

PROGRESS.

VOL. I., NO. 37.

ST. JOHN, N. B. SATURDAY, JANUARY 12, 1889.

PRICE THREE CENTS

MARIA ANNING'S GOLD.

WHO IS TO GET WHAT MAY BE LEFT OF IT AT LAST?

Two Strange People Who Hoarded and Scraped to Accumulate a Pile for Lawyers to Pick at—A Queer Story of Alleged Fraud and Deception by Some One.

A polished granite monument stands at the junction of two walks in the Rural cemetery. It bears the name of Anning, and beneath it rest the last of that family who have lived in New Brunswick. It is to be hoped they rest well. If the departed are conscious of what takes place in the world they have left, it is feared they do not.

The monument cost about \$500. Old George and Maria Anning would have made that sum suffice for several years' subsistence in their life, and had it ever occurred to them that such a sum would be spent on their graves, death would have been indeed to them the king of terrors.

For, though worth the snug sum of \$70,000 or thereabouts, they lived amid filth, squalor and all the wretchedness of paupers. They and all about them were dirty beyond measure.

They dwelt in horrible seclusion. The owners of some of the finest property in the city, they were more wretched in their surroundings than many a beggar. It was currently believed that they had a pork barrel filled to the brim with silver coin. They had enough, and more than enough, to provide themselves with every luxury, yet they stunted themselves for the necessities of life and clothed themselves in filthy rags.

Probably the only clean water that was put on the floor of the house for years came from the hose of the firemen in April, 1886. Those who entered the house at that time hastened with sickened stomachs to breathe the outer air. They had encountered every conceivable kind of filth, and every imaginable kind of stench.

Neither of the extraordinary pair had ever married. They were the children of John Anning, who died in 1863. From him they had inherited much of the wealth, and they had added to it from the rents and profits for more than a score of years. He had another son, John B. Anning, who went to Philadelphia and was married many years ago.

Young John Anning never claimed any share of his father's estate, but when he died at Philadelphia, in December, 1885, he left two sons who were entitled to his share, if the original estate were ever settled.

Five months later, in May, 1886, George Anning died at St. John. Some say the excitement of the fire hastened his end, and that he had worried over the loss of some valuables, which he claimed were carried off at that time. He left no will, and administrators of the estate were appointed. These were: Maria Anning, John Hopkins, Joseph W. Lawrence and Thomas J. McPherson.

Maria appeared to take a new lease of life when her brother died. She arrayed herself in dresses which she had not worn for years, and declaring that she had been shut up all her life, ordered a coach in which to pay visits to her friends.

About this time an advance guard of lawyers appeared on the scene. There were only two of them, A. A. & R. O. Stockton, who were appointed solicitors of the administrators. There are now "shoals" of them, and each of them is looking forward to a generous share of the dead miser's money.

Seven months after George Anning was borne to the tomb, his sister followed him. Her life went out at Christmas time in 1886. She left no will, and Robert McLeod, another lawyer, appeared on the scene as administrator of her estate. He represented the children of John B. Anning, of Philadelphia.

It was, however, found that she had, as was claimed, been her own executor. After her death the administrators of George Anning produced a trust deed purporting to have been executed by her in July previous. By its terms she gave to Joseph W. Lawrence, Thomas J. McPherson and Alfred A. Stockton, as trustees, all the lands and premises in St. John and vicinity, and also all other property and money of which she was possessed, to hold after her death for the following purposes:

One fifth for the Protestant Orphan Asylum;

One fifth for the Public Library;

One fifth for Ellen McPherson, wife of John McPherson of Sussex;

One tenth for the Society for the Prevention of Cruelty to animals;

One tenth for the St. John Y. M. C. A.;

One tenth for the W. C. T. U.;

One tenth for the St. John Firemen's Mutual Relief Fund.

These proportions were to be ascertained after paying all costs and commissions against the estate.

The deed made further reference to Ellen McPherson. The fifth given to her was to be paid immediately after Maria Anning's death. She being thus positively provided

for, the remaining four-fifths were subject to a charge for the support of the two Anning children in Philadelphia, if in the opinion of the trustees it was desirable to allow such children such support. This gave the trustees absolute discretionary power, but for fear they should make any mistake it was again distinctly stated that no such deduction should apply to the gift of the favored Ellen McPherson. It was further distinctly stated that when the money was finally devoted to the beneficiaries they, always excepting Ellen McPherson, should have only the income of the moneys invested. Ellen McPherson was authorized to deal with her gift as she might think advisable.

The deed further gave the trustees full powers as to the management of the estate, and it allowed them the very liberal commission of 5 percent. on all that they received and all that they paid out for any purpose. They were to be paid for everything they did, and paid well. They also had power, in case of the death of one or more of their number, to appoint some favored individual in his or her place. The whole number was never to exceed three, probably because it was considered that there was not a good living for more than that number.

Whoever made the deed seems to have thought that the trustees had not special confidence in each other, for it was stipulated that each one should be answerable only for his own acts.

The trustees were not limited to time in closing up the estate. They could enjoy it for their lives, and hand it down with increasing accumulations to all posterity. They were not required to give any security. They were a perpetual corporation of exceedingly limited liability.

When the existence of this deed became known, there was some surprise and a good deal of delight among the societies to be benefited by the trust. They are not so pleased now, for they are defendants in a big equity suit. It is sure to cost them money, whether they ever get a dollar from the estate or not.

In due time Robert McLeod caused a suit in equity to be begun. The bill was filed some time ago. It prays that the trust deed may be declared fraudulent, that Messrs. Lawrence, McPherson and Stockton may be enjoined from any further disposition, and that they and the unfortunate Hopkins, who is also made a defendant, be ordered to hand over everything to administrator McLeod.

The reasons for this request are set out at length in the bill, which would occupy about eight columns of PROGRESS. Briefly stated they are as follows:

After reciting the facts as already stated the plaintiff alleges:

That after A. A. & R. O. Stockton were appointed solicitors of the administrators, A. A. Stockton went to Philadelphia and saw the children of John B. Anning. This was about June 1st, 1886. About the last of September Messrs. Lawrence and McPherson also made a similar trip to the Quaker City. About the 10th of June in that year Lawrence and Stockton took a power of attorney from the Philadelphia heirs, on the express understanding that they were to look after the rights of such heirs. The plaintiff charges that this power of attorney was obtained at the express request of Lawrence and Stockton. Under this they afterwards collected arrears of rents.

One of these heirs was of weak mind, and Stockton and one Bradbury Bedell, of Philadelphia, were subsequently appointed a committee of his estate.

Some time before July 6, 1886, Maria Anning gave Lawrence and McPherson a power of attorney to manage her business. The contents of this are not known, for it was afterwards destroyed under circumstances hereafter to be told. It is charged that it was drawn by A. A. Stockton, under instructions from Lawrence and McPherson.

On July 6, and for some time prior, says the bill, Maria Anning was at the house of Ellen McPherson, in Sussex, having been taken and detained, or induced to stay, there by Lawrence and McPherson.

On the date in question, Lawrence, McPherson and Stockton visited Maria at McPherson's, with the trust deed already mentioned, and procured the execution of it by Maria Anning, in the presence of Frederic W. Stockton, a notary public.

It is charged that this deed was drawn by A. A. Stockton or under his direction, and that no instructions regarding it were received from Maria Anning. It is further charged that the provisions of the deed were suggested by some one of the trustees named in it, and that F. W. Stockton was not then a practising lawyer, that he had not for some years paid his fees to the barristers' society, and that he simply resided at Sussex.

It is alleged that with the possible exception of Mr. Lawrence, Maria Anning was not even acquainted with any of the trustees or with Ellen McPherson, until after George Anning's death. Further, (Continued on Eighth Page.)

THEY FIND IT VERY COLD

THOUGH OTHER PEOPLE ARE ENJOYING MILD WEATHER.

Detective Ring and Chief of Police Marshall Are in Trouble—The Reasons Why—The Extraordinary Activity That Permeates the Police Force.

People who have been talking about the unseasonable weather ought to take their thermometers up to the Central police station. They would notice a change in the temperature right away. A blizzard struck the station a week ago, and ever since that time the mercury has stood at about 10° below zero.

It is very cold weather for Detective Ring.

A good many people have wondered why the *Telegraph*, Monday, brought up the question whether a police officer can accept a reward from a citizen for services performed while in the regular discharge of duty.

They might have learned why from Sergeant Weatherhead.

Every newspaper reader remembers the thrilling stories of the burglary of which Mr. W. Bruckhof was the victim, some time ago. Following these narratives came long eulogistic accounts of the mighty work performed by Detective Ring in recovering the stolen goods. Everybody was impressed by these stories, Mr. Bruckhof among the number.

He was so deeply impressed that he felt it his duty to present Detective Ring with a silver watch and a sum of money.

About this time the demon of discord appeared on the scene, in the person of Sergeant Weatherhead. He alleged that he also had devoted his gigantic intellect to the Bruckhof case, that he had done as much towards recovering the stolen goods as Ring had, and that he was entitled to a share of the booty.

Detective Ring didn't see it in that light. He observed, "Not much!" shoved the watch deeper into his pocket and took a tighter grip of his newly acquired wealth.

Then somebody went before the higher powers and "split" on the detective, and a law which had fallen into innocuous desuetude was revived right away.

That's the reason why, during this last week, Detective Ring has kept his overcoat on.

Chief of Police Marshall is also exposed to the weather. He, like his detective, finds it very trying.

The talk of his removal has been renewed and it sounds, this time, as though there was something back of it.

But, as a public-spirited citizen should, he still continues to feel an interest in the affairs of the department.

He doesn't want to be succeeded by Mr. W. W. Clark, of Carleton. Mr. Clark is a good man, he thinks, but there are better ones, men who would be still more likely to carry on the policy of "clew"-hunting which he has made famous. His favor is about equally divided between Mr. John MacLaughlan and High Constable Stockford.

In the meantime, the police are learning how to hustle. Now that the example has been set, most every man is afraid that some other man will "give him away" on something, and the way they are all attending to business would make a New York roundsman stare.

The chief "calls the roll" himself, now.

The two parties in the force haven't buried the hatchet, yet, but when they polish it and talk blood nowadays they do so in quiet corners.

This is well. The guardians of the peace are not so picturesque as they were when they spent most of the time in cursing each other, but they are likely to be more useful.

A Good Way to Talk.

There are so many good ways of advertising that merchants are at a loss which to adopt. PROGRESS will offer a suggestion which costs but little. Between the local articles and paragraphs on its first and other pages may be frequently seen lines of black type containing catching business announcements. The idea is not original with PROGRESS: the *Toronto World*, by all odds the brightest of the Toronto dailies, has an extensive advertising patronage of this kind. The cost is only two cents per word, and it is undoubtedly worth a trial.

Mrs. Sillibus Attends the Recital.

Mrs. Sillibus writes us that she "attended the requital of the oratorical society and was delighted with Prof. Morley's offertory, which was given as a prologue to "Handel's Cremation." "You know," she says, "these choral services have a very soothing effect, and I think that Mose Hart's "Nunx Vomitus" and Hayden's "Tandem" as sung by the choir were the Jeff dovers of the evening."—*The Gripsack*.

Something for the Children.

Every boy and girl who has been looking for calendars and cards this year should call at Hunter, Hamilton & McKav's as the clock strikes one today. Don't go before one and don't go later than a quarter past the hour.

WHAT A MERCHANT TELLS.

One Hundred and Seventy-six Chairs Sold—The Result of One Advertisement.

St. John merchants are as a rule good advertisers. With a few exceptions the mediums they select are good, and give them full value for their money. Few men, however, are satisfied with that; they like, if possible, to see their advertising space pay them three or four times what they paid for it.

Whether it does or not depends largely upon themselves. Early in November Mr. Harold Gilbert took a large space in PROGRESS. Unlike many merchants he was content to talk to the people from what is usually called an inside page, though in reality PROGRESS, being a cut eight-page sheet, has no inside pages. Soon afterward he utilized his space to announce 'The Ladies' Home Comfort Chair.' He kept the same advertisement in for weeks, testing, in reality, the value of his new medium. 'The Ladies' Home Comfort Chair' was advertised in no other paper. In PROGRESS, alone, it was shown to the people. What is the result? Just this: In the few weeks that followed Mr. Gilbert sold one hundred and seventy-six of the Ladies' Home Comfort Chairs, and they are going yet.

Advertisers often lose sight of the fact that as much depends upon the kind of people a paper reaches as the number it reaches.

PROGRESS can say, truly, that it fills both of these requirements. It reaches more people than any paper published in St. John, except the *Weekly Telegraph*, and it reaches the best people—those who can and do buy.

Reflections of a Hat Merchant.

"Yes, times have changed. But a few years ago I sold more hats Monday morning, between nine and eleven o'clock, than any time during the week. Crushed and battered silks and felts were the result of Saturday's doings. No unfortunate seemed ashamed of it then. In fact, he told the story of where and how, and named his more unfortunate companions.

"Now, when Mr. Blank comes in for a new hat, he says he broke it Sunday night in church—sat on it by mistake, and makes some remarks uncomplimentary to dark seats, etc., etc."

"He doesn't want to own up. He knows his hat was broken up Saturday night by his boon companions, and probably he made some other man's headgear a shapeless mass. But he's ashamed of it Monday morning, and invents his church theory."

"Temperance has gained this much in St. John. A drunken bout lost a man little of his respectability years ago. Now it goes hard with him. Public opinion has changed, and there are fewer swelled heads and battered hats."

Provide for Your Wives and Children.

Six months prior to his death Mr. Michael Shaw took a Certificate in the New Brunswick Insurance Aid association, and had only paid fourteen dollars and fifty cents, including entrance fees, into the association at the time of his death. The following speaks for itself:

HARTLAND, Carleton Co., N. B., }
2d January, 1889. }

Hon. F. P. Thompson, Treasurer New Brunswick Insurance Aid association, Fredericton, N. B.:

Dear Sir,—I beg to acknowledge receipt from you of \$2000 (two thousand dollars), being amount in full of my late husband's certificate in the above association. Also accept my thanks for the prompt manner in which the same was paid, only three days elapsing from the time proof and guardian papers were compiled, to issuing and paying over cheque to me in settlement.

I recommend the above association to the public, for justice and promptness in the settlement of its claims.

(Sgd.) SALOME SHAW,
Widow of the late Michael Shaw.

Circulars and application blanks forwarded to any address on request by Charles F. Weed, secretary, or George Anderson, superintendent of agencies, Fredericton, N. B.

Mr. Coburn is a Hustler.

The town of Canning has at last one zealous churchman, to whom the good rector, Rev. N. C. Hansen, gives due praise in his report to the Diocesan Church society. The gentleman named is Mr. Coburn, of Little River. "When others refused to take the trouble," writes the rector, "he undertook the laborious task of collecting a large portion of my salary. The church is cleaned, lighted and heated by himself or his family. His whole family sing in the choir, and his daughter plays the organ."

Sir Walter Scott Presentations.

The ladies of the Free Public Library are preparing for two entertainments, in the Institute, representative of the poetry and prose of Sir Walter Scott. The proceeds are, of course, for the library. Much of the most difficult work connected with the presentation has been done. Mrs. Temple is at the front, and that virtually assures success. Two entirely different programmes means lots of brain work.

Go to "The National," No. 22 Charlotte Street, for Oyster Supper.

TAKEN BY THE SHERIFF.

NOT A PRISONER, BUT A TRIFLING AMOUNT IN CASH.

It Was Secured by Him Within His Ballwick, and He Will It Safely Keep—The Plaintiff Complains, and Naturally—How Many Sheriffs Have Straw Bondsmen?

Money wanted—apply to A. H. DeMill, barrister, St. John.

The amount desired in this instance is not large, but Mr. DeMill stands an exceedingly poor chance of getting it. It is \$138, due to a client of his from Antoine Girouard, late sheriff of the county of Kent.

In an evil hour in the early part of 1887, Mr. DeMill acting for a St. John merchant, brought suit against a resident of Richibucto. The defendant was perfectly good for the amount, and there was no question that he would pay when pushed. The pushing process was continued until judgment was signed and a *fi. fa.* placed in Sheriff Girouard's hands. Then the defendant paid the amount of judgment and costs to the sheriff aforesaid in the county aforesaid. Having done so, he telegraphed the fact to Mr. DeMill.

Mr. DeMill, much pleased at the prospect, waited to hear from the sheriff. No word came. The return day passed and still no word came. "The sheriff had not yet sent thither the writ of our said Lady the Queen to him in that behalf directed," but it was not because he had not "done anything thereupon." The legal fiction of the old practice became a sad and solemn fact.

Fortunately where a country sheriff refuses to return a writ there are several remedies. One of them is by inundating him with postal cards bearing the conspicuous printed legend:

PLEASE SEND BACK THAT WRIT AT ONCE.

Another way is by taking out a side-bar rule. This sounds like something that a carpenter might use in his work or an hotel keeper employ in his after hours' business. It is, however, a legal process granted by the court when sitting. As the county court did not sit until the following October, the lawyer was forced to possess his soul in patience until that time. Then the rule was granted.

It cost something, but it worked like magic. The sheriff returned the writ. He could afford to do so with a good grace, for it was endorsed as satisfied and was no earthly use to him.

But he did not return the money, nor has he yet paid the same or any part thereof, "although often requested so to do." In the meantime a new sheriff has been appointed.

Fortunately, again, the law in its wisdom has provided a remedy for suitors against loss by absorbent sheriffs. It has enacted that they shall furnish bonds. Sheriff Girouard had no less than two sets of sureties.

One of these provides for the indemnity of the crown against loss. At least one of the sureties on this has some financial standing. It is a cold day, even for the North Shore, when the government gets left.

The other bond is intended to cover ordinary civil suits, and Mr. DeMill is at liberty to sue the bondsmen. He is not likely to do so. His client has lost enough money as it is.

These sureties consist of the sheriff in his own proper person, Clement M. Cormier and David M. Girouard, both of St. Mary's. Each of them, in entering into the bond, were accepted as severally good for the amount of \$2,500, over and above all debts and liabilities. Perhaps they are, but there is a deep suspicion that Mr. DeMill's client should be thankful for small mercies, and not go to any expense in trying to get \$138 from them.

In such case, what is to be done?

Echo answers, what?

Mr. Girouard was appointed sheriff because he hankered after an office and had been an election candidate and hustler. It was the duty of the government to see that, while it bestowed its patronage to please itself, it protected the people against loss. It does not seem to have done so. If rumor speaks truly, Mr. DeMill's client is not the only man left in the same lurch. Who is to pay these men the money Mr. Girouard has absorbed?

Morally, the men who appointed Mr. Girouard and utterly neglected to see that he gave valid bonds should foot the bill. Legally, there is no way to compel them to do so.

In the meantime, how many more sheriffs have the same kinds of bondsmen? Is Girouard's case likely to be the last of its kind?

The people have an interest in knowing whether they run more risk with money in the hands of the sheriffs than in the pockets of average debtors.

A New Field of Usefulness.

The Neptune Rowing club would increase in membership wonderfully if it built a boat-house in Portland. Everybody would be sailing across the streets.

SPEEDING ON THE ICE.

Fredericton Horses That Travel Over the Half-mile Track.

(SPECIAL CORRESPONDENCE.)

FREDERICTON, Jan. 9.—While the people of St. John and vicinity are doomed to the use of wheels for the purposes of their ordinary business and pleasure, the Celestials are enjoying good sleighing on land and ice.

New Year's day was a beautiful day, and the sleighing was good, and probably never in the history of Fredericton were so many teams seen on the street. A few years ago we had quite a number of trotters, that were quite evenly matched, and the result was much more fun on the road than at present. We now have some that are very fast, and some that are not, and it is difficult to get enough together, anywhere near evenly matched, to make an interesting "rush." A half mile has been measured on the ice opposite Fredericton, from the passenger bridge down to Babbitt's mills, and here the owners of trotters now congregate on fine afternoons and exhibit the speed of their favorites.

Mr. McCoy of St. Mary's, the owner of DeBarry, Sir Charles, Maggie T. and other good ones too numerous to mention, has procured a regular skeleton sleigh or ice sulky, and when John comes out with DeBarry (2.19) hitched to this rig, he makes the boys envious. When DeBarry first struck the ice, he hardly knew what to make of it, but it did not take his owner long to inculcate the principles of speed on ice, and now DeBarry is credited with an authentic trial over the above mentioned half mile in 1.14, and later report says that he covered the same distance in 1.10. Rumor says that Mr. McCoy intends taking DeBarry to the upper provinces shortly, to participate in some of the ice races up there, and his friends will all wish him good luck.

Maggie T., the four-year-old bay mare, by Sir Charles, that trotted in her class through the New Brunswick circuit in 1888, is credited with a recent trial half-mile in 1.15. In this trial she was closely followed by Mr. McKee's black mare Phantom. Phantom had previously trotted the half in 1.20, so it will be seen that she has lost none of her old-time speed, although she has been breeding for the last two years. In 1887 she dropped a filly to Allie Clay, and in 1888 a colt to Harry Wilkes.

The owner of George All Right has not yet given him a trial on the ice, but he feels satisfied that his horse has all his speed left, and when he scores up alongside of some of the boys on the road, he makes them think so, too.

Mr. Roberts, of Providence, the owner of Charlie Morris, and former owner of Jack Mac, has recently purchased from Mr. McCoy a four-year old gray mare by Sir Charles, dam by Robert R. Morris. It is claimed that this mare can beat Maggie T., and it so, she is a good one. It is said that Mr. Morris intends using her as a brood mare.

Mr. LaForest owns the pacing mare by Robert R. Morris, known in St. John as the Pedleton mare. This mare is showing lots of speed this winter.

Mr. James Gibson, of Marysville, owns several good ones, description of which will be procured for you, if possible.

Dr. Frank Brown's Duchess is showing well on snow. This filly, foaled in 1885, is by Kearsarge and out of Emma, she by the Logan horse, the sire of Lady Daggett. It takes a trotter to beat this filly down the road, and the doctor is justly proud of her.

Some few years ago it would have been thought disreputable for a minister of the Gospel to own a trotting horse, much more to even mention the fact; but times have changed a good deal, and I don't think any sensible man thinks any the less of the two ministers in Fredericton who own good ones. One of these is sired by Robert R. Morris, and the other is a three-year-old filly, which friends of her ecclesiastical owner think could down Dr. Brown's Duchess, if she were allowed the chance.

HORSEMAN.

Photographing the Bridges.

The Dominion Bridge company have erected four of their great bridges in Cape Breton. Now they want them photographed, and of course a St. John man gets the job. Mr. A. Stoerger, the well known photographer, left Tuesday afternoon for the scene with his apparatus. He went to Chatham via Fredericton to "take" a bridge at the former place. Mr. Hasler, the Dominion bridge contractor, met him there, and the two jolly Germans went to Cape Breton together.

A Good House Will Draw.

If Mr. Dan Bishop, who has been so long in the Vanceboro House, that abode for the weary and hungry man, can impart any of its excellence to the McAdam House, which he now has charge of, he will earn the profound gratitude of the public. The Vanceboro House is the king of them all, but there shouldn't be any reason why a man and a square meal couldn't be sociable at McAdam.