and would act for him it suit were brought Dr. George A. Hetherington has not been though he would not vote on the matter in council or committee. This caused some discussion, in which Ald. McCarthy took also an aspirant to the office. Should the doctor run and be elected, and should Ald-debarred from making a living because he debarred from making a living because he was an alderman. Some of the North End members took the opposite view.

The question ought to be settled one way

Both Were Honest About It.

An old woman, whose general style gave evidence that she was not an active member of the W. C. T. U., approached Alderman B. and asked for a little help. The alder-B. and asked for a little help. The alderman gave her ten cents, and as she was pouring out her blessings on him remarked, "Now I hope you won't go and spend that on gin." "Indeed, sir," replied the old woman, "that is just what I will do with it, for I am in some need of a little drop." The aldermen looked severe for a moment. "Come here my good woman," he said. "Come here, my good woman," he said, and as she approached he continued, "It is not often I find people so quick to tell the tion as usual this year, but at a very much | truth. Here is another ten cent piece to help you warm your heart." T man took the view that the stimulant would do her more good than a temperance and the consequence is a big cut. Mr. do her more good than a temperance lester was the auctioneer last year and the cost was about \$30. This year, when to agree with him when Christmas comes

Mr. Pists and The Shamrock Flag. A rather good story is told at the ex-pense of H. H. Pitts of Fredericton, who took such an active part in the two Orange upon asking for the article was gravely presented by the clerk with a handsome green ensign decorated with the Shamrock and "Erin Go Bragh." Mr. Pitts was not pleased and manifested his feeling in an unmistakable tashion, although h bought a Union Jack before he left.

The boys of the higher grades of Leinster street School have really done a very creditable piece of work in the first number their school paper. The Scholar's Own Then it was found that Mr. Lester had Very few amateurs, not to ssy youthful suggested that Chairman McLauchlan go out and find him. He demurred, but sent departure in journalism and it should be excellent training for the lads who have with the report that Mr. Lester's shop was shown courage towndertake it and whose shut. Then the committee remembered youthful ability cannot be disputed.

Mr. R. Murray Boyd, who has had charge of the counting room of the Daily Telegraph for some years, is about to retire, and it auctioneers will accept the \$1 each.

The selling of the fisheries is considered honestly worth \$20, and the city ought to cause of Mr. Boyd's retirement is said to to the extent to which he should take the responsibility for the acts of his subordinates. Mr. Boyd settled the matter by

The window of Messrs Manchester, Robertson & Allison's retail establishment tre of much attention this week. It is a splendid advertisement inasmuch as it is not only looked at by thousands, but talked about by all who see it. The reputation of this firm for its Christmas window display, has been more than sustained by this latest effort.

burned, and the order was to burned, and the order was one wet night. Mr. Stewart now claims damages, and has brought suit. C. N. Skinner is named as attorney, but the handwriting in the writ, as of that in the petition writing in the writ, as of that in the petition which preceded it, is said to be that of Ald. Davis.

May Skinner is also named as the attorney. The skinner is also named as the attorney in his charges.