

PROGRESS.

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CHOOSE THE RIGHT SPOT.

PRIVATE CONSIDERATIONS OUGHT NOT TO INTERFERE

With the Good of the City—Why the Rodney Wharf Plan Should Not be Adopted—The Reasons Why.

Harbor improvements seem to be the question of the hour, and what they will cost and how much the city can afford to expend upon them are both topics of interest—of great interest—to the taxpayers. What they will cost, according to the Rodney slip plans, etc., has been pretty freely ventilated by the opening of the tenders of those who figured on that work. The wide difference in those tenders has never been explained yet, but the people know now that the plan proposed by the director of public works, and the chairman of that department is to spend \$200,000 or thereabouts on the Rodney wharf property.

To spend that much money means that the city must borrow it; that it must add \$200,000 to its already large bonded debt, and the yearly interest and sinking fund, \$10,000 or more, be made an annual charge upon every man who pays taxes.

Can this city afford to spend \$200,000 at this time? Can it afford to increase the taxes, which are already too high, in order to carry out a plan which cannot commend itself to the judgment of any reasonable, unprejudiced citizen? Progress thinks not.

This is not the time for us to make mistakes; nor to go ahead in a reckless, foolhardy fashion without looking into the future. Too many mistakes have been made already, and much bungling and wrangling has made the city ridiculous instead of respected.

The Rodney wharf idea looks well on paper, but it is expensive, and will never afford such facilities as this city will require in the future. The advocates of that plan say that with Rodney wharf extended 300 feet further into the harbor there will be a chance for two large steamers to lie on each side of it—four in all.

Quite true; but what good will that be if on the wharf itself the space is limited, the tracks are limited and only a small warehouse, in fact, but enough accommodation for one large steamer. It seems the most absurd idea to attempt expense which will run up into the hundreds of thousands, to be able to say that we have berths for four ocean steamers, which cannot find a place to load and unload all at the same time.

Another very bad feature of the Rodney wharf plan is the fact that, in order for a large steamer to approach it safely, the amount of dredging that will be required is simply tremendous. The main harbor channel runs up the east side. To approach Rodney wharf, which will slope up the harbor decidedly, a steamer would have to sail past the east side ferry floats, thence across the harbor in line with her berth. Perhaps it is not necessary to discuss currents, etc., in this article; but anyone acquainted with the harbor can understand what a difference, especially in the spring time, the extension of Rodney wharf is going to make in the velocity of the harbor current. Progress is informed on good authority that at the narrow point of the harbor the stream will be very swift and strong. The danger, therefore, to a large steamer of crossing such a current in a channel only 60 feet wide—the specified width to be dredged—is obvious. There is a strong probability that the steamer would collide with the channel bank. Such a serious accident is to be avoided at all hazards.

It was the dredging of this channel which caused the difference of \$100,000 in some of the contractors' estimates. Some of them claim that the bank is of soft mud; others provided for part mud and part rock, while others—and these contractors had an opportunity of examining the government plans and soundings made by Mr. Perley—concluded that Navy Island bar ran across the proposed channel, and that solid rock instead of soft mud would be met with. This uncertainty, we may repeat, caused the difference in the estimates.

Without dwelling at all upon the strong probability that such a channel across the harbor would require constant dredging to be kept clear, it may be pointed out that the proposed improvements at this point are faulty in another respect.

There is no chance for an elevator. There has been a good deal of fun about an elevator but it may be said that when train after train of grain passed the doors of St. John the laugh about the elevator was not appreciated. Then an elevator was wanted. It was the passage of those trains by the doors of St. John that roused St. John; it was that that caused public meetings and resolutions not only here but all over the province, and brought the common council to a sense of its duty.

And now it is proposed to make improvements and leave out the elevator! A house without a chimney.

Even worse than this, supposing that there could be anything worse, is the proposal to put these improvements in a spot which the Canadian Pacific railway people have called "isolated," in a spot with which they have no railway connection and which in order to be at all roomy, must encroach upon the leased property adjoining of Messrs. McLaughlan & Wilson. These gentlemen will, quite properly, demand compensation from the city. Progress understands that their figure has already been fixed at \$6,000 besides an additional \$1,500 to rebuild a bridge which must necessarily be destroyed. In addition to these amounts it is understood that they will also claim a reduction of rental of some \$200 a year, which, calculating at the city rate of interest, means a capitalized \$5,000 or \$12,500 in all—just the cost of a trifle more room.

This looks like building a house without a door or even a yard. Without a doubt it appears to Progress and to most of those citizens with whom we have talked that Rodney wharf is out of the question. The other site that is talked about is the Sand point property. To this, however, there is a fancied objection which it would be difficult to define. Let us ask: What is the objection to the Sand point property?

Is the fact that, practically, no dredging will be required there, an objection? Is the fact that the approaches are magnificent an objection? Is the fact that it is right at the entrance to the harbor an objection? Are the facts that the C. P. R. wharves are contiguous and that it is the terminus of their lines of railway, objections? Is the fact that there is plenty of room an objection? Is the fact that James D. Leary owns some property there an objection?

Mr. Leary has some property there, but to common sense men, not blinded by prejudice, that should be no objection. The so-called Leary scheme is no more. It is dead, and Progress helped to kill it. It would be foolish indeed to continue an imaginary fight with Leary and refuse to use the best site possible, because he owns some property there which he is willing to sell at a fair valuation.

We say a "fair valuation." Mr. Leary paid about \$19,000 for those several properties. Taxes, etc., has brought the sum up to about \$20,000. That was two years ago, and as Mr. Leary's money is probably worth 6 per cent. to him, the interest would amount to about \$2,500 more. It was currently stated at the time of the negotiations that the plans and soundings, opinions of engineer, etc., cost Mr. Leary \$2,000. That would bring the amount up to \$24,500. If Leary's personal expenses in connection with the purchase, negotiations, trips to and from St. John are taken into account, \$26,000 will not cover his total expenditure. He offers to sell for \$30,000. Will anyone think that price unreasonable? Even the south end aldermanic capitalist who, through a south wharf merchant, negotiated so urgently with Mr. Leary for the land, hoped to make more than that out of it. The failure of that speculation may indeed account for the pressure brought to bear for Rodney wharf now.

The story of the alderman's attempt to buy the Rodney property is an interesting one. Two or three months ago the South wharf merchant referred to, first made advances to Mr. Leary regarding the sale of his property. He asked him to place a figure upon it, and in the event of his effecting a sale with the capitalist he had in mind that he should be allowed a six per cent commission. Mr. Leary's reply was not so satisfactory as was hoped for. He failed to fix a price and intimated that his property was always worth what he had spent on it. Letter after letter went forward and were unanswered, but, about the first of the year an offer of a sum between \$20,000 and \$25,000 was made, subject to the six per cent commission. This offer was only open until January 7th. Mr. Leary replied, briefly stating that as yet he had never failed to get principal, interest and expenses out of his investments, and that he must have \$30,000 net to get out of this with any profit. He intimated that he was not anxious to sell; that he was not in need of the cash, and that his boys would probably find the property increased in value in the future.

This was about as much information as Mr. A. Chipman Smith obtained when he wrote, it appears without direction, to find out if Mr. Leary would dispose of his property.

So much for this little episode which shows that the city's interests are but secondary in the minds of some people. If Mr. Leary had accepted that capitalist's offer it would not be necessary for Progress or any body to point out the advantages of the Sand point site now.

But a certain amount of improvements can be made, and made quickly without Mr. Leary's property. Progress believes it would be a good idea for the city to get an option on the property if possible, but do not buy it until it is wanted. A competent authority says that \$60,000 will provide accommodations at Sand point for next winter's business. Why not spend that amount instead of rushing into an outlay of nearly four times that amount? Why not build wharves where they are needed; where the railway terminus is, and where it will be possible to do the work quickly? If Rodney wharf be chosen the work cannot be ready for the business of next winter, and delays are dangerous now.

These are questions for the business element of the council to grapple with. The aldermen have the matter in their hands and the people will look to them for prompt and just action.

Do you entertain? Your invitations and dancing programmes should be looked after as carefully as your supper. Let Progress Party do it for you.

LACERATED BY THE LASH

JUSTICE EXCHANGES HER SCALES FOR A WHIP.

How the Rights of Society are Supposed to be Vindicated by Flogging an Offender—The Scene as Viewed by an Impartial Witness.

His Honor Mr Justice Tuck was not present at the whipping of Graf. It is to his credit that he was absent, no matter what caused that absence.

Certainly the judge either must have changed his mind or the other duties of his office prevented him from being in two places at once. Since there is a doubt about it let everyone give him credit for changing his mind. Progress is only too glad to think that his honor's second thoughts were more in keeping with the dignity of his office and the feelings of the people.

Judge Tuck may congratulate himself that he was absent. Certainly had he been present and watched the carrying out of his sentence, such another would be slow to pass his lips again.

The prisoner, Graf, is a mere youth in size and appearance. He has none of the strength or endurance of a full grown man, none of the firmness of muscle which would better bear a flogging than the soft and tender flesh of a growing youth. The sentence was not carried out in the open yard according to the sentence, but in the upper hall of the jail building. If the yard had been used poor Graf would have stood some additional suffering. But no where in the jail yard could be found so convenient a grating to which the prisoner could be lashed. That was an intricate job.

When Progress rang the bell of the turnkeys' office and presented his card of admittance he found the sheriff and his deputy, his constable, the two turnkeys and the press representatives assembled in the S310 apartment. The group was completed by the arrival of the chief of police in his new fur coat, and the jail physician, Dr. Christie.

For lack of anything more interesting those present glanced curiously at the elegant garment of the chief, which, it is currently understood, was made in Halifax by a swell military tailor. The secret of his visit to the warlike town is now out. No St. John tailor could get the exact "colonel cut."

But while this harmless diversion was going on the doctor and the sheriff were on more serious business up stairs. Graf was being examined to see if he could stand the punishment in store for him. The doctor found his heart in an unsatisfactory condition, and concluded that the whipping should not be too severe. It is little wonder that the lad's heart was in such a condition. With such a sentence hanging over him it is a wonder he was in any fit condition to stand punishment.

When the press was asked up stairs Graf was ready for the lash. The iron grating that shut off the stairway from the main upper hall had been utilized as a whipping post. With his arms stretched above his head, and held there by means of straps buckled about his wrists, which in their turn led by ropes to pulleys, after passing through which they were brought to the lower cross bars, and tied. When straps were again passed about his waist and the centre bars it is little wonder that Graf said their things would bind an ox.

Then when the sheriff asked the turnkeys if they were ready, one of them was directed to count aloud while the other stood by with the whips—six ends of fough whip lashed attached to a light wooden handle about a foot in length.

It was a barbarous, cruel punishment. "Severe" the officials said; "deserved" some one else said; the others were silent, but if they felt as the writer when he looked at the bloody, blacked and swollen back and neck of Graf they must have concluded that no amount of guilt warranted the infliction of that punishment upon a human being.

WHAT PEOPLE THINK OF IT. Opinions of Legislators and Others on the Punishment.

It will be seen from some of the views of citizens in off-hand conversation that opinions differ as to how far it is advisable to have flogging as a punishment for crime. Here is what some of them say:

"I believe in whipping as a punishment for certain kinds of crime," said Dr. F. E. Barker. "There is no other way of reaching some kind of offenders. This idea of the result being demoralizing is all nonsense. The mistake people make is, in setting up a standard of what humanity ought to be, instead of what they are. Whipping would be degrading to you or me, but not to fellows like Graf, because you cannot degrade criminals of that stamp. They must be punished in a way that they will feel and fear. There a boy thieves who ought to be whipped, to whom mere imprisonment is no punishment. They will fear a whipping when they have no fear of a jail term. I think the whipping of criminals for certain offences is in the interests of society, and has a deterrent effect. They very women who cry out against flogging criminals will whip their own children because they know it does them good."

"On general principles I do not believe in flogging criminals," said his Worship Mayor Peters. "It degrades the punisher and the punished. In cases like that of Graf it may be necessary to have such a penalty, to stamp out such crimes. Society must be protected, and I believe that flogging has a deterrent effect on the criminal class."

"I think flogging is a cruel punishment," said the Hon. Robert Marshall. "It demoralizes a man for life. It would be almost better to hang him. It seems to me that the law should be founded on the principles of the New Testament, and try to make men better rather than worse."

"What I think about it is this," said Judge of Probates, R. C. Skinner. "It is claimed that flogging does not belong to the nineteenth century. Does crime belong to it? Crimes of violence must be punished so as to deter others from committing them, and they must be punished so severely as to frighten the criminal classes. There is a great deal of sympathy shown for criminals, but I think the people who have been their victims are entitled to some consideration. People are apt to forget them in their pity for the men who have desolated their homes."

"I am opposed to the whipping of criminals," was the opinion of Mr. E. McLeod, M. P. "The end of punishment should be to reform men, and flogging degrades them."

"It would seem to me that the age ought to be beyond the necessity of flogging as a punishment," said Rev. Howard Sprague. "I have not given the matter any careful thought and can hardly express any decided opinion. As reported by the papers, the flogging was a repulsive thing. The question as to the expediency of such punishment seems to depend on whether brutal criminals can be reached by any means other than those which strike terror by physical pain."

"There are several ways of looking at the matter," said Rev. Geo. Bruce. "Flogging has a tendency to degrade a man and make him an irreclaimable criminal—an enemy of society. Yet there may be instances that can be appealed to in no other way than by fear of physical effects. Society too must be protected in its most sacred rights. If there is any good left in a man the effort ought to be to reform him, not to make him a worse criminal. The state should act as a parent and chastise with a view to reformation. It is a matter which may be viewed from so many standpoints that one cannot give an answer of yes or no to the question of whether criminals should be flogged."

"I look upon the flogging of criminals as a relic of barbarism and unworthy of the age," was the positive opinion of Mr. C. N. Skinner, M. P. "It degrades those who inflict it more than those upon whom it is inflicted. I am strongly opposed to it, and if the opportunity ever offers I shall speak and vote against the law. I do not believe that torture is necessary. In cases where it is thought necessary it would be better to shut the offender off from society and keep him imprisoned. It may be one of the penalties of civilization that we have to bear the cost of the support of such criminals, but there is no reason why they should be tortured. The safety of society is secured when they are shut up."

"Does not the penalty of flogging have a deterrent effect?"

"No, I do not believe that the fear of punishment deters. The man who commits a crime of violence does not reason with himself as to the penalty. He reasons that he will not be found out. I do not believe that Graf thought of punishment for a moment. The penalty does not deter."

"Speaking hastily," said J. D. Hazen, M. P., who was caught on the fly in a hallway, "I consider the punishment of flogging to be degrading. It undoubtedly degrades the criminal. I should say that if there is any case in which it is justifiable it is when inflicted for crimes such as that of Graf. I have not, however, given the matter any serious thought and do not wish you to quote this as a mature opinion."

Did Not Pay Him to Get Hurt. A St. John man met with an accident some time ago and had to remain in the house. He was not sorry, for the injury was not painful, business was dull and he had an accident insurance policy. The latter fact caused him to take matters leisurely and calmly, for every week that he remained at home meant so much more cash. When his conscience would not permit him to stay in any longer, he sallied forth to see about his insurance. To his intense disgust a greedy creditor had put an attachment on the money, thus adding insult to injury. The next time the citizen has an accident, he will get well as soon as possible.

Visiting Cards for ladies are of the specialty of Progress Party. Mail orders filled at one day's notice. Prices from 75c to \$1.00 according to quality.

PILING ON THE TARIFF.

FRESH HATCHED LAWYERS TO PAY A BIG DUTY.

An Increase of No Less Than Nineteen Hundred Per Cent. Proposed—Reasons for the Action of the Barristers' Society.

The demoralizing effects of a protective tariff on all classes of society are shown by the proposition of the Barristers' Society of New Brunswick to impose a specific duty of \$500 a head on all attorneys hereafter to be admitted to practice. The fee heretofore has been about \$25, so that should the proposed change be made in the tariff the increase of duty will amount to no less than 1900 per cent. The motive appears to be the same as that of the government in levying a duty on Chinamen—to put a stop to their influx into the country.

A good many of the lawyers of the present day were made attorneys at a very trifling cost. They would never have been lawyers if there had been anything to pay. In the old times of oral examinations it was necessary only to get on the right side of the benchers, and to stand treat occasionally. Then a fee was fixed of \$5 for examination, \$5 for certificate and sundry other charges, amounting in the whole to \$25 lawful money of the said province of New Brunswick. It has remained at this for a number of years. In the meantime the lawyers, like the Chinese in the United States, have increased in alarming proportions. A never-ending stream of them has been flowing from the farms of Kings county for years, and a picturesque procession has been marching along from all the other counties. The population has been falling off, and the court dockets have been growing smaller, but still, four times a year, a batch of young lawyers is sent out from Fredericton, each one intent on gaining a living by the exercise of his profession. In thirty years, as Progress pointed out not long ago, the population of St. John has decreased 12 1/2 per cent, while the lawyers have increased more than 80 per cent. They are still on the increase. Few die and only a limited number resign.

Now, while it may be true, as the late D. Webster remarked, that there is always room at the top, a good many of the old lawyers are just far enough from the top to be uncomfortably crowded by the young fellows full of hope and abounding in gall. Every young man has friends who leave some older lawyer to come to him, and they in turn bring others. The deplorable result is that the day of fat spoils for any one lawyer is passing away. The leaves are cut into such thin slices that nobody is fully satisfied.

The Barristers' Society, some of the members of which would have been hauling muck or cutting cordwood now if they had been required to pay \$500 for their certificates, views the situation with undignified alarm. The profession is overcrowded, and they want to cry a halt until things get into equilibrium again. They object to any but the wealthy coming into the ranks, and this means that hardly anybody will come in. The wealthy find more lucrative occupations. It is those who are poor but ambitious who are most anxious to be lawyers. It is the poor man's profession, because it is comparatively cheap as compared with medicine. Besides, as everybody knows, any man who can read, write and talk, can be made into a lawyer of some kind.

The next afternoon I went there again and was delighted to learn from the card that lawyer Risky was at the law library. I went there, but there was not a soul around the premises, so I concluded the lawyer had returned to his office and I went there again. I was exasperated to find that in my absence the card had been changed to read, "Out of town, return 16th inst.," and I went away mad enough at having missed my man so narrowly.

"On the street, I met a friend of lawyer Risky, and I asked him where my man had gone. 'I saw him on Prince William street ten minutes ago,' he said, 'and he said nothing about going out of town.' Just then another man came along and said, 'Risky has gone to Fredericton. I have just been to his office, and that is the notice on the door.' Then I gave up the search for that day.

The next time I called the notice read 'Return in ten minutes.' I went away, came back in half an hour and found the notice changed to 'Out of town, return tomorrow.' I did not know what to make of the matter at all, so I concluded to wait awhile and think it over.

"While I waited another lawyer came along the hall, stopped at Risky's door, and deliberately removed the card, so that the one underneath it read 'At city court.' Then I went to the door and found that the rack was of the kind that permitted cards to be removed at any time with a most perplexing effect on people who supposed them to be Lawyer Risky's official statements of his whereabouts. If his clients tried to find him by the directions on his door they would be engaged in one never-ending and maddening pursuit. Why doesn't he get a new card rack that people can't fool with? That's what I want to know!"

They Should be Looked After. The small boys who think it fun to snow ball sleighing parties, should be looked after by the police. The large number of parties leaving the city have brought the boys out in force, but when they use frozen snow and ice as missiles the fun ceases to be apparent. A young lady who was one of a party that went out the Marsh Road, this week, received a discolored eye, and this is only one of the results of snow balling.

Why the Pastor Resigned. The North End clergyman, whose peculiar methods of making presents were given in Progress last week, has resigned from the pastorate of the church. A number of reasons are given, one of which is a difference of opinion as to how deep into debt the congregation should go. The pastor's fondness for fast horses, and the Christmas presents, are spoken of as minor reasons.

Did Not Know Frank. Frank Gallagher, of the customs department, is supposed to be pretty well known in St. John. He was born here and his father before him was the town-major. For the last three years Frank has walked up and down Prince William street every day of his life, and so when he went into the Bank of Nova Scotia to have a cheque cashed the other day, he was more than surprised when told that he would have to be identified. Not a person connected with the bank knew him, and so he had to go out on the street and find somebody who could vouch for his identity.

And Still They Go. It would seem that the merits of Progress dictionary were just becoming known in some quarters. More than 50 of these books have gone out to subscribers this week and 30 of those go to houses on the I. C. R., between St. John and Moncton.

LOOKING FOR LAWYER RISKEY.

The Granger who Riled on the Cards on the Office Door.

"Where can I find Lawyer Risky?" asked a bewildered looking granger, who was wandering about Rocky Hill, the other day. He was told that the lawyer's office was in a building near at hand.

"I know that," he replied, "but that is just where I won't find him. I never do. Worse than that, every time I go there to look for him I find he has been in during my absence, and gone off in another direction, that is, if the card on his door tells the truth."

"Now, to illustrate this, I called bright and early the other morning and found the door locked. A card on it read, 'At city court, return 11 a. m.' I concluded to wait, and while I waited another man came along. 'Do you know where I can find Mr. Risky?' says he. 'He's at the city court,' says I. 'That he isn't,' says he, 'the city court was Thursday and this is Monday. He must be out of town.' So I walked away and so did the other man.

"An hour or two later I happened to be passing by, and I concluded I would see if the lawyer had shown up, so I stepped to the door and read, 'At equity court, return at quarter to one.' Just then a man came along and I asked where the equity court was. 'There isn't any equity court today,' says he. Then I did not know what to think about the matter, and went away.

"I came back after dinner and found a notice, 'At record office,' and I went there. Mr. McLellan received me very kindly, because I always used to vote for him, and told me a long story about some new office furniture he had been getting. I told him I was looking for lawyer Risky. 'He hasn't been here for a week,' says Mr. McLellan.

"Thinks I to myself, what does the man mean by sending people all over the town to look for him in places where he isn't. Then I went back to his office and found on the door a card reading, 'Return at once.' Ah, says I, I will catch you this time. I waited an hour, and then went over to the commercial exchange to find out how the pulse of the mercantile world was throbbing. When I went back to lawyer Risky's office the card read, 'Out of town, return tomorrow.' Then I went home, determined to follow up the pursuit on the following day.

"The next afternoon I went there again and was delighted to learn from the card that lawyer Risky was at the law library. I went there, but there was not a soul around the premises, so I concluded the lawyer had returned to his office and I went there again. I was exasperated to find that in my absence the card had been changed to read, 'Out of town, return 16th inst.," and I went away mad enough at having missed my man so narrowly.

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