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PRICE THREE CENTS

IT IS SETTLED AT LAST.

THE DIVISION OF SPOILS IN THE ANNING CASE.

Lawyers who are happy because they will get their costs—the trustees modestly ask for an increase, get it and ask for another—how they settled.

There was a great deal of scampering around in the vicinity of Rocky Hill and Chubb's corner, Thursday forenoon, and certain leading citizens were having a very busy time of it all to themselves. His Worship, the Mayor, with his Sunday clothes on, was looking for somebody who could tell him the name of the captain of H. M. S. *Canada*, which had arrived, and which he proposed to visit. The recorder's face beamed with an expansive smile as he reflected that the civic barge was to be manned and sail the waters blue, while half a dozen aldermen were moving to and fro with envy and expectation upon their faces.

The lawyers, too, seemed to be very active and were doing a vast amount of running up and down the hill, chatting excitedly when they met. Somebody said they were winding up the Anning case. A man about town when asked what he knew about it, gave this opinion:

"Now that the Anning case is settled, there is a scrambling for the spoils. The lawyers wanted \$5,000 out of it, and got \$4,000, some of which they earned, and a good deal of which they did not. The trustees, who were at first to get \$100 each for their services, are allowed five per cent. by the court, and some of them have been insisting that it ought to be ten per cent. The decree settles the matter, however, and it also annuls the famous, or otherwise, trust deed. When the scrambling is over, what is left will be divided among the heirs in Philadelphia and beneficiaries here. The Annings, who lived in squalor, now rest in peace, it is hoped. Their memories will be preserved by an elegant polished granite monument, and by the records of a suit in which some extraordinary evidence was choked off by a settlement before trial."

The point of the contention of the trustees will be seen when it is stated that the estate was valued at about \$50,000, of which the half handled by the trustees goes to various charitable and religious institutions in St. John. The original proposition to allow the trustees \$100 each would have given them a very small slice, looked at in the light of percentage on \$25,000. They investigated the beneficiaries and put their case so persuasively that an understanding was reached, that five per cent should be allowed. This would give them something like \$400 each, which was a much better figure from their point of view.

And it was little enough for them in proportion to the charges made by everybody else against the estate.

The three appraisers, for instance, put a valuation on two or three city lots and were rewarded with \$180, or \$60 each. They would be willing to be appraisers all their lives at that rate of salary.

But after the five per cent had been agreed to, incorporated in the decree of the equity court, and the decree signed, the trustees thought that ten per cent would be about a fair compensation for all the trouble they had had, and said so, very plainly. One of them declared he would not sign the final papers until he got it.

That was why the lawyers were running around so wildly on Thursday. There was talk of "reopening the decree," and against this there was a vigorous protest. The lawyers who represented the beneficiaries thought they had done the square thing for the trustees, and some of them went so far as to say that Mr. Lawrence was the only one that deserved anything at all. Mr. Lawrence happened to be the man who was demanding the increase, but there was a strong suspicion that he was simply the spokesman for Messrs Stockton and McPherson, who remained discreetly quiet.

The matter was settled, however, and the papers signed. Now the new men appointed by the court to wind up the estate will proceed to do so. There is no specific provision for their costs, but as in the case of winding-up and liquidators generally, the court is not likely to allow them to impoverish themselves in their efforts to carry out its decrees.

The value of the estate at the present time is about \$47,000. With the exception of what the lawyers have got out of it, it has not diminished in value since the Annings departed this life. The rentals have been coming in regularly, and the trustees have had no power to spend the money foolishly, even had they so desired as nobody supposes they did.

Asylum's name was in the suit, has the very insignificant bill of \$177. It was understood that there was considerable sparring in regard to the allotment of some of the other costs, and that some of the lawyers got quite as much as they deserved, even if it was not as much as they expected.

The sudden termination of the case spoiled a splendid story for the newspapers, but it is believed to have been the wisest course that could have been taken. Had the suit proceeded some very important facts might have been disclosed and some very important principles established. This would have been satisfactory from one point of view, but when the suit ended the actual beneficiaries would have been the lawyers. They would have had the money and the parties to the suit would have had the experience. Under these circumstances a settlement or a "fair divvy" seemed a movement fraught with wisdom.

And now all hands are happy, or comparatively so, and the celebrated trust deed is embalmed on the records, as dead as Rameses of Egypt.

A MOUSE IN THE BIN.

It Does Not Make Much Noise, but Can be Heard.

What is the reason that the ferry committee of the common council always provokes criticism by its methods of dealing with tenders for coal?

Sometimes, in the past, there have been what seemed very like large rats in the coal bin, while at others it has been only small mice, but it never fails that there is something there to make a big or a little squeak.

There is a squeak there just now, though it is not a very loud one—just about loud enough for PROGRESS to hear.

Not long ago, the committee asked for tenders for the supply of from 1,000 to 1,500 tons of best all round screened coal for the steamers, "to be delivered" in such quantities and at such places as might be required between this June and June of next year. This was understood to mean that the coal would be delivered at the receiving shed or wharf as directed by the superintendent, by cargoes, as he required.

Coal "delivered" includes the cost of the coal, freight, insurance and all incidental expenses, making a stated figure for the coal at the wharf. With this understanding a number of dealers sent in tenders, quoting coal at delivery price and waited for the result.

It was a surprise. The firm which tendered at the lowest figure did not get the contract, nor indeed was it awarded to any one under the conditions of the advertisement. It was, indeed, given to the Caledonia Coal Company at the figure quoted at the mines, with nothing said in regard to freight, insurance, or other charges. The cost of the coal at the mines will be \$1.50 for round coal and \$1.20 for what is known as run-of-the-mine. The freight may cost \$1.50, or it may cost \$2.50, but what will be the cost delivered here, which the other dealers supposed the committee wanted to know, is at present an unknown quantity.

By this method of doing things the committee has given out the job in sections instead of in a definite and business-like way which would fix the cost at the outset.

It is not known that any member of the council has a vessel ready for coal freights, or that there is anything wrong in anybody's motives. The matter is not business-like, that's all, and it is only a small sample of the ways in which other affairs are managed at times.

The noise in the bin is not loud this time, but anybody who is not deaf can hear it.

Eccentricities of Estimable People.

A gentleman in the country who disposes of many PROGRESS, and pays for them as regularly as the moon changes, gives us a query this week to answer. He asks, "Should I deduct the price of the post office order from the face of your bill when remitting?" Well, no, we don't think you should. As a rule our agents don't do it, but between ourselves PROGRESS knows an estimable gentleman who always deducts the cost of his stamp and paper and envelope when remitting, and the account is always five cents short. Another always deducts two cents for the post office order. These are little bits of absent mind PROGRESS should say, which have always appeared amusing, and not worth any harsher name.

LEARY'S LATEST PLAN.

WHAT A LEGAL GENTLEMAN HAS TO SAY ABOUT IT.

The Point to be Ascertained is Where the Money is to Come From—Reasons why the City Cannot Assess for it, Nor Can it Issue Debentures.

"How is PROGRESS in regard to the latest Leary Scheme?" was the question put by a legal gentleman the other day.

He was told that PROGRESS was not prejudiced either for or against it. If the people wanted it and it would benefit the city, Mr. Leary was as good as any other man, provided he carried out his plans, as there was no reason to doubt he would do.

"That is, if he is sure of his pay, which in my opinion he is not," was the reply. "Where is the money to come from?"

"From the city, of course."

"Precisely, but from what fund, and by what means is the subsidy to be paid?"

"Let me explain my idea more clearly," he continued. "By the Union Act the question of the amount of city assessments is left to be dealt with by the council in each year, they to determine (sec. 98) before the first day of April what sums shall be raised for certain specific purposes. Among these is mentioned for sums required for the maintenance and efficiency and works of the boards of managements of the civic departments. Separate estimates shall be made up and approved by the common council of the sum of money required for each of the above purposes, and for any other purpose for which they may be authorized to order and levy an assessment, before ordering any such assessment in any year."

"Now, the purposes pointed out include a number of things distinctly mentioned, but in no way refer to anything like Mr. Leary's project, as you will see by referring to the act. Under the clause quoted, only those services entrusted to the boards can be included. Such services are defined in the 23rd section, which erects the various departments. The Public Works for instance, has control over streets, sewerage, water supply, lights and harbor, and each other service as the council may determine. Mr. Leary's contract cannot be classed with any of these. It is entirely his own private business, and is in no way under the control of any of the departments."

"What about the 'other services' mentioned?"

"The council is without power to levy taxes for these until it receives authority from the Legislature. This view is borne out by section 30, which provides for an assessment of not more than \$6,000 for exhibition purposes, to recoup the general revenue for money advanced for those purposes. This section also specially authorizes the taking of money from the general revenue. Special legislation was also obtained last session for the purpose of making assessments, etc., and the inference is that it was necessary."

"The assessment cannot be levied, but how about the issue of debentures? Section 29 authorizes this 'as occasion may in the public interest arise for the carrying on of any public civic works, as needed civic improvements.' The Leary wharves are not civic works or civic improvements. The intent of the act is that debentures can only be issued when the city needs money for the prosecution of its own undertakings. Mr. Leary's wharves will be his own private property, and no more public than the opera house or a bill board."

"The debenture question is not worth considering anyway, because to issue debentures thirty days notice of motion must be given, and a vote of two-thirds of the whole council is required. The mayor is, by section 11, a member of the council, so that the total membership is 27, requiring 18 votes to authorize debentures."

"I could quote the act more fully, and make my arguments still stronger, but any interested person can consult it for himself, and reason it out from the points I have taken. I believe that still another return of the kaleidoscope will have to be made before Mr. James D. Leary can legally get any money out of the revenues of the city of St. John."

"That is the way the situation strikes me."

The Chief in His Stronghold.

Chief Clark is getting matters in shape to suit himself at the police office. He has arranged a complete set of blank forms for all occasions, and has started a system of records by which all the work done by the department is shown in a way both intelligible and easy of reference at any time.

In the rear room of the front office is what appears to be a nicely draped mantel, surmounted with a rather stylish mirror. A movement of the hand sends out a spring bed ready for occupancy. The chief, too, intends to look as becomes his office, and will appear out in a day or so in all the glory of a blue and gold cap and uniform fatigue jacket, which will increase, if possible, his already imposing appearance, and render him truly a terror to evil doers.

ABOUT ROBBINS' CIRCUS.

Not an Advance Press Notice, but a Genuine Account of the Show.

Robbins' circus promises to turn up in St. John Dominion day and the day after, and add another to the list of amusements for the people. Among the arrangements for a lively day are the St. John-Shamrock ball games, lacrosse matches, horse races, to say nothing of Fredericton's proposed celebration, which is sure to draw a St. John crowd. PROGRESS saw the circus in Fredericton, and cannot refrain from a word of caution to those readers who have only to see a circus bill to make them feel about for half dollar. The managers of the show are all right, courteous gentlemen, whom it is a pleasure to meet. If their show was half as decent, no one would regret the half dollar. But it is not. The countryman who never saw any menagerie beyond his own yard, or a circus of any kind, would feel the loss of that 50 cents spent on Robbins' aggregation.

This notice differs from the advance press notices which are already showing up in some of the daily papers. According to them the show is the greatest on earth, with more features and a larger menagerie than it can take care of comfortably. That must account for the poor half dozen specimens in the menagerie, including the bear, parrots, deer, llama, etc.

If the famous balloon ascension is as attractive here as in Fredericton, no person will regret spending the day in the country. The wonderful event was to take place at high noon in the capital, but, though they had a day and a half to prepare for it, a postponement was announced until 4.30. There was a good crowd waiting at that hour, only to be disappointed—this time there was a hole in the balloon, which was to be repaired about 7.30. The crowd didn't care to tarry that long and risk another disappointment, so the grounds were deserted.

HE LOST NO TIME ABOUT IT.

The Story of a Proposal for Marriage at First Sight.—Business is Business.

It is told that a St. John widower, who is of mature age, recently became fascinated with a maiden of nearly equal age and ardently desired to make her his wife. The difficulty in the accomplishment of his wishes lay in the fact that he was totally unacquainted with her, but this he surmounted by writing to a mutual friend asking that a meeting be arranged. The friend very kindly complied with his wishes, he met the fair one, and was introduced, she wondering why the stranger should be so anxious to make her acquaintance.

She was not long in doubt. Immediately after the introduction the lover came to time by saying that he wished to offer her a house as his wife, and she after a natural hesitation accepted. On her suggesting that a wedding ring was necessary, he replied that his first wife bought her own ring and he thought that was the best way as there was sure to be a good fit. He accordingly furnished her with the necessary funds and bade her select a circlet to suit her own tastes. The whole transaction from the introduction to the settlement of all the preliminaries is said to have occupied less than half an hour.

There is no trouble in getting a wife in this part of the world, if a man goes the right way about it.

No Boneyards in France.

A day or two ago a St. John man who is trying to perfect himself in French was driving out the road in company with a well educated native of Gaul. They had been talking of the names of various objects in the two languages when they passed a very lean and miserable looking horse. This suggested an idea to the St. John man.

"What is the French word for boneyard?" he asked.

His companion hesitated, and appeared puzzled. "Boneyard? boneyard?" he repeated as if thinking very hard on a knotty point.

"Oh, I beg your pardon," said the questioner. "I forgot. There cannot be such a word. You have no boneyards in France, because you eat your horses."

The Frenchman thought it was a very good joke, but assured that a good tender horse steak was by no means to be despised.

Let them Follow their Noses.

The board of health has issued its annual notice calling on the citizens to clean up their premises, remove nuisances, etc. There are several vacant lots in the centre of the city which are used as places of deposit for various kinds of offensive material, which may, or may not be detrimental to health, but are certainly most unpleasant to the senses. It is to be hoped that the owners of these lots will pay some attention to the notice, or failing to do so, that the gentlemen of the board will "follow their noses," and see that the law is carried out. Some of them—the lots—would seem to come fully under the designation of public nuisances.

MR. SIGSMOND SOLYMAN.

THE PENNSYLVANIA MAN WHO HAD A LIBEL SUIT.

He wanted to vindicate his character and thought the best way to do it was to let the world know all about him.—What a Friend thought about it.

"Speaking of libel suits," said a much travelled gentleman, at one of the hotels the other night, "I am reminded of a curious case in one of the towns of Pennsylvania. The plaintiff in the case was a German Jew, by the name of Sigismond Solyman, though some of those who had dealings with him occasionally referred to him by the pet name of Judas Iscariot."

"Solyman kept a store—what is known as a general store—where he sold everything, from silk ribbons to kerosene oil. He was a very methodical man, and looked like a pious one, too, despite the fact that his large red nose was strongly suggestive of the strong waters forbidden by his faith. He prided himself on his methods, and here are some of them:

"When he bought a hoghead of dark and inferior raw sugar, he had too much respect for his customers to sell it to them in that state. He improved it, by putting it in a drawer, a little at a time, and adding damaged flour, stirring the mixture well until he had a very bright and attractive article. In the same way, lest the black pepper should injure his customers by its strength, he reduced it by the addition of ground slate, and by some means or other his scales were always out of order, but always in his own favor."

"Occasionally when he swept the back store he dampened the pile of codfish, so that it not only was more attractive but more heavy. His measures, too, were more or less dented, and there was generally an inch or so of sugar in the bottom of the gallon by which he sold molasses."

"These things were common talk among his neighbors, but others, and those from whom he bought his goods thought him a very fine man, for he was so very methodical.

He appeared to be doing a very prosperous business, when suddenly he failed, without any apparent reason for it. His creditors were not uneasy, for they knew he had a store full of goods, and thought they could get their own out of it. When they made enquiries, however, they found that Mr. Solyman had sold it all to a small boy he had as clerk, because he owed him several thousand dollars for arrears of salary."

"This made the creditors sad, but Mr. Solyman entered into business again, and again became a model of method and diligent attention to his duties. The news papers had said nothing about his failure, or about his character, and everybody who didn't know him thought him a very fine man, because he was so methodical."

"A year or two after this Mr. Solyman had occasion to go to a wedding, and in honor of the occasion wore a silk hat, which he had purchased several years before. He did not usually wear a silk hat, and this looked so odd on him that many people made remarks about it. A local paper *The Prodivron* thought the joke so good that it made a reference to it. Thereupon Mr. Solyman was very mad indeed."

"It is a libel, an injury to my reputation. My creditors and correspondents will read that paper and will think me a very bad man for wearing an old style of hat. I must see Carl Plunder."

"Now Carl Plunder was a sharp lawyer who had a great reputation for making up big bills of costs. It didn't matter to him whether he was right or wrong so long as he saw a way of getting some money out of a job. He told Solyman that there was a very clear libel in the *Prodivron's* remark, and advised him to bring a suit at once."

"So a writ was issued, and Solyman sent papers to all his correspondents announcing the fact. He had begun to vindicate his character."

"Now now there was a very old Jew in community who knew all about Solyman, and often gave him advice. He met him the day after the suit was begun."

"Why have you sued the *Prodivron*? he asked.

"To vindicate my character."

want to get some costs. I would just as lief have them out of you as out of any other man."

"And the last I heard of Sigismond Solyman, he was in a very bad state of mind indeed."

GRAND MANAN'S BEAUTIES.

Not Likely to be Understood Until There is Some Way of Getting There.

One of the most pleasant summering places in Canada for those who seek to enjoy nature is the island of Grand Manan. It is not much visited by the people of this province, but Americans find it out every season, as they have found out a good many other pleasant spots, and enjoy its beauties. It might be made a very popular resort if people could only know about it.

They are not likely to know much, however, until there is some way of getting there. There is supposed to be such a way now, and the supposition costs the Dominion and local governments about \$7,000 a year. They subsidize the steamer *Flushing* to that extent, one giving \$4,000 and the other \$3,000, under the impression that the steamer is run according to agreement, and provides suitable accommodation for passengers.

As a matter of fact, however, the *Flushing* has not been run for some time, and nobody knows when she will be put on the route. There is something the matter with her boiler, it is understood, and she is laid off for repairs. She was laid off in the same way last year, and indeed has been laid off several times since the owner first began to get the subsidy.

In the meantime her place is taken by a tug with inferior and insufficient accommodations. The *Flushing* is not a floating palace, but the tug is a good deal worse. The service is nothing like that which the public has a right to expect, and for which an ample subsidy is given.

It may be that the owner is unfortunate in having to make so many repairs to the *Flushing*, or it may be that her mishaps are a blessing in disguise for him. The passenger and freight traffic is not remarkably remunerative, and if it can be carried on by hiring a tug for less than it costs to run the steamer he is that much in pocket, for the subsidy goes on in any case.

Mr. Gaskill, the owner, may doubtless regret that he does not accommodate the public any better than he does, but he cannot regret it half as much as those who are compelled to travel on that route and submit to the inconveniences of his tug boat.

The government should see that there is a better condition of things.

A Combine of Brains and Capital.

Among the advertisements in the *Telegraph* this week, the following appeared: WANTED—Active Young Man to go to New York. For interview, address, J. H. W., TELEGRAPH OFFICE.

Some active young man responded and received instructions from a "J. H. Wood" that he could be seen at the Stanley house. Sure enough, Mr. Wood was found there, and he unfolded his ideas to the "active young man." He pretended to be a New York correspondent for provincial papers, and he wanted assistance in his work, having 200 papers last year and 100 so far this year. Among those he had secured he mentioned *PROGRESS* and the *Globe*. The "active young man" would be required to give him \$125 before he went to New York, which would be repaid by installments soon after they reached that city and got to work. In fact he proposed to furnish brains, and the "active young man" would put up the capital.

PROGRESS does not know anything of the *Globe's* New York correspondent, but can assure Mr. Wood that he made a slight mistake when he mentioned this paper as one of his "secured" list. His brazen cheek is something wonderful, and deserves the proper recognition that, we trust, this paragraph gives him.

His Way of Giving.

One of the city churches which had a burden of small debts, recently undertook to collect subscriptions for the purpose of liquidating the amounts outstanding. Among others to whom application was made was a medical man residing a few miles out of the city, who on being approached declined to give a dollar. In the course of the conversation he inquired what bills the church owed, and on being told that they were for such necessities as fuel, light, fixtures, etc., requested that the accounts be handed him, and he would see what could be done. They were accordingly given to him, whereupon he at once sallied forth and paid them. Now the creditors and the church are equally happy.

Late Sporting News.

The Shamrocks turned the tables on Moncton, Thursday, and the faces of their friends wore a brighter and more hopeful look. Farrell, the new man, tried to make up what he lacked in pitching ability, by "kicking"—something he must learn, sooner or later, that won't be tolerated. Joe Sullivan and Lezotte were the battery, and the former gave further evidence that either of the Sullivan's will do to win games.