

# The Standard



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SAINT JOHN, THURSDAY MORNING, OCT. 27, 1910

### THE WINTER PORT BERTHS.

The list of sailings for the season 1910-11 announced by the different steamship companies, shows that St. John is not only holding its own, but is gaining in recognition as the Winter Port of Canada. The Canadian Pacific, the Allans, and the Donaldson Line will have weekly schedules as in former years, and it is gratifying to note that the Manchester Line will inaugurate a weekly service, which will double the number of the line's sailings during the season.

The allotment of berths has not yet been finally decided, but it is generally understood that the Canadian Pacific steamers will occupy numbers 1, 2 and 3, the Donaldson Line number 4, and the Allan Line number 5, as was the case last year. The Manchester Line, with a schedule of approximately twenty-eight sailings, has applied for number 5 berth. There has been a disposition on the part of the council to demur to the application on the ground that, if granted, it would tie up the only remaining free berth on the West Side, but, on the other hand, it should not be forgotten that this line has strong claims on the port of St. John, which, on further consideration, ought to be recognized.

The Manchester Line has been coming to St. John for many years, summer and winter, in fact since the company was organized, and as a consistent user of this port ranks with the Donaldson steamers. It has hitherto run a fortnightly service, and, for want of a permanent location, the boats have berthed more often than not at the Long Wharf to the advantage of the I. C. R. Sentimental reasons cannot be expected to weigh, of course, in a matter of this kind, but from a financial standpoint, the city has everything to gain by granting the application. The revenue in top and side wharfage from twenty-eight sailings, is no considerable item at the end of the season, and, as far as this line is concerned, will be practically a clear gain to the city over previous years.

The difficulty of accommodating the South African Line with monthly sailings, should be easily met. The harbor master can be trusted to exercise a wise discretion. It has been found in the past that once the berths are allotted, the steamship lines show a disposition to arrange among themselves to get the best results out of the harbor. The Standard holds no brief for the Manchester Line, but its claims for a berth seem equal to those of the Allan and Donaldson steamers, and the opportunity presents itself for St. John to show some consideration to a consistent user of the port in the past, and one which in the future, there is reason to believe, will be a very profitable customer.

### "A SENSATION SPOILED."

In commenting on the result of Mr. Mayes' suit in the Exchequer Court, Mr. S. D. Scott, editor of the Vancouver News-Advertiser, gives an instructive review in that journal of past incidents, which had considerable bearing on the settlement of the case. Mr. Scott is as fully familiar with the facts as any writer in Canada, and his editorial, which follows, will be read with interest.

The suit of Mr. G. S. Mayes, of St. John, New Brunswick, against the crown has failed to disclose the expected interesting particulars. Mr. Mayes claimed a balance of \$5,000 due him on account dredging. He also claimed that work which should have been given to him was performed by others, causing him loss of profit. Other items of damages and services were charged. The government denied any liability, but claimed that the contractor had already been overpaid and owed money to Mr. Pugsley's department.

The interesting feature in the case was the connection of the contract with the McAvity rake-off of \$35,923. Mr. Mayes made an affidavit in 1908 setting forth the details. He states that on the first call for tenders he offered to perform the required dredging at fifty cents per yard. He was the lowest tenderer, but did not get the contract. It was required that the dredges to be employed should be registered in Canada. The one which Mr. Mayes intended to use was registered in the United States. A new call was issued without this restriction.

Mr. Mayes went to Ottawa to repeat his fifty-cent tender. He is a Conservative, but at the capital he met Mr. George McAvity, of the leading Liberal business firm in St. John. Mr. Mayes had been advised by Mr. Pugsley to discuss the matter with Mr. McAvity. Mr. Pugsley was then attorney-general of New Brunswick, and in close relation with the government at Ottawa. Mr. Mayes found Mr. McAvity waiting for him at Ottawa, and was advised by the latter to raise his bid to fifty-five cents per yard, allowing Mr. McAvity the extra five cents. Mr. Mayes seems to have reached the conclusion that he would not get the contract without paying this rake-off and so consented. An agreement for this division of the proceeds was signed by Mayes and McAvity.

Mr. Mayes got the contract, procured his dredge and got to work. He gave Mr. McAvity one-tenth of the amount of every payment until the latter had received some \$30,000. Then he stopped paying rake-off. Immediately the public works department, of which Mr. Pugsley had been the head during the payments, ceased paying the dredging accounts. Mr. Mayes went to Mr. Pugsley, who blandly inquired whether Mr. McAvity had not some unsettled claim. In the end Mr. Mayes paid the claim and received his own cheque. Then he went on strike again. He states that dredging which he should have done was subsequently lost, and that a balance due him was not paid. Mr. Pugsley

disputed the balance and claimed an accounting and a balance from the contractor. Naturally a hearing of this case before Exchequer Judge Cassels was expected to be interesting. Mr. Pugsley himself was present when the trial began, and at once set in motion negotiations for a compromise. Finally an agreement was reached by which the government acknowledged the long-withheld balance of \$5,090 on account, and \$4,450 for loss of profits on dredging work which was taken from the contractor. Mr. Pugsley's department also pays the costs, so that Mr. Mayes got \$9,750 and his expenses. But the public loses the chance to hear the rake-off story told in court.

### A LIFE INSURANCE DECISION.

An important legal decision which will be of interest to holders of life-insurance policies was given recently by Judge Latchford in an action brought by a man named Shaw of Woodstock, Ontario, against the Mutual Insurance Company, of New York. By this decision it would appear that should a life-insurance agent in this country promise a prospective policyholder that the profits on an endowment policy will reach a certain amount, that promise is legally binding on the company which the agent represents.

Twenty years ago Mr. Shaw was induced to take a policy with the New York company. The agent who wrote the policy promised him that the profits would not be less than a certain figure, and the promise operated as an inducement to Mr. Shaw to insure. When the policy matured Mr. Shaw was disappointed to find that the profits were much less than the amount promised by the agent, and he brought action against the company.

Judge Latchford decided in his favor, holding that the agent's promise was binding on the company. The judge ordered, inasmuch as the promise had not been fulfilled, that the company should pay back to the plaintiff the total amount of the annual premiums which he had paid, with compound interest to date. Profits are an uncertain quality, and insurance agents, as men engaged in an honest and legitimate business, as a rule have sufficient regard for this fact not to make any definite promises. The unscrupulous agent, however, is not unknown, and this decision will doubtless have a deterrent effect upon his activities, especially if he is asked to put his promise in writing.

### PORTUGAL.

Reports that the European powers are now planning to recognize simultaneously the republic in Portugal speak well for the impression of stability made by the new regime. It is a case where foreign governments are under no obligation to act with haste, yet neither should they delay so unduly as to warrant a suspicion of unfriendliness. The republican government at Lisbon is certainly de facto now, beyond dispute, and whatever diplomatic business has to be transacted there is done with it. Formal recognition should soon follow.

Portugal under a republic must be regarded as an experiment, but the Portuguese people are entitled to try it out under the most favorable conditions, and in them must be included official recognition of the new order by other nations. Events across the Spanish frontier are still carefully watched to see if the republican upheaval in Portugal will have an echo in Catalonia. Thus far there has been no outbreak except one of talk, but there are many who think that the two countries will in the end have common institutions.

## Current Comment

(St. John Globe.)

The telegraph this morning makes a complete change of front with reference to the Mayes suit settlement. Heretofore it has abused the Globe because a news paragraph in this paper stated a popular belief that the Mayes dredge Beaver was no longer under ban, but could be utilized in public works. Abuse of the Globe continues, but with it the Telegraph now says "the matter at issue has not been a dredge, but the propriety or impropriety of the settlement of the lawsuit." The dredge was the entire theme of the article that roused the ire of the Telegraph. There has been no contradiction by the Telegraph or by anybody else of that news item, nor can there be any successful contradiction of it.

(Montreal Witness.)

Amid all the contradictory rumors that have Portugal as their source just now, it is strange to find a unanimous voice expressive of respect to things British. The King and Queen Mother find a city of refuge in a British possession, and will probably seek a permanent asylum in England. The Jesuits assailed by Republican troops hoist the British flag and the fring ceases. The Irish Dominican Fathers—(What will the extreme Home Rulers say?)—are exempt from expulsion because they are British. This is the Protestantism which permeates British institutions justified.

(Montreal Gazette.)

A Liberal paper can hardly be opened these days without there being seen evidences of the dread of its writers of the effect on their party's fortunes of the rejuvenation of Quebec's Nationalism. They know what made this province solid for Laurier, and they think they know what may make it solid against him.

(Ottawa Evening Journal.)

A faithful Liberal newspaper organ explains that the immense crowds that greeted Bourassa in Montreal merely went "to hear what he had to say." Wonderful! And did the crowd that earlier greeted the Prime Minister in that same city come to burn incense, or to worship, or what?

(Ottawa Journal.)

"Never before had I experienced anything so smooth and airy," remarked President Roosevelt after landing from his aeroplane voyage. Which is proof that T. R. has never yet been introduced to our own Hon. Wm. Pugsley.

(Victoria Colonist.)

The Fernie Free Press says a commission is to be appointed to investigate the causes of drunkenness. Our contemporary suggests that the report might consist of the single word "Booze."

(Ottawa Free Press.)

It will surprise most people to be told, as we are today, that the province of Ontario received more immigrants than any other province in the Dominion. Is the West losing its lure?

(Calgary Herald.)

Some Montreal clergymen disguised themselves and went to a burlesque show which was later described as a hot one by one of the party. This Pankhursting is great stuff.

(London Free Press.)

The G. T. P. will end at St. John, N. B. But the Grand Trunk still sticks to Portland, Me.

For table use, its crystal purity and wonderfully "fresh" taste make  
**MAGGI**  
THE WATER OF QUALITY

## The Standard's Old Reporter

"Did ye read th' Avenin Tolmes?" said Harrigan, as Grogan entered the corner store last evening and filled his pipe from the proprietor's fig. "O' did," replied Grogan. "O' don't often, but O' hav' shopped th' Polis Gazette now and must hav' somethin'. That is a great felly that iditor iv th' Tolmes. Sure he is playin' iv th' game well. O' wonder if he believes what he writes?" "Av course he does," said Harrigan. "Don't all these fellys believe what th' say an' ain't th' laddybuck what th' writes th' daily mud for th' Dredger's Avenin organ th' soul of sinners? Ain't he actuated always by what he thinks is best for th' country irrespictive of what sane people might say?" "O' ain't so sure," observed Grogan, slowly. "Far be it fr'm me to pass an opinion on sich a mon, but he was wan iv thim wance. Falth, but he used to say th' sassy things about Doether Poogsley before he got a change of heart an' was told there was dredgin' to be done. It's surprisin' how he shalapes at noights, thinkin' iv th' many years that he has roasin' th' greatest mon iv'er turned out iv th' county of Kings,—which, by th' way, he lift suddint. Ye know that in th' days before th' dredgers had two organs, an' bought two iditors th' same as they bought th' new type an' th' \$30,000 press which was never mint to run eulogies of me frind Shwate William, there was elections an' th' same Doether Poogsley was runnin' th' Tolmes mon was in his illimit thim. Whin he eud say that it was reported that the Honorable Doether had been caught lootin' a baby's bank or was preparin' a scheme by which this glorious city was to be tun out iv dors an' was takin' bribes to hand th' whole province over to th' lumber operators, he was happier than he has iv'er been since. Thim was th' happy days. But bime-by th' dredgers cam along an' th' head dredger sid to th' man that owned th' Tilgraff an' th' Tolmes an' was thryin' hard to run thim dacent: "Here is \$7.50, I know it is too much but O' will give ye this for yer pris, yer tip an' yer two iditors. It is a lot av money, but th' pris is almost new—so O' will put up wid th' rist." The man who owned th' papers—they was papers thim, not organs, looked at th' money an' he looked at th' iditors an' he sid, "Take thim, th're yours." An' thim there was an ille-tion, an' th' Tolmes an' th' Tilgraff iditors got busy tellin' th' people how th' Hon. William Poogsley was th' wan man that eud say th' city from th' evil eye, th' sins av our fathers an' th' meales an' th' hav' stuck to their jobs well." "But wasn't Doether Poogsley a member of three parties in as many months?" asked Harrigan. "He was," said Grogan, "an' in that he has it on th' dredgers' iditors who have av yet ben in only two. But th're young yet, an' both healthy so there is still hope for thim to catch up if they hurry an' th' th' hardest blow th' opponents iv Doether Poogsley have to fear?" "What's that?" said Harrigan. "A throp in dredgin' an' another top iv th' Tilgraff an' Tolmes, if thim two iv'er gets on th' same side as us, good bye to th' Conservatives."

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**Then It Happened**  
Squire Peabody stood by his woodpile. He regarded it with a rueful countenance. He marked how the woodpile was dwindling.  
"I wonder if that 'tarnal Joe Swipesberry is achopin' hissest ter my cord-wood?" he mused.  
Just as a scientific experiment the squire loaded one stick of wood with a piece of dynamite.  
Several evenings later Joe Swipesberry found it necessary to build a roaring fire.  
When he gets out of the hospital he is going to buy his firewood.  
(The End.)

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**TEN GENERALS AND 60 PRIVATES DROWN**  
Port Au Prince, Oct. 26.—The Haitian gunboat Liberte has been lost at sea off Port De Paix, following an explosion on board. It is estimated that 70 persons were either killed or drowned.  
Twenty others were rescued. News of the accident was received here today. The Liberte sailed from this port on Monday last, having on board 90 persons. So far as known only 20 of these escaped.  
Among the 70 who were lost were ten Haitian generals who were on their way to take command of the several divisions of troops in the department of the north. Details are lacking, the only definite information being as to the loss of life and the fact that an explosion occurred.

**CARD**  
To the Electors of the City of St. John Ladies and Gentlemen,—In response to the solicitations of a large number of electors of Brooks Ward I beg to announce I will be a candidate for the office of alderman at the by-election to be held on the 10th of November next,  
Yours respectfully  
**W. D. BASKIN**

**TO THE ELECTORS OF THE CITY OF ST. JOHN:**  
Ladies and Gentlemen,—  
At the solicitation of a large number of citizens I have decided to offer as a candidate for the office of alderman for  
**BROOKS WARD**  
at the by-election to be held on November 10th next, and I respectfully solicit your support.  
**NORMAN P. McLEOD.**

**CLOSED**  
On Account of  
**D. BOYANER, 38 D**

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**DEATHS**  
Vanwert.—In this city inst., Norris A. Vanwert, leaving a w mother, two brothers (to mourn their sad Funeral from his late Adelaide street, on Fr at 9 o'clock. Service in Victoria street Ba and the body will be disntown to be convey o'clock boat to Hamp termment.  
Dewar.—At 296 Duke str the 25th inst., Donald of Andrew and Ger aged 18 months. Funeral Thursday, Oct. o'clock.  
Grower.—At Robethay inst., Sara E. widow William T. C. Grower Earle.—Entered into re October 1910, Allen third son of the late Lobleski Earle, in his age.  
Funeral on Friday, leavi at 12 o'clock noon, shap P. R. train to Hampton Cogle.—At the re Mrs. J. R. Bartlett, Heights, on the 25th i Cogle, in the 55th year Service at the house on 3 p. m.; funeral at 3.30

**CLOSED**  
On Account of  
**D. BOYANER, 38 D**