

NEVER WAS DISMISSED.

WHAT THE CIVIL SERVICE ACT SAYS OF THE BLIZZARD CASE.

Some of the Legal Aspects of the Affairs-Dealings With the House of Foster & Co., Unlimited—They Appear to be Exceedingly Sharp in Their Methods.

The Canada Gazette of Saturday last did not announce the appointment of Geo. W. Ryan as chief railway mail clerk in place of Fred W. Blizard, whose appointment as such was cancelled in 1876.

Possibly the government thinks that as, from its point of view, the position has been vacant for the last fifteen years, it can wait a week or so longer without serious detriment to anybody but the man who is after the office. Possibly again, the appointment will be gazetted today.

In the meantime, the government and opposition organs here are as silent as the Gazette upon the subject, while the people on both sides of politics are actively discussing the revelations of PROGRESS and denouncing the affair as an outrage.

Some of the men who were among the strongest conservative workers in the last campaign do not hesitate to voice their indignation. They admit frankly that Hon. Geo. E. Foster and his friends have been playing a game with loaded dice, and while they are reluctant to believe that Messrs. Hazen, McLeod and Skinner have acted as cappers, they have nothing to say in their defence. The position into which the three members are forced is that they are either in league with Foster or that they meanly submit to be used as wooden men at his bid and call. If they respect public opinion their lot is not a happy one.

It is true that a good many people who are friendly alike to Mr. Blizard and the conservative party, are reluctant to condemn Mr. Foster and the St. John members so long as there is any plea that the latter, at least, have tried to do right. There is but one such plea, and that is usually advanced in the form of this question:

"Why did not Fred Blizard consent to pass an examination?"

This, to one ignorant of the truth, appears to meet the case, and to justify the minister of justice in deciding against Mr. Blizard. It is however, a most shallow plea, and will not, in the face of the facts, carry the slightest weight.

Mr. Blizard entered the postal service, as a third-class clerk, in 1867, and two years later he inaugurated the railway mail service in New Brunswick. He was the father of it. He entered upon it at a time when a handcart was sufficient to carry all the mails sent by rail and when he and one man were able to do all the work. For more than twenty-one years he has actively assisted in developing it and increasing its efficiency, with a perfect knowledge of every detail and under a system so perfected by him that no emergency could occur that would not be promptly met. The railway service is admitted to be most efficient, and its efficiency has kept pace with its marvellous growth. Mr. Blizard has for years acted as its chief, and surely if any man in Canada knows all that is to be known about it, he is that man.

Yet the minister of justice says that before he can be master of this house he has built; he must pass an examination to show that he knows some superficial facts about it.

But, again is the question, if he knows all there is to be known, why should he be so obstinate and refuse to submit to such a mere formality?

There are reasons, and good reasons for his refusal. In the first place, as will be shown, there is no legal reason why he should yield. In the next, from the determined effort that has been made to oust him, the underhand methods that have been employed, and the resort from one subterfuge to another, his friends have every reason to believe that he would fail.

It would be quite easy for Foster & Co., unlimited, to set a trap which would catch the best informed man in this division of railway mail service. From the course they have taken so far, no one conversant with the facts doubts that they would do so.

There are hundreds of things which no man in the department can answer without reference to a rate-book or schedule, and which no man ever did or ever will commit to memory. Take the case of matter passing through the United States to other countries on which there are scales of rates charged in the accounts of one country with another. No man knows them, because there is no need of it. When the information is wanted it can be given in a moment, just as an insurance agent would give a rate, by turning to his tariff book. In this and other ways it would be a very simple thing to settle the matter just as Foster & Co., unlimited, want to have it settled.

So Mr. Blizard's friends advised him to profit by the wisdom of the fox, who waits for his dinner rather than put himself against the machinery of a trap. Some have supposed that he has retained a legal

adviser, but he has not, though Mr. W. B. Wallace has taken a deep interest in the matter, and is said to have copies of a correspondence which would make interesting reading. This, for the present, he declines to make public.

No legal adviser is needed to anyone who can read the civil service act and understand plain English. Here is the case: Mr. Blizard, who entered the service as a third-class clerk and is now a first-class clerk, was appointed chief railway mail clerk in 1875, by an order of the governor in council. That order has never been revoked, and it cannot be revoked by any less authority than that by which it was given. The postmaster-general can dismiss only for misconduct or negligence. Neither he nor anybody else has ever dismissed Mr. Blizard.

In 1876, when the grits were carrying as high a head as the Tories are now, a certain politician wanted Mr. Blizard's place for one of the faithful, and, as a preliminary, Mr. Blizard was transferred to the car service. He was not dismissed, because he could not be without an order in council; but his appointment was cancelled by the postmaster-general. Any man can be so changed from one position to another without forfeiting the rights acquired under a previous higher authority. Yet even the postmaster-general could not, and did not, revoke an appointment made by the governor in council. In the meantime the politician found that he had made a blunder, and no further steps were taken. Mr. Blizard served on the cars until 1884, when he went back to the office as "acting" chief railway mail clerk, despite his objection to the qualifying word. He was assured that it would be made all right, and so he held the position, getting \$200 a year less than he was entitled to, until Foster & Co., unlimited, coveted the place and the Ryan boom was started.

It is a sound principle of law that no right once acquired can be taken away except by direct words. The civil service act of 1882 not only fails to do this, but the whole spirit and letter of it are such as to confirm Mr. Blizard in the position to which he was appointed. It defines the civil service as consisting of all classes of employees appointed before the 1st of July, 1882, and who might, thereafter, be appointed in conformity with the act. In the act of 1886, to make the case still plainer, it is provided that any person who is a member of the civil service and who was so on the 20th of July, 1885, shall be classified in the class in which he has been appointed. Clearly enough, Mr. Blizard having been appointed chief railway mail clerk, never having been dismissed, and being such at the date named, could not be required to pass an examination. He was thoroughly qualified without it, just as the act admits a man to be if he has resigned and is reappointed.

The act and succeeding acts clearly place Mr. Blizard most securely in his position, and to prove that, having been appointed he still holds his rights, it is provided that "no such employee shall be dismissed without the authority of the governor in council." In the face of this, all the contentions of Foster & Co., unlimited, fall to the ground.

The animus of the whole matter is seen in the history of the case. Foster & Co., unlimited, have retreated from one point another, shifting their ground as each of their contentions as to dismissal, etc., was disproved. The department of justice being "pressed for a decision," decided against Mr. Blizard on the allegation of the firm. Thompson has spoken; the case is finished.

Nobody knows why the case was sent to the department of justice. The acts make no such provision, but leave such matters to be decided by the governor in council. It is understood that the minister of justice has said that the case never should have been sent to him, and it is reported that the postmaster-general has said that he never sent it there. By whom was it taken there? By Foster & Co., unlimited.

Who "pressed for a decision?" The same young and enterprising firm.

From first to last there has been a spirit of pettifoggery shown in insisting on technicalities, which would not have been thought of had there not been a determination to put Mr. Blizard out and put Mr. Ryan in. When their trivial contentions were met and disproved they were left to the last resort of insisting on an examination, which the act distinctly states is not necessary. This unjust demand accomplished what previous chicanery had failed to do. Had Mr. Blizard submitted, care would have been taken that he did not succeed. Not having submitted, they decide against him. The dice were loaded to turn up aces every time. So much for the tricks of the trade of Foster & Co., unlimited.

"Buttons All Over Me." "Wait until you see the 'Colonel's' new uniform," was the remark made to PROGRESS a few days ago. "It was ordered and made by the military tailor of Halifax, and the buttons and cutaway—Thew!"

DOCTOR AND DIGNITY.

MEDICAL MEN WHO WILL NOT OBEY THE LAW.

How Diphtheria and Scarlet Fever are Spread because Cases are Not Reported—A Physician who Objects to Homoeopathic Practices.

Two cases of scarlet fever and fourteen of diphtheria were reported to the board of health in St. John during December. Does anybody believe that there were no more, or that at the present time cases could not be quoted of which the board has no record?

It all depends on who happens to be the doctor in the case. Certain reputable physicians conscientiously report every instance of infectious disease which occurs in the course of their practice. Others, equally reputable, seldom or never make a report. They do not like the act, and refuse to obey it, or it may be that out of deference to certain classes of patients they wish to save the annoyance of having a house placarded and quarantined.

The board of health ought to know who these non-complying doctors are, and possibly it does. It certainly did on a previous occasion, when there was an epidemic, but with all the efforts of the late chairman and secretary only a partial compliance with the law could be secured. Some of the doctors in question did report an occasional case, for form's sake, while others boldly said they did not like the law and refused to be bound by it. They are of the same opinion today. It is beneath their dignity to bother with the matter.

They can be prosecuted and fined, of course, but they feel pretty sure they will not be, and some of them do not care if they are. Nobody, however, seems likely to come to the point as a prosecutor, though many would like to see somebody else do so.

If the law were not founded on strict common-sense and with a view to preventing the spread of disease, it would be a matter of no importance. When, however, the result is not only the spread of disease but death, it becomes a very serious thing indeed.

Instances where, for the want of this precaution, infection has been carried from one house to another are in possession of PROGRESS. There are new made graves which might not have been dug had the doctors thought more of the safety of innocent children and less of their own precious dignity.

If the board of health wants evidence of this it can find it. It ought to do so. Every man who has children is interested in knowing how much they are in danger from death-traps among the neighbors.

Some medical men seem to have a good deal of dignity—it another word does not express the idea better. Not long ago, a man who was ill chose to employ a homoeopathic physician, but grew worse until there seemed little hope for his life. The doctor, anxious to neglect no chance by which he could be saved, frankly told him he had done all in his power and recommended him to try another physician and treatment. The homoeopath then retired from the case. There was then nothing in medical ethics to prevent any doctor attending, and an old-school man was summoned. He refused to go, because a homoeopath had been employed in the first instance. Word was then sent to two others and they attended without a word of objection, though they stand quite as high in the profession as the man who refused. They would have thought in any case, probably, that their first duty was to try and save life, rather than to quibble about what had or had not been done in the first instance. It is satisfactory to add that the patient is now considered out of danger, a fact which reflects no less credit on the homoeopath than on the doctors who came after him.

They All Read the Paper.

Some time ago, PROGRESS published an article on St. John as it was thirty years ago, basing its facts on a copy of a city directory of the year 1862. The story was read by a resident of New York who left this city in that year and was very anxious to secure a copy of the directory in question. This was likely to be a difficult matter. The edition had been small, and it was doubtful if another copy of the book had survived the great fire. There was just a chance that a copy or two might be found, and with this hope the applicant was advised to insert a 25 cent "want" advertisement in PROGRESS. He did so and his reward was a letter from a man in Fredericton, stating that he had a copy, which is, without doubt, one of the very few now in existence. The moral of the whole story is obvious.

Hope They Don't Spoil.

Among the "true freight" for the west a few days ago were 1,600 pounds of turkey shipped from Geo. Hatt & Sons, Fredericton, to H. A. Perley, Calgary. Turkeys must be scarce in the west, for the freight in this particular shipment must amount to about \$70.

WHAT SHALL BE DONE?

The Ferry Problem and the Way to Solve It.

The great and absorbing question in civic affairs is, what shall be done with the Carleton ferry? At the present time it is the moving illustration of a floating debt. And the worst of it is that the debt is growing bigger every trip.

When the rate of ferrage was reduced from three cents to one, some political economist asserted that as the penny postage increased the revenue of the British government so would the cent fare add to the wealth of the city. It has not done so. The expenses were not reduced, and there was not a throng constantly besieging the gates for the sake of being carried across the harbor at less than cost price.

It is true the people of St. John appear to have made a noble effort to make things hum. The returns indicate that 35,000 more people went from the east side than came from the west side—that is to say \$350 less was collected at the one gate than at the other. Nobody can show that this is due to any negligence, so to speak, of the collector on the east side. It must be assumed that 35,000 people went to Carleton and either never came back or walked around by the bridge. The census returns would seem to imply that only a portion took the latter course, and that the rest have unaccountably disappeared.

It is quite certain that they are not around Carleton, nor have they filled up the deserted villages of Charlotte county. The Shore Line railway has not increased the salaries of its employees in consequence of an increased passenger traffic to Dunn's Siding, Shaw's Crossing or Digdeguash. The Carleton branch has not aided in a vast exodus to the United States, and the crowd and the bullfrog still reign unchallenged on Taylor's Island. Nobody knows where the 35,000 have gone to, but they have gone and there is no hope that the west side man will ever collect an extra \$350 by their sudden return.

They cannot be counted on to increase the revenue for the current year. As far as they are concerned, the ferry will be as much in debt as ever. In the meantime members of the council who know all about the ferry, and some who don't know anything about it, are trying to devise some way of getting out of the middle. Some of them want a return to the old rate of three cents, while others want the ferry made free. It will be seen there is somewhat of a diversity of opinion.

The most practical scheme yet suggested may not commend itself to all of the people of the west side, and will certainly fail of the approval of the Fairville vigilance committee. It is that no liquor license be granted on the east side, and that a limited number, at greatly increased fee, be granted for the west side. This would be the cause of a constant stream of traffic from Chubb's Corner westward, and some esteemed citizens who now do not get to Carleton more than once a year would be found on the route at all hours of the day.

The only objection to this scheme is that it might still further depopulate the east side. The bulk of the crowd might follow the example of the missing 35,000 and never come back any more.

BOYS WHO HUSTLE.

Some Make the Acquaintance of Customers and Others Get Overcoats.

The first of the year is always looked forward to by the newsboys and carriers with special delight. They don't think much about new resolutions, but their customers are always sure to get their papers, if another boy is not following the carrier, and undoing his work. Some subscribers never see the boy who brings the paper, but at New Year's he invariably makes his acquaintance. And the boys usually feel better for it. This year PROGRESS carriers presented their customers with cards wishing them the compliments of the season, and the subscribers returned the compliment to such an extent that the boys began the new year with from \$9 to \$15 in their pockets.

During December there was unusual activity among PROGRESS newsboys, as a number of them had determined to get one of PROGRESS' overcoats. Every boy selling 100 papers for five weeks was entitled to a coat, and four boys named Ramsay, Nelson, Buckley and Irvine met all requirements. Two of them are now wearing neat overcoats and the other two have orders in their pockets, and can leave their measures at Oak Hall any day. They sold 100 papers and made \$1.50 every Saturday, besides getting the overcoat. Several other lads who were working for coats could not resist the temptation to combine with other boys, and had to forfeit their claims.

A Popular Sleigh.

Notwithstanding the scarcity of snow it is quite evident from the report of Messrs. J. Edgcombe & Sons that people have prepared for winter. They have only three Gladstone sleighs left which they will dispose of at terms favorable to purchasers. The great sale of this sleigh argues two facts: that the sleigh is popular and that advertising pays.

BURNT CORK AND WOOL.

THE ST. JOHN AMATEURS TAKE THE STAGE.

The Show Bristles With Localisms and the Mikado is Interpreted in a New Way—The Jokes of Bones and Tambo, and Men Who Fell Victims to Them.

When the opera house curtain went up Thursday evening twenty-six St. John boys, corked and bewigged made their bow to an audience never seen at an entertainment given by professional minstrels in St. John. An air of refinement pervaded every part of the house, from the clean red and white uniforms of the end men to the evening dress of the ushers, while the jokes were entirely free from that vulgarity which invariably creeps into the best regulated minstrel shows, professional or amateur.

After the opening overture by the company, the jokes began to fly thick and fast, and with few exceptions they were strongly flavored with localisms, that were as easily recognized as the cloves of the man who goes out after the first act. PROGRESS was not forgotten, for, if the intervals between the parts were too short to read the "ad" on the Opera House programme, the end men kept the paper before the audience in a manner that was satisfactory to all concerned.

Just after the curtain went up, Bones startled the interlocutor with:

"I say, Mr. Mack, I say, can you tell me why the chief of police is behind the times?"

"Why the chief of police is behind the times?"

"Yah, yah, dat's what I said; why is the chief of police behind the times?"

"Well, really Mr. Plum, I cannot tell you."

"Can't, eh? Well it's 'cause he don't believe in PROGRESS." And everybody laughed.

Several well known city men in the audience were targets for hundreds of eyes during the evening, and at intervals appeared more of interest to the audience than the performers. Jack Esson, alias Plum Jones, was without doubt the best of the end men, while the olderman from Kings hardly came up to expectations, especially in the way of jokes, many of those submitted being very familiar. But he carried the house when he faced the interlocutor with the explanation that

"Minister Foster got his Rye-in and didn't care for the roarin' Blizard."

Mr. Starr's song, "Little Sweetheart" was a good starter for the solos, and "Fly Little Children Fly" took the audience by storm, when the little winged angels began to soar through the flies. Mr. Thomas, like the other three end men, has a reputation to make as a vocalist, but the comic songs were of such a character as to please the audience and give no opportunity to consider them from a musical point of view. In the choruses however, the circle did fine work, and under Mr. Ford's direction everything went with a swing. Encores were the rule, for the audience liked the chorus and could not get enough of it.

Mr. Plum Jones accomplished wonders from a poetical point of view, both in the circle and the burlesque. His "I ain't Sponsible, No Siree," was the best of the comic songs, but the genial Plum gave rhyme and metre no consideration whatever; nevertheless he kept up with the orchestra and finished even every time.

His experiences on King street east were amusing and original. He was "boardin' on King street east, yah! oh yah! stone buildin', and I'm Rankin with the best families." (Laughter.) "Great place that, yah; never have to send your things to the laundry; no, first think done is to collar you, and then you're promptly cuffed." (A giggle.) "Oh yah, great place, clean the jail out once a year and give us celery; yah, open the windows and make the cell-airy. I've been up there quite a while now, but I'm goin' on the stage, yah! yah! goin' to play koko in the Mikado; be taken from the county jail, see?" Applause.

Between Mr. Hart's song "Afloat," which was well received by the audience, and Mr. Blackadar's "Susan Brown," which also came in for applause, jokes were timidly propounded to the interlocutor's "minute intellect incapable of comprehension," as Jim Thomas put in. For instance, the chocolate colored James asked:

"I say Mr. Mack, why do these young lawyers we have in St. John sleep so well?"

"Well, really, Mr. Thomas, I do not know." The interlocutor always says that, you know.

"Don't know, eh! Well, its 'cause it's immaterial which side they lie on."

Then again:

"Why do the beards the young fellows in St. John are growing this winter resemble a cow's tail? Don't know, eh? Well, its 'cause they both grow down."

These are only a few sample jokes, but there were a number with local applications that could be caught on to without having to sleep over them. The story of the oratorio society reached a

climax when Plum Jones gave an imitation of Mr. Lantallum's favorite solo. But the board of trade fell a victim to Charlie Harrison.

"Why is the board of trade like the road to—," he was going to finish it, but the bass drum cut him short, and supplied the word during the bye play.

"Don't know?" asked Mr. Harrison. "Well, because its made up of good resolutions."

Mr. Lindsay's "Angel of My Dreams" was the song of the evening, and, with the chorus, delighted the audience to such an extent that the grand finale was in danger of postponement. But it came off just the same, with a burlesque of the baggage master, and the wind up in which the gospel train rushed across the stage and all got on behind.

The olio simply consisted of Mr. Clayton Wilde's banjo and mandolin solos, and Mr. Blackadar's song and dance. Both gave an artistic performance, but Mr. Wilde's solos made the audience forget that there was more of the show to follow.

The musical burlesque, "Mr. Mikado, or Japanese from Willow Grove," was something new in St. John minstrelsy and proved immensely popular. Gilbert and Sullivan's Mikado was localized to some extent, and burlesqued "out of sight." Mr. Esson again carried the honors as Koko and from the time he entered with his huge axe, held first place; only there were a number of St. John people whom he failed to get on the list. The entrance of Mr. Mikado, attended by the imperial Japanese band, was one of the most amusing features of the evening, the two juvenile Japs with tin whistles playing their part to perfection. In this version of the Mikado "Koko" is shot from a cannon, and as the burlesque ends with his death, the curtain went down on the funniest incident of the show, and everybody was in good humor.

The cast of the burlesque was as follows:

- Mr. Mikado, a Son of the Sun, Mr. Hart.
- Sir Macaroni O'Houlihan
- Nanki-Poo, a King St. Masher, Sig Herbert
- Mr. Ruel.
- Ko-Ko, the Tonsorial Artist of St. John, Plum Jones
- Mr. J. Esson.
- Poo-Bah, who holds all the public offices in St. John, Herr Schmidt
- Mr. F. Smith.
- Pish-Tush, one of the boys, Sig Tomaso
- Mr. J. Thomas.
- Yum-Yum, Ladies from Miss Jane Lynde
- Piri-Sing, the Quaco Miss Selma Comet
- Pee-Boo, Seminary, Miss Winnie Jones
- Mr. A. Lindsay, Mr. W. Esson, Mr. W. Starr, Katsisha, an old Hot Corn Beauty, Mlle. Clarissa Chas. Harrison.
- The Imperial Japanese Band, Japanese Nobles, Colored Barbers, Almond-eyed Beauties, Ward Workers and Local Politicians by the numerous multitude.

WENT OFF WITH THE DRIVER.

A Cruel Joke Enjoyed By All But the Man Who Paid the Bill.

There was considerable amusement at a city boarding house one evening recently at the expense of a young man who had called that day to take one of the lady boarders out for a drive. The lady was not very anxious to go, and intimated as much to one of her male friends. The latter was ready for a joke, even if it was cruel, and began to make preparations.

He told the lady to prepare herself for the street while he went to his room, wrote a note to the young fellow who was looking after the fine horse and carriage at the door, and signed the name of the gentleman who was waiting in the parlor. The woman slipped out of the house and handed the note to the driver. It requested him to drive the bearer to Indiantown, and return to the boarding house. While the lady was on her way to Indiantown in the carriage, the young man who had engaged it was being entertained by the boarder who wrote the note. He happened to look out the window, however, and was the picture of surprise when he discovered that the team was gone. Inquiries were made for the lady whom he had expected to have the pleasure of taking out for a drive, but of course she could not be found. Then the truth leaked out, and everybody was amused but the young man who had squandered his money on a fine turnout but was only privileged to use it from the stable to the boarding house. For when the driver returned with the team the young man had gone home in disgust.

They Knew What He Wanted.

A business place and a barroom are side-by-side, and have entrances that bear a striking resemblance to each other. A few days ago a number of gentlemen were in the business office when a well known legal character from Hampton came rushing in, looked about him with surprise, and exclaimed:

"Humph! Guess I'm in the wrong shop!"

"Guess you are," said one of the bystanders. "You can't get anything to drink here."

She Took His Part.

The boarders at a Garden street house recently presented a round Robin to the hostess complaining of her attentions to one particular boarder. The result was that all but the favored one had to get out.