

# PROGRESS.

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## SAMPLES AND THE LIKE.

THEY STIR UP A HORNET'S NEST IN THE PUBLIC HOSPITAL.

What Has Followed Some Questions Asked by "Progress" Last Week—Commissioner Clark's Methods of Investigation to Be Investigated by His Colleagues.

The query contained in a two-stick paragraph in PROGRESS last week seems to have stirred up a very large sized hornets' nest in the vicinity of the General Public Hospital. The paragraph in question was at the bottom of a column, had an ordinary one-line head over it, mentioned nobody's name nor charged anybody with doing anything wrong. Yet everybody seems to have seen what was said and to have considered it a matter of considerable magnitude. It may also be added that a number of citizens who did not know which commissioner was on duty at the hospital in July were singularly lucky in guessing the right man as soon as they had read the facts.

The question asked by PROGRESS was at to what extent it is the duty of a commissioner of the General Public Hospital to keep himself supplied with samples of the provisions furnished to that institution. Then currency was given to a statement that the commissioner for July had visited the store-room several times since he had been on duty, and had carried away samples of various articles equally available for household or hospital use. The question was whether it was necessary for him to do this two or three times in the course of a month, and to take three or four pounds of articles at a time. On the hypothesis that he was merely doing his duty, the inference was that the other commissioners were remiss in not doing the same thing. That was all.

Just here, it may be well to state that the words "the store-room" were inadvertently used, instead of the cook's pantry, which, however, is "a" store-room. What is known as "the" store-room is kept locked, and as PROGRESS understands, the keys are kept by the matron. It is also proper to state that the words "three or four pounds of coffee, etc." would include all the other samples, and would not necessarily imply there was that quantity of coffee alone. The information as to coffee named a large baking-powder tin as the receptacle, while the quantity of tea sampled on a recent occasion was contained in a large cocoa tin. These appear to be the handiest articles which the cook or cook's assistant could find for the commissioner's use.

The question of the particular room from which the samples were taken, or of the precise quantity taken at any one time has nothing to do with the merits of the case. The plain point to be decided is whether any commissioner should carry away little or much of the stores purchased for the use of the hospital until the extent of the sampling becomes a bye-word among the nurses and others connected with the institution.

The daily papers appeared to think the story improbable. The Globe of Saturday said the matter was "rather serious." The Telegraph, on Monday, had a local paragraph headed "Extraordinary, if True," the important part of which was inspired by one of the commissioners, a medical man, whose only quoted words were, "I should say it was a serious matter." He did not say it was improbable, or that he did not believe it. Then the Telegraph did what PROGRESS had not done. It stated that the commissioner for the month was Mr. George H. Clark, of the West side, and it further said: "but no one who knows Mr. Clark would, for a moment, suppose that he had anything to do with it. Indeed it seems incredible that any member of the commission would be guilty of the act referred to. Should the charge prove to be true not only would the commissioner be held accountable, but the matron and resident physician would be equally censurable."

The statement as to the responsibility of the matron and resident physician was new to very many, PROGRESS included. There has been an opinion that a commissioner was supreme within the hospital when on an official visit, that he had a right to go anywhere and everywhere, and to do as he pleased without question or interference by anybody employed in the institution. Such, it is understood, has been the idea of the matrons and resident physicians for years past. They make their reports to the commissioner and look to him as their superior in all matter in which he may choose to give orders.

Dr. Bayard may be called the father of the General Public Hospital, and he is naturally and properly jealous of its reputation. He made a special visit there after PROGRESS appeared, and had a long and serious interview with the matron and resident physician, Dr. Addy. Dr. Walker was also early on the scene, and his remarks are said to have been animated, emphatic and dogmatic. It is stated that the resident physician did not agree with Dr. Walker's views as to what should be done when a commissioner was around on an

official visit. Dr. Addy had supposed that it was the duty of the commissioners to watch the resident physician, and not the duty of the latter to watch the commissioners. Dr. Walker on the contrary, seemed to think the house doctor should know everything that was going on, whether it related to a commissioner or anybody else.

It may be that this contention is right, but supposing a commissioner to come at an hour when the doctor is going his rounds, are the visits to the patients to be suspended to follow the actual governor of the place in order to see that he does not carry anything away?

That the commissioners found some basis for the statements in PROGRESS was evident early in the week, when they decided to have an investigation on Friday. As PROGRESS must go to press before noon of that day, the facts developed at the investigation cannot be made public in these columns this week.

As it is well to be accurate, a correction should be made of the Globe's statement that the "charges made by PROGRESS" are to be investigated. PROGRESS has made no charges. It asked a pertinent question about a public institution which every ratepayer in St. John is specially taxed to support. It did so wholly without any animus in the matter, and it did not matter a straw to it which of the commissioners was concerned. There are, in fact, no charges against Mr. Clark by anybody, nor are there likely to be. That he has been in the habit of taking samples from the stores is not disputed. The questions as to the length of time this sampling has been going on, the frequency of sampling during the months Mr. Clark has been on duty, the nature of the articles sampled, and the quantities carried are matters upon which the commissioners can easily procure evidence. They can also judge as to what good results, if any, have come to the institution through the zeal and vigilance of Mr. Clark. The hospital stores include all kinds of things from cheap, but indigestible, soap to such luxuries as bottled porter and expensive emulsions. If a commissioner has a right to sample a part it is a logical conclusion that he has a right to sample the whole. It is time the matter was settled.

Mr. Clark has been a commissioner for a number of years, having been appointed from the county. The other commissioners are Dr. Wm. Bayard, (president) R. W. Crookshank, (vice president) M. W. Maher, Dr. Thos. Walker, A. Chipman Smith, Dr. G. A. Hetherington, and W. C. R. Allen.

Now that these gentlemen have undertaken to get at the bottom of this sampling business, and pending the result of their investigation, it is not for PROGRESS to deal further with the matter in this issue. It may be taken for granted, however, that whatever may be the evidence drawn from present or past attaches of the hospital, the powers and prerogatives of commissioners in respect to samples will be more clearly defined for the future. This will necessitate a revision of the nurses' calendar, from which "Sampler's Month" will hereafter be omitted.

### Both Kelly and Kelley Went.

Kelly and Kelley are at the meeting of the Grand Orange Lodge at Sault Ste. Marie this week, and both are there in an official capacity. First there is the original and only genuine James Kelly, the clothier, grand lecturer, and then there is the gifted Joshua King Kelley, the lawyer and orator. One of the papers announced that both were delegates from the order in St. John, but this was premature, and there was a subsequent hitch in the arrangements by which Mr. Kelley went on his own account, or rather on the account of the Daily Telegraph which fitted him out with a railway pass as its special representative. It had been understood that Mr. Kelley was to go as a proxy for Delegate Douglas McArthur, and up to Friday night there was every indication that such would be the programme. A discussion in the District Lodge, however, ended in a resolution that no proxy be sent, and that settled the matter. Mr. Kelley had secured his pass, however, and he went, the papers announcing that he had gone to St. Paul on business. Kelly and Kelley had beautiful weather for their trip.

### Order of the Temple.

The recent election of Mr. R. W. Crookshank as Deputy Grand Master of the Great Priory of Canada, Knight Templars, rendered it necessary for him to vacate his office of provincial prior for New Brunswick. The latter position will now be filled by Hon. Robert Marshall, K. C. T., who was provincial prior a number of years ago, and is a K. C. T. by virtue of a patent with the signature of H. R. H. the Prince of Wales. The placing of Messrs Crookshank and Marshall in these important positions will be of equal interest and satisfaction to the members of the Scotch encampments in New Brunswick, and should have most beneficial effects on the future of the Templar bodies in this part of Canada.

## WHO WILL BE JUDGE?

THE CLAIMS OF MR. JUSTICE PALMER FOR PROMOTION.

The Dilemma in Which the Conservatives Find Themselves—They Cannot Agree Upon a Governor or the Supreme Court Judgeship Appointments.

It is not often that an office of such value and importance as a seat on the supreme Court of Canada is vacant and still more seldom is it a burden to the party in power.

Today the conservatives of New Brunswick have the appointments of a governor of the province and to the supreme court of Canada to fill, and such are the internal differences in their ranks, that they are unable to agree upon any one man for either appointment.

The supreme court vacancy has simply increased their difficulty, for it will be almost impossible to ignore the claims of Judge Palmer for the vacancy—to ignore not only his claims but the recommendation of twelve or thirteen out of the fourteen conservative members from New Brunswick.

PROGRESS has it on unquestionable authority that at least twelve of the fourteen stand pledged to support the appointment of Judge Palmer. Only one local member, Mr. Hazen, opposes this and since he was one of the most eager and zealous adherents of Judge Palmer for the previous vacancy which was filled by Mr. Sedgewick, this can hardly be understood. But the fact remains that Mr. Hazen is not in line with his conservative colleagues in this particular recommendation.

Judge Palmer's friends claim for him that he is the senior conservative judge, that he has always been true to his party and that his ability to fulfil the duties of the position cannot be questioned. They claim that he should have no rival from the bench of New Brunswick and they point out the fact that Mr. Justice King who is also spoken of as a probable appointee, has been so effectually weaned from the Tory opinions as to contribute once in a while to a liberal newspaper!

Apart from this accusation, however, which will hardly be viewed from a serious stand point, they assert that the appointment of Judge King would be such an affront to the seniority and recommendations of Judge Palmer that he would resign from the bench at once and throw his entire influence against those who forced him to such a course. To avert this it has been suggested in some conservative circles that the governorship might be placed at his disposal or that Chief Justice Allen might be appointed to that position and Judge Palmer be promoted to the head of the New Brunswick bench.

Such a deal as this would, of course, mean that both Senator Boyd and Mr. K. F. Burns would not occupy the gubernatorial chair and while there does not seem to be any particular solace for the St. John senator for such a disappointment, Mr. Burns has a second string to his bow in the shape of a senatorship vacated by the death of Senator Odell.

There would still be two vacancies on the supreme court bench of this province and some go so far as to assert that both of them would be filled by St. John men—Messrs. Barker and McLeod. How strong a breeze this would make on the North Shore can better be imagined than described for County Judge Landry stands ready to be promoted with such an influential following that to ignore him would be to label him dangerous.

Sir John Thompson has passed by Judge Palmer once on the ground that a man of 74 years is too old to be appointed to the supreme court of Canada, but those who know the equity court judge think that he does more work than any of the gentlemen on the bench and that his capacity for work is as great as ever. His opponents hold up the charges made by the Globe in his conduct of the Parks cotton mill but his nearest friends, have, it is claimed, prepared indisputable proof that there is nothing in those assertions; that the judge did not receive a cent for his services in connection with the transaction. One of them put the case very aptly to PROGRESS when he said that the attack on Judge Palmer was made in the Globe three days before he was expected to sit in judgment on the editor; that it was hoped he would be drawn into some expression of denial or controversy which would debar him from taking part in the case of the Queen vs. Ellis. And the failure to get such an expression meant the failure of the plan that was admirably laid and well carried out.

They even go farther and claim to be able to prove that the check for \$5000 which it was alleged found its way into Judge Palmer's hands, was given for such purpose without the knowledge of the judge, but was made payable to the joint order of two prominent lawyers, who it is to be presumed disposed of it to the advantage of those directly and indirectly concerned. An investigation into this matter would bring many facts to light which

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without such investigation must necessarily remain under the seal of professional secrecy.

The result of the efforts for and against the Judge will be watched with great interest. There are many who would like to see his signal legal ability recognized, and there are many who believe that his claims to the position and his backing for appointment stand far superior to those of any other applicant.

### WORRYING THE CONTRACTOR.

The School Trustees Want Mr. Morrison to Pay the Weighing Charges.

The board of school trustees asked for tenders for their annual supply of coal this year as usual, and the lowest figure was that of Mr. John F. Morrison. The request for tenders was the same as usual and the conditions of the tender were understood to be the same. At any rate Mr. Morrison so understood it and the committee of the board, Messrs Jack, Connor, and Vroom, had no idea at first that the conditions of the tender required anything more from the contractor than they had in previous years. But when the contract was handed to Mr. Morrison he noticed that he was required to weigh the coal at a public scale and pay for the weighing of it. The fact that the coal had to be weighed at a public scale made no difference, but on such a close figure it made considerable difference to Mr. Morrison whether he or the board of school trustees should pay the charge of ten cents per load for weighing it. Naturally Mr. Morrison objected to this, and when the secretary referred the matter to the committee both Mr. Jack and Mr. Connor said they understood the tender did not ask more of Mr. Morrison than was usual and the board had paid the weighing charge in previous years. Mr. Vroom, the other member of the committee, on the other hand, said that he understood the tender required Mr. Morrison to pay for the weighing.

In order to avert a difficulty Mr. Morrison suggested to the board that they might send a man to his own scales and check the weighing of the coal as each load was weighed, but this was not accepted. In the meantime the cargoes that he had provided for the fulfilment of his contract arrived and as he was unable to get any satisfaction from the board of school trustees, or its officials, he was forced to yard the coal at the usual additional expense. Two cargoes arrived and were disposed of in this way. The third cargo arrived a few days ago, and in the meantime freight having gone down, Mr. Morrison informed the board that he was in a position on that account to pay the additional ten cents per load for weighing without loss to himself. Even this was not sufficient to obtain a business like answer from that body, and the matter is still in abeyance.

A number of people who are acquainted with all the facts of the case have told PROGRESS that if Mr. Morrison's tender had been offered by another coal dealer there would have been no difficulty whatever in the contract being awarded, but that at least one member of the board was determined to give him all the trouble possible in his obtaining and carrying out his contract.

### Look After the Minors.

The Anti-Tobacco Society wants the city to enforce the new law forbidding the sale of tobacco to boys under 18 years of age. There is another matter which should have attention at the same time and that is the sale of liquor to minors. PROGRESS is informed that it is not an uncommon thing for mere boys to get intoxicated with liquors purchased and drunk by them in some of the city bar-rooms. The worst of it is that the bars named are not in the slums or back streets, but are among those which are commonly reputed to be very respectable places. It is a good deal worse to sell liquor to minors than to Indians, but while the police are prompt to report instances of the latter, the demoralizing of youth appears to go on with impunity. If some of the licensed taverns are not more careful they might find PROGRESS taking a more pointed interest in the matter.

### Nelson to Trot at Moosepath.

Mr. John M. Johnson has arranged for the appearance of the wonderful trotting stallion, Nelson, at Moosepath, August 22, and in this connection is preparing such a racing programme as will surely give much satisfaction to owners of fast horses and to the general public. Hundreds of people from all over the provinces will gladly take advantage of the chance to see one of the greatest horses in the world make a Moosepath record. Mr. Johnson says that he will have the track put in shape for that event. Everyone who can help out this meeting should do so to the extent, if necessary, of making up an attractive purse for a free for all for such horses as Speculation, Arc-Light, Resolution, Brazilian, Helena and others in that class. It means a big crowd of strangers in the city which will be largely increased by cheap excursions, and that is always desirable in midsummer.

## WANT NO MORE EXPERTS.

HOW THE AMHERST SCOTT ACT TRIAL WENT TO PIECES.

Mr. Macintyre of St. John Appeared for the Defence—What a Dominian Analyst Succeeded in Not Proving—A Court with Roars of Laughter in Its Proceedings.

AMHERST, N. S., Aug. 3.—There are few towns or districts in the Maritime provinces where the temperance element is as strong as in Amherst, yet notwithstanding this fact a not inconsiderable quantity of liquor in its various forms is consumed by the inhabitants.

The Scott act is in force in Cumberland county and the inspector for Amherst and for the county Mr. C. R. Casey, is a well-known temperance advocate. Recently the inspector has been making great efforts to enforce the law and with that end in view had a number of the saloon keepers who sell only "table beer" summoned for selling intoxicating liquor. As in the past the intoxicating quality of the beer could not be proved from actual experiment on the consumers, except cats, it was decided to resort to the expert testimony to obtain the necessary proof. To accomplish this a sample of the beer was sent to Mr. Bowman, the dominian analyst, Halifax, and he reported it contained about five and a half per cent of alcohol. The temperance physicians of the town were then consulted and they decided that the beer was intoxicating.

On Saturday afternoon Recorder Townshend opened his court to hear testimony in the test case. The court room is in the same building and in proximity to the W. C. T. U. rooms, while the office near to it is that of Mr. W. T. Pipes. Just before the opening of the court the members of the W. C. T. U. were holding service in the interest of the temperance cause at issue and at the same time. A. E. Macintyre, analyst, St. John, was giving Mr. Pipes points to bring about the defeat of Scott Act followers.

Just after the recorder had taken his seat on the bench Mr. Casey with Mr. J. W. Hickman, his counsel, and Mr. Bowman took their seats at the table. They were followed in the course of a few minutes by Messrs Pipes and Macintyre, the latter carrying considerable literature, which was no doubt, to have been employed in the cross-examination of the experts, there was but little used of it. The audience was very large, the room being crowded to the door, and was composed of all classes of people including about ten or dozen ladies.

Soon after the court opened, Mr. Bowman gave his evidence, and it was at an early stage in it that Mr. Macintyre objected to a question put to the witness by Mr. Hickman. This was the first intimation to the public that Mr. Macintyre appeared for the defence in company with the ex-premier of Nova Scotia, and many supposed him to be a lawyer. The direct examination of the Halifax analyst brought out nothing very noteworthy except the percentage of alcohol already mentioned, but whenever the cross examination by Mr. Macintyre commenced it was at once seen that the Halifax chemist was in the hands of the enemy, and the answers, explanations and remarks in many instances brought forth roars of laughter.

The defence, who were continually scoring points, reached the climax when the witness admitted he was not prepared to state that the beer contained any alcohol.

An adjournment until Monday was made and Saturday evening the case was the sole topic of conversation among the people, every one being of the opinion that the case must be dismissed; the prosecutors who were so confident of proving their case in the morning were as down cast in the evening as the defendants had been in the morning. The physicians who had been very anxious to give evidence in the case were not now so happy as they stood in dread of the cross-examination, which they realized was going to be stiff.

Monday morning promptly at ten o'clock the court opened and the Mayor, Dr. Allen, was called. Of course he had never been known among the inhabitants as an analyst, but Mr. Hickman felt sore at Mr. Bowman's inability to prove the presence of alcohol in the beer and began examining the doctor with the object of proving that what the chemist found was alcohol. Considerable amusement was caused by the witness telling the counsel for the prosecution what Mr. Macintyre would do if he answered this or that question, or asking the latter if the question was not a great deal broader than the court and counsel thought. It seemed to be the junior representative for the defence he was anxious to satisfy. Very soon the latter claimed his right to cross examine him, as to his analytical knowledge, and he was forced to admit he did not possess sufficient to give expert testimony. Being a well-known physician, every one thought that the doctor had reached a point at which he could testify namely,—the action of alcohol on the human system. The witness, after narrowing down as far as possible, the portions of medicine on which he had a knowledge bearing on the case,

caused considerable amusement, by failing to come up to Mr. Macintyre's ideal of an expert, and an objection being taken to the admission of his evidence, the objection was sustained. The remarks of the witness that "Mr. Macintyre would tear him to pieces," and the like, caused roars of laughter. This ended the expert testimony, and many in the audience were disappointed, as they had attended solely to hear the cross examinations of physicians.

Robert Coates, the witness who had become intoxicated on the beer, when examined by Mr. Macintyre abused the examiner for his questions, and the court and audience had a good half hour's laughter, but he had to admit of imbibing too freely of whiskey before drinking the beer.

This closed the case and it was immediately dismissed. There will be no more expert cases as Mr. Casey is annoyed and disgusted with experts.

### THE FUN ENDED IN A SMASH.

Halifax High Livers Do Enough to Supply a Midsummer Sensation.

HALIFAX, August 3.—People are talking of two prominent affairs this week. One of them at least, is sensational. J. Lucius Boyd, mining engineer, has left for parts unknown, and so has Thomas Whitehead. The former was engaged in one of the mines in the vicinity of Halifax and when in town, and that was very often, he put up at the big hotels. Whitehead was accountant of the cotton factory in this city.

In Mr. Whitehead's case it is the old story of living at double his salary and expecting to make both ends meet. It can not be kept up, no matter if you do, for a while, cut a big figure at the clubs and with "the boys." Stories of Whitehead's dissipation are many and they are too questionable to repeat, but what is the more interesting is the fact that he has left the cotton factory with \$3000 of its money in his possession. No, he had it not in his possession when he left, for he had spent that much of the company's cash in his wild dissipations. He would be followed to the States and an attempt be made for his capture and extradition were it not that friends have guaranteed to make good the defalcations. Whitehead was married not very long ago to the daughter of the proprietor of a well known local express company. He boarded at the Old Clairmonte, and not withstanding his questionable conduct and openly scandalous life, he had the entrée to a section of what is called good society. The night he left to cross the boundary he is said to have borrowed \$600 from Mr. A. Woodhouse, a mining expert, "just for a very short time." Of course that amount is among his liabilities.

The other departed one—Mr. Boyd—lived well but not at the same rate, and his mourners are fewer. But they are sincerely sorry their trusted one has gone. Manager Sheraton of the Queen Hotel loses \$50 board money. McManus, the tailor, loses a nice little bill, and more accounts are scattered over the city.

### The Proposed Explosion Monument.

Through the kindness of Mr. A. J. Scott of Springhill, a leading member of Pioneer Lodge, No. 1, Provincial Workmen's Association, PROGRESS has been shown a design of the monument which the men will erect next spring in memory of the 125 men who perished in the explosion of Feb. 21st, 1891. Numerous designs were submitted for approval, and the committee decided upon one by Mr. Gullett of Toronto, who will also furnish the monument, a site for which has not yet been elected. The shaft will be gray granite, 7 ft. 10 inches high and on the four sides will be engraved the names of the victims. This will be surmounted by an American Italian marble statue of a miner in working clothes with a safety lamp suspended from his belt and a pick at his side; between the statue (which is to be 7 feet in height) is a granite block 2 ft. 2 inches high containing the words "In Memoriam." PROGRESS hopes at an early date to be able to publish the design of this beautiful monument which when erected will not only be a tribute to the memory of those who were so suddenly called away from life, but a lasting memorial of the generosity and kindness of the workmen of Springhill in whose hearts the memory of the departed brethren is tenderly remembered.

### They Did Not See The Imprint.

Commenting upon the receipt of the calendar of the Union Baptist Seminary the Telegraph says: The calendar of the Union Baptist Seminary of St. Martins for 1893-94 is a very handsome one and shows well for that institution.

The Sun says: The calendar of the Union Baptist Seminary of St. Martins, 1893-94 has been received, and is a pamphlet well printed and containing much valuable information concerning the institution.

The calendar was printed by PROGRESS.

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