

The Standard



Published by The Standard Limited, 37 Prince William Street, St. John, Canada.

TELEPHONE CALLS:
Business Office Main 1723
Editorial and News Main 1746

SUBSCRIPTIONS:
Morning Edition, By Carrier, per year, \$2.00
Morning Edition, By Mail, per year, 3.00
Weekly Edition, By Mail, per year, 1.00
Weekly Edition to United States 1.52
Single Copies Two Cents.

Chicago Representative:
Henry DeClerque, 701-702 Schiller Building,
New York Office:
L. Kleban, Manager, 1 West 34th Street.

ST. JOHN, N. B., FRIDAY, OCTOBER 14, 1910.

MR. MAYES VINDICATED.

The settlement of the case Mayes vs. the King, in the Exchequer Court in favor of Mr. Gershon S. Mayes, is something more than the mere settlement of a claim in favor of a contractor against the Dominion government. The circumstances which were disclosed at the last general election affecting Mr. Mayes' contracts with the department of public works made the case one of national importance. If any proof of this was needed it is to be found in the fact that the press all over Canada sent special instructions to their correspondents in St. John to report every iota of the proceedings. For the stand he took in defence of his rights, Mr. Mayes had been vilified and traduced to a degree which was extraordinary even by those journals, happily few in number, who descend to vulgar abuse. His vindication is complete. The payment of \$9,750 in settlement, which Mr. Pugsley agreed to yesterday on behalf of the department of public works, is no criterion of the importance of the case when the facts which led up to its coming into court are recalled.

It was expected that the suit would be bitterly contested, and that the crown would do its utmost to sustain the allegations made in defence. To the surprise of the public and those who still had confidence in Mr. Pugsley, who, on account of his bitter and vindictive attitude towards Mr. Mayes, has been a central figure in this long standing dispute, he only entered the court for the purpose of suppressing the case and thereby preventing a disclosure of the past relations between Mr. George McAvity, Mr. Mayes and himself, which he shrewdly anticipated would be forthcoming.

Mr. Pugsley came down to St. John not to fight but to settle the case. The picture of a minister of the crown taking the conduct of a suit out of the hands of the learned counsel engaged to defend his department, abandoning the position he has all along maintained and effecting a settlement is unique, and, under the circumstances, doubly significant.

The judgment of the court awards Mr. Mayes \$5,099, a balance due him for dredging at Rodney wharf, and for which he has always contended. The crown has also conceded his claims for loss of profits on his first contract and on the removal of the core on the outer portions of the work. It should be noted that at the opening of the court the statement of defence was amended to allege that the resident engineer had improperly added percentages to the work measurement of dredged material at the instance of Mr. Mayes, and to claim an accounting from him for the amount so improperly allowed. This defence the crown absolutely abandoned, and by the settlement has admitted that Mr. Mayes was entitled to the balance on his contracts, for which he has been contending for the past two years, and that he was also entitled to the loss of profits.

Mr. Mayes abandoned his claim for improper measurement because the contract required the certificate of the resident engineer before he could sue for the claims, and this he could not obtain.

Probably more than any man in Canada during the last two years Mr. Mayes has been violently attacked and held up to execration by Mr. Pugsley and his friends. The action which he threatened would have resulted in disclosures under oath which the minister of public works had no wish to face. Mr. Pugsley is not a man to back down, having so much at stake, unless there were very cogent reasons. It will be impossible for him to explain why he has now consented to pay the man whom he has vilified at every opportunity for the past two years. In the light of his repeated assertions that the department of public works owed Mr. Mayes nothing. Yesterday he discovered an indebtedness of nearly \$10,000 when confronted with a situation he dare not meet.

To those who best know Mr. Mayes, the result came as no surprise. He stands high in this community and his friends were satisfied that his claims were just. He fought an uphill fight against heavy odds and reaps the reward by having his character completely vindicated. But what of Mr. Pugsley?

PUBLIC EXPENDITURES.

A correspondent writes to the Telegraph to complain of what he alleges to be an inaccurate statement in The Standard in commenting on some remarks by Mr. S. S. Ryan at the Liberal meeting at Elgin. Among other strange statements, he says, "is the following:—

"It is well known that under the present administration the money is not handed over to the local member 'as in Mr. Ryan's day, but is paid by the receiver-general 'direct to the man who does the work.'"

"Where," he asks, "does The Standard get its information? Surely not from the auditor-general's report. Formerly commissioners were appointed who got the work done, paid the men, and made returns to the government. Then parish superintendents were appointed who expended both highway money and government grants and made returns direct to the government."

This correspondent proceeds: "Under the present law the government appoints a secretary-treasurer for each parish, to whom is sent all the money supplied by the government. He in turn does it out to the commissioners appointed by the road board of the parish of which the secretary-treasurer is one. They, in turn, pay the men and make their return to the secretary-treasurer—except in cases where some supporter has to be looked after and is appointed a special commissioner."

The information which this correspondent of the Telegraph seeks to convey is misleading and fairly bristles with inaccuracies. Since the question has been raised it is worth while to briefly compare the methods which characterized the payment of public money for work done on the roads under the old government, with the present system introduced by the Hazen government

and embodied in the Audit Act of 1908. Selecting at hazard the report of the auditor-general for the year 1908, we find under the heading "Bye Road Commissioners," that in no less than 176 instances the auditor-general marked the expenditures with the words "no account." The total amount of money thus paid out from the public treasury amounted to \$14,087.65. That is to say in this one year, and it is not an exceptional year, the old government distributed \$14,087.65 among its friends the road commissioners without giving any information to the people of the province as to how or where or when this money had been expended.

In the face of this evidence the friends of the old administration will hardly thank the Telegraph's correspondent for his hasty assertion that the parish superintendents or commissioners "made returns direct to the government." Some of this \$14,087.65 no doubt was spent on the roads, but the fact remains that not a cent of it, as far as the auditor-general was concerned, was ever accounted for. With this flagrant abuse of a public trust leaving the way open for all kinds of graft and dishonesty it is little wonder that the roads of the province suffered under the old administration.

When the Hazen government came into office in 1908 this condition of things had been going on for many years. In fulfillment of pre-election pledges an act to provide for auditing the public accounts was passed at the first session of the legislature from which we quote the following extracts:—

Section 13.—The auditor-general shall examine, check and audit all accounts of receipts and expenditures of public moneys, and money received or expended on account of or in trust for any other person and the vouchers therefor.

Section 20.—No payment shall be authorized by the auditor-general in respect of work performed or materials supplied by any person in connection with any part of the public service of the province, unless, in addition to any other voucher or certificate which may be required, the officer under whose special charge such part of the public service is, certifies that the work has been performed or the materials supplied, as the case may be, and that the price charged is according to the contract, or, if not covered by a contract, is fair and just.

Section 21 (4).—All disbursements shall be made by the receiver-general by cheque signed by him or the deputy receiver-general and countersigned by the auditor-general and not in any other manner or by any other person or department.

The attention of the Telegraph's correspondent is directed to these extracts as an answer to his criticisms and to his question: "Where did The Standard get its information that under the present administration the money is paid direct by the receiver-general to the man who does the work?"

The system now in force is founded on business principles, and under the provisions of the Audit Act permits of no deviation. Early in each season the highway boards are advised by the department of public works of the amount of money which they will receive from the provincial treasury for road purposes. The highway boards apportion the money between the different commissioners appointed in each parish. The number of commissioners rests with the highway board. A commissioner employs the men or sells the work at public auction and the pay roll for the labor is sent to the department of public works. The bill is approved by the department and application made to the receiver-general for payment. The account then goes to the auditor-general, is audited and, if found correct, so certified and then passed on to the office of the receiver-general for payment.

This system ensures that every account must be approved by the department of public works, audited and certified to by the auditor-general, an independent official, before payment can be made, and is in striking contrast to the old order of things under which thousands of dollars were paid out without the slightest audit until months afterwards.

The statement made by The Standard that the receiver-general pays the men who do the work is correct. Checks issued by the receiver-general are made out in the names of the persons who actually performed the services and are merely sent in one envelope to the commissioner for distribution. The knowledge of the Telegraph's correspondent as to the difference between past and present methods is singularly inaccurate.

RAIN INSURANCE.

If we have fire insurance, why not rain insurance? The English underwriters cannot see any reason why it should not be written, and according to U. S. Consul-General John L. Griffiths of London, they are prepared to make out policies protecting the insured against excessive aqueous precipitation. The plan is especially intended to benefit people who wish to enjoy their holidays. Such people can secure a ten-day rain policy upon payment of \$1.82 and receive a fixed sum for every day above two on which it rains.

The company might kill two birds with one stone by also reversing its process—let it insure the farmers against dry spells. This it would win either way. If it rains the farmer pays the company and the company pays the farmer. As its actuaries have been careful in both cases to put on enough loading to minimize the risk, the company gets a double take-off, balances its losses and may calmly permit the weather to come wet or dry, as it lists.

Current Comment

(Montreal Witness.)

Whatever hardships Ireland suffered in old times from English hands, every one knows that they have been amply atoned for by British statesmen of recent generations. "Thirty years ago," said Mr. O'Connor the other day, "Ireland was a land of paupers and slaves, while now it has become a land of prosperous and free men." This has come about through the land acts, which are the most wonderful in the world. Through loans of British money, numberless Irish tenants have become possessors of the land they had held on the sufferances of landlords. To name only one other blessing that has recently come to Ireland, thousands of poor old Irish men and women, who, through one reason or another, had been unable to provide a competence for their old age, have been saved from the poorhouse or from dependence on charity by the receipt of a government pension—and this also has been by Saxon gold.

(Stratford Herald.)

A number of Manitoba municipalities have decided to move for a power scheme like Ontario's. They recognize that such a project is the one best bet. Failing to secure this they will seek a government contract with some power company.

(Ottawa Journal.)

Canada has contributed Hon. Edward Blake and Hon. Chas. Devlin to the Irish cause. If Ireland ever wishes to respond in a similar way she can just send us "Tay Pay."

(Winnipeg Tribune.)

It just seems like home again to have the farmers and the people of Canada awakening to the enormities of Boss rule. Laurier's sunny ways may have put the people asleep, but they haven't kept the people asleep.

Special October

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The Canadian Century Montreal 2649

THE LAURENTIANS; EVENING

The hilltops hold them, then hide, the wandering gleams;
The changeful sky puts on its purple light.
And shadows fall so soft and sweet,
It seems
As if such darkness never grew to night.

The fitting will-o'-wisp his lantern swings,
And sounds of day are done. Now to the ear
The evening melody more softly clings
And thrills the mountain stream, so cool and clear.

Fair is the land, and fair the arch above;
The moon has risen in a flood of light.
And gentle breezes sigh as if in love
With all the charms of this Laurentian night.



The kind of books that sell like hot cakes, sometimes give one mental dyspepsia.

A Daughter of Eve.

Mrs. Grady—Wot, another new 'at, Mrs. Murphy?
Mrs. Murphy—Yus, Mrs. Grady, my dear. Get a nipant toque now and again and retain yer 'usband's love—that's my motto.

Too Bad.

He—I never can remember what this plant is called. (Considering) Oh, sarsaparilla!
She—Alois, you really shouldn't use such bad words when things don't come to you quite readily.

The Light That Failed.

Ucle, will you please pick the wick off this candle?
Certainly! But why such a strange request?
'Cos I heard dad say we should get a fortune when you snuff it.

Prepared For The Worst.

Husband—Goodby, my dear. A pleasant voyage. I have taken every precaution in case of accident.
Wife—What do you mean?
Husband—Insured your life in my favor.

THEN IT HAPPENED



Homeboy sent his wife to the depot in a carriage and nearly wept as he said goodby.
As soon as she was out of sight his grief changed to joy. Calling up the gang as he had prearranged, he told them all to come over and they would have a little bickering with the paste-board.
In ten minutes they were having the time of their lives.
But Mrs. Homeboy missed the train.
The End.

Confirmation Tour.

His Lordship Bishop Casey returned home from a confirmation tour yesterday morning. At St. Martin's on Tuesday morning His Lordship administered the Sacrament of Confirmation to seventeen candidates, and to twentyseven at Upham, Kings Co., on Wednesday morning. Rev. J. McDermott of Sussex, and Rev. A. Cormier of St. Martin's accompanied Bishop Casey on the tour.

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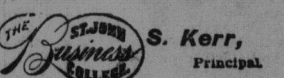
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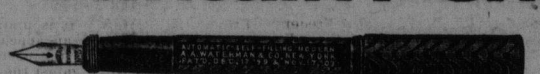
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BARNESVILLE.

Barnesville, Oct. 12.—Mr. and Mrs. Fred Creighton and little boy Allison, of the Frost & Wood Co., Woodstock, spent part of last week with J. W. and Mrs. Barnes.

The death of Miss Mary McDade took place on Tuesday of last week. She had been a great sufferer for some months and death came as a great relief. She bore her sufferings to the end without a murmur. She was 59 years of age and leaves to mourn two sisters, the Misses Bridget and Susan, also two brothers, Peter, with whom she lived and James of Boston. Interment took place on Thursday at the R. C. cemetery, St. Martin's.

Miss Annie Robertson of Otter Lake spent last week with Mrs. Mary Macgowan.

Miss Gertrude Sherwood is spending some time with friends in Upper town.

Mrs. Arthur Rankin of Fairfield is visiting her mother Mrs. Margaret Lawson.

Mrs. Annie Curry left on Friday to spend some days in Fredericton with friends.

Mrs. Robert Lockhart is here visiting her daughter Mrs. James Armstrong.

Miss Florence Vail of St. Martin's has taken charge of the Primrose school.

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J. A. BARRY,
Collector.