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THOSE COUNSEL BILLS.

SOME OF THE ITEMS WHICH MAKE THE TOTALS LARGE.

Mr. Pugsley's Way of Figuring Up His Bill—Recorder Skinner's Plan of Not Itemizing Much—The Way in Which Mr. Baxter Prefaces His Charges.

The bills of the counsel for the city in the Connolly case have not yet been paid, and it is some of the aldermen can have their way they are not likely to be settled at the face. They are now in the hands of a joint sub-committee from the board of works and the treasury board, some of the members of which are by no means reticent in the opinion that the accounts are entirely too much of a good thing. This is especially true of the bill submitted by the suave and sagacious Mr. Pugsley.

Mr. Pugsley was retained in great haste at the instigation of an excited member of the council, who was afraid the other side would get him. As the case has turned, it would not have made any difference if the Connolly's had secured his services and they have been content with lower priced talent, save that the city would never have been treated to the carefully constructed bill now under consideration.

Mr. Pugsley's little bill is for \$816.40. The odd cents are part of an item of \$1.40 which is not likely to be disputed, nor is one of six cents for postage, though it is quite possible these would be thrown off in case of a dispute. There are several other items, however, at which the aldermen are looking with doubtful eyes. They have known for a long time that Mr. Pugsley is an excessively polite man, but there is an old saying to the effect that politeness costs nothing of which they are not quite so sure. At the meeting of the treasury board on Wednesday one of the members in reading the bill aloud astonished his colleagues by the item "consultation with Ald. McGoldrick, \$10." The alderman for Stanley declared that Mr. Pugsley had not conferred with him on any legal points, and it was found that the item was merely a joke on some of the items actually there. For instance more than \$100 is made up in charges of from \$5 to \$20 for consulting with Recorder Jack, Mr. Trueman, Recorder Skinner and Mr. Baxter. A "lengthy consultation" with Mr. Jack is scheduled at \$10, and one with Mr. Trueman, not specially described as lengthy, at the same figure. Another lengthy consultation with the recorder cost \$15. There are a number of such charges but the largest is of \$20 for having to talk with Messrs. Skinner and Baxter, before the trial. The betting phrase that "money talks" may be reversed in this instance where talk is so emphatically the equivalent of money.

Under ordinary conditions, it is admitted, it might be worth the money to have Mr. Pugsley talk to Messrs. Jack, Skinner and Baxter, to say nothing of his having to listen to them when they were wound up for talking but the captious aldermen claim that when Mr. Pugsley got his retaining fees of \$100 in cash, it was his duty to consult with the recorder and associate counsel without extra charge. This \$100, it will be remembered is not included in the bill, as it was a cash transaction, so that the total of Mr. Pugsley's accounts is \$916.40.

There are other charges for getting his mind informed on the facts of the case by perusing sundry papers, as well as for drafting various documents. One of these items is for "going carefully" through the case and the declaration and drafting pleas for submission to the recorder, some requiring very careful consideration and occupying most of two days, \$50. The date of this is July 12-13, 1894. This seems to be a very reasonable charge when the date is brought to mind, for it will be seen that his devotion to the city's interests must have prevented Brother Pugsley from celebrating the glorious, pious and immortal memory of King William the Third, on the day specially set apart by his orange brethren for a public demonstration. On a day when he might have been marching around in a plug hat and Sunday clothes to the music of a band and inspiring his brethren with loyal and patriotic oratory he actually sought the seclusion of his inner office to find out the reasons why Connolly had brought a suit against the city.

Even these two days were not sufficient for the task, for on October 24, he is found "again going carefully" over proposed pleas and preparing a number of additional ones, "taking all day," \$10.

The main item however is of \$500 for counsel fees during the eleven days the case was before the court, work in the evenings, abbreviating evidence, preparing brief and attendance in consultations with offer of settlement. To this there is likely to be decided objection. The declared sentiment of some of the aldermen is that a counsel fee of \$25 a day, in addition to the \$100 retainer is all the city should be asked to pay. It may be that Mr. Pugsley is worth more, but the question is whether he usually gets more than that from individual suitors. If he has been in the

habit of charging \$50 a day it has not been a matter of public notoriety, and it was not expected in this instance when he was retained. It is said to be about the market quotations of the value of counsel in St. John in the past unless in very important cases by special agreement with individual suitors.

There is, too the contention that, with all due respect to Mr. Pugsley's recognized ability, he did nothing in this instance to warrant his putting such a high value on his services. The suit was merely allowed to go on until a prima facie case was made out, and then the city hastened to make the best possible terms to get clear of the scrape. It should have been evident at the outset that the city had no case. It is, indeed, contended that the retention of the \$8,000 by the city when the work was completed was a blunder, inasmuch as there had been an admitted change of the specification to remedy the oversight in omitting to direct the interlocking of the timbers of the northerly and harbor front wharves.

Mr. Pugsley's bill is neat but not gaudy in its style of make up. It occupies four or five sheets of paper, written on one side only, and each item is so plainly put down that there is no mistaking its meaning. Like its skillful design, it is quite an extraordinary bill, say some who have inspected it.

Recorder Skinner's account is of quite a different style, and is as clearly a model of synthesis as Mr. Pugsley's bill is an illustration of analysis. It occupies only a part of a sheet of foolscap, and is typewritten so as to look smaller than it is. It is, indeed, a hasty running up of a few things the recorder has done, and reminds one of the way a grocer will rapidly tell a customer the contents and price of a basket of groceries. "There's a pound of tea, sugar, soap, cream-tartar, package of corn-starch, onions and rice—let me see—there's fifty, a dollar, dollar-and-twenty and twenty-five is fifty-five and forty and twelve—oh, call it two dollars." In Mr. Skinner's case the collection of legal wares consists of such things as examining pleas, making suggestions and attending to certain changes before being finally settled, attending on striking of special jury, time taken in preparing for trial, making brief for trial, looking into the law, attending court during the eleven days, attending on final settlement, consultations in the evenings, with associate counsel, etc, etc, etc.—"There's fifty, one fifty, two seventy-five, four fifty—oh, call it five hundred dollars even money."

Mr. Skinner is entirely too wise to be more specific as to the price set upon this and that act during the brief period in which this bill took to grow to its symmetrical rotundity. He has probably been mindful of the fact that he receives a stated salary of \$650 a year to advise and consult for the city on occasion when his opinion is required, and he therefore refrains from saying how much it was worth for him to speak to this man or that man, or to listen to them in reply. He is also careful not to say what figure he puts upon his eleven days in court, for he is aware that no recorder has ever been allowed a counsel fee of more than \$25 a day. The bill is such a masterly specimen of legal skill that the city seems fortunate in having such a diplomatic gentleman to guard its rights and privileges in cases where strategy and fine art are more essential than any mere rough and tumble fight.

Mr. I. Allen Jack's bill is for \$267.80, and was incurred in the year 1894.

The bill of Alderman Baxter has for its chief item the eleven days at court at the rate of \$25 a day counsel fees. The remaining items are for work done in searching records, copying papers and the like. Mr. Baxter ingeniously starts out to make solid the question of his retainer by a recital that he was retained as junior counsel by the mayor, Chairman Christie and McRobbie and the recorder. The kick of some of the Aldermen over this bill is that Ald. Baxter was retained only by the mayor, and that the chairman present simply said nothing to the contrary. The size of the bill is \$320, and it is admitted the work charged for was done.

Another point in regard to the employment of Mr. Baxter is that by entering into the employment of the city he vacated his seat at the board by a contravention of the law relating to the independence of the council. The fine point about this is that, in matter of law, counsel are not employed in court, but seem to float in a sort of an exalted way and are allowed their fees as a species of tribute to their ability and skill. The old tradition is that the sort of a pocket on the back of a counsel's gown was put there so that the guineas could be slyly slipped into it, so that he would not have to contaminate himself by taking money in hand like an ordinary being. It is also a matter of fact that counsel fees cannot be recovered by any process of law. An attorney may sue,

but a counsel cannot. If he does not get his fee from day to day as the case proceeds, he has no legal remedy in case an ungrateful suitor declines to fork over the cash when the case is finished.

This is just the position in which the city stands. It need not pay the counsel charges unless it chooses to do so. No court would entertain a suit brought by the confiding lawyers, and no test case can be submitted to the judges to have an opinion as to what are reasonable charges in corporations cases.

The principle which some of the aldermen are anxious to emphasize is that the city should best guard itself by suitable precautions to prevent actions for damages that it should not go into court when the case has a bad case, and that when the case is sound one in law there is no need to employ gild-edged talent to show that fact.

NOT AN ENVIABLE POSITION.

Dr. Bridges the Centre of a Storm of Discussion and Opinions.

The friends of Principal George U. Hay, of the Victoria School, and of the Grammar school teachers are making vigorous efforts to prevent the changes made necessary by the engagement of Dr. Bridges. There is a good deal of newspaper discussion and there have been meetings with the trustees and without the trustees. The boys of the Grammar school have taken up the cudgels, scored Dr. Christie and patted Dr. Hetherington for their respective opinions, and as a sort of conclusion the Sun makes the suggestion that the appointment of Dr. Bridges be reconsidered and the schools and the teachers permitted to remain as they are.

It is quite natural that the friends of the teachers interested should make a vigorous protest in their behalf but because a few of them assemble and speak their minds it does not follow by any means that they represent the majority of the people. Those who are in favor of the change will doubtless expect the trustees to fight the battle for them and to go ahead with their campaign of reform.

In the meantime the discussion has not been fair to Dr. Bridges and places him in a position which he doubtless, did not anticipate when he accepted the position. Years ago the citizens were just as proud of the grammar school under H. S. Bridges management as they are of the Victoria school to day. The boys he sent out took leading places in the colleges of the country and some of them won the highest educational honors. The reputation of Mr. Bridges made in that school particularly had good weight with the senate of the university when they selected him a classical professor and now when he consents to resign that position and again assume charge of the leading school of the city he finds himself the centre of a very lively storm of discussion and opinions. The position is not an enviable one.

MORE DINNERS THAN VOTES.

Dr. Silas Alward Discovers that His Native County is Very Corrupt.

Dr. Silas Alward had no trouble in securing his own election as a member of the local legislature from St. John, through the joint action of himself and Dr. Stockton in consenting to a deal, but he found quite another state of affairs when he undertook to carry the opposition ticket in his native county of Kings, though he brought all the resources of his mind and tongue to bear against the "outrages" of the Blair party. In this connection a story is current which shows that the election did much to upset the learned doctor's good opinion of human nature and of the political honesty of the people of some parts of Kings in particular.

Dr. Alward is quoted as saying to a friend, after his return to St. John, something to the following effect:

"My dear sir, the whole county is steeped in corruption. Even the parish of Havelock where I was born seems as bad as any other place in these times. Why, you may scarcely believe it, when I tell you that when we went to the trouble and expense of providing dinners for the men we were sure would vote for our ticket, we found in settling the bills we had to pay for twice as many dinners as we secured votes."

It may be that the narrator of this anecdote has done the doctor an injustice, but it is pretty certain that if the opposition did pay for many of the dinners eaten in King's county on election day they were considerably out of pocket.

Mr. Russel is Proprietor.

Mr. James Russel who has purchased the boot and shoe business of the late Mrs. Vincent of the North End is so well known to the readers of PROGRESS that he does not require any introduction to them from business standpoints. He has been in this store for many years and knows the trade and its requirements thoroughly. Those who have been patrons under the late ownership will gladly continue as such while many others since the announcement has been made will help to swell the list of customers and trade of the new proprietor.

CHATHAM WANTS HELP.

THE CITY OF ST. JOHN EXTENDS IT IN A SLIGHT DEGREE.

So Far the Amount Subscribed is Less Than Half of That Once Sent by Chatham to St. John—The Big Pie in the Hands of the Relief Association.

Within two weeks after the worst fire Chatham has known for many years, the citizens of St. John have succeeded in raising about \$600 for the relief of the sufferers, a number of whom are widows who lost all their little possessions in the disaster. Of this the greater portion has been paid in at the mayor's office, and reports of smaller amounts have come from one or two other places about the city. In some of the leading stores where sheets were left for signatures, they are as blank as when put there. Nobody appears to want to spoil them, and most of them will come in handy to subscription blanks, for some other disaster for the relief of which the people will be asked to contribute at some future day.

Some citizens have, indeed, given liberally, and the bulk of the funds already secured is made up of large rather than small sums. The people do not seem to be interested.

The relief committee at Chatham has so far received about \$2,000, and it needs \$18,000. Taken altogether very little attention has been given to what has been a very serious calamity to very poor people.

When the city of St. John was burned and a cry for help was raised, the people of Chatham sent about \$1,300, and sent it promptly at a time when it could do the most good. It was a large contribution for the size and wealth of the place, and were St. John to now reciprocate in the same proportion there would be little need of any further effort to aid the sufferers. It is quite certain St. John will do nothing of the kind, in view of the fact that at the time when the most sympathy has been felt the sum raised is less than one half of that freely given by the Miramichi people in the hour of St. John's extremity.

The people of this city have the reputation of being generous in times of affliction. They gave liberal aid to the sufferers by the fire in St. John's, Newfoundland, a few years ago, despite the fact that Newfoundland is practically a foreign country, with the business and social interests of which we have but a limited connection. Chatham, on the contrary, is not only in our own province, but has intimate trade and other relations with a very large proportion of the citizens of St. John.

There is little excuse on the plea of hard times. They might be better if it were true, but they are not so bad but that people spent their money freely enough to make the exhibition a financial success, and night after night they crowd places of amusement where there are shows to tickle their fancy. The trouble is that no special effort has been made to awaken an interest in the Chatham affair. It has been allowed to drift as best it might, and the donations have been slow in coming in. They are not likely to improve at this late stage.

It is rather a shameful thing that St. John should be able to return less than half of the money sent to it years ago, and it is especially so from the fact that the money to do this act of justice is lying here at interest. The \$1,300 sent by Chatham in 1877 is represented somewhere in the \$47,000 now held by the St. John Relief and Aid society.

It was pointed out by PROGRESS last week that the question of the disposal of this large fund must be met at an early day, and it was suggested that at least a portion of it be reserved as a relief fund for just such cases as that of Chatham. There are still pensioners on the funds of the society, and they take out about \$7,000 a year, or between \$3,000 and \$4,000 of the capital. This would in time exhaust the fund, were the pensioners to last long enough, but they are passing away, and the new applications which occasionally come in must become fewer and fewer as the years pass.

It is estimated that the purchase of annuities for all the present claimants would take less than half of the fund on hand, and thus a residue of more than \$20,000 could be left to provide for special cases and form a general relief fund on which the city could draw for just such cases as the Chatham fire. All the needed legislation could be obtained without difficulty and the money, instead of being a source of debate, as it now is, would at last be available for the practical purposes of aid to the distressed whenever occasion might require.

The contributors to this fund had no idea that it would be so great that there would be a surplus of such size. They gave to relieve the actual distress caused by the fire of the 20th of June. It is still so used, of course, but it is probable that if the donors could have anything to say about it there would be a majority vote that it should now

be available for any case of urgent distress anywhere within the provinces. There would at least be a unanimous resolve that the \$1,300 given by the warm hearted people of Chatham should be returned to them.

Just at present poor Chatham appears to be out in the cold and there is no way of helping the matter unless the people wake up to a more extended sympathy with the sufferers. When the subscription was started the idea was advanced that it should be a general one in which all classes should have a share, but so far the result has been of quite another kind. It is a pity that the \$1,300 sent by Chatham to St. John could not now be returned with its eighteen years of accumulated interest.

"MY PEACE I LEAVE WITH YOU."

Singular Farewell of a Truro Pastor After a Trouble in the Church.

TRURO, Oct. 24.—The subject that more keenly than any other, perhaps, interests Truro people, is that of its church matters. Church-going Truroians and the few other people in the town, are this week talking about the severance of the pastoral tie between Rev. John Robbins and the first presbyterian churches and the minister's early departure from town for England. Mr. Robbins preached a remarkable sermon last Sunday. It is well known to everybody that Mr. Robbins reason for accepting an appointment on the board of French evangelization was because of the agitation against his continued ministry in Truro by a very influential section of the congregation. It was a protracted struggle, though carried on quietly, between Mr. Robbins and those people, and there was no little harsh feelings excited.

The text of Mr. Robbins' last Sunday's sermon was: "My Peace I Leave With You," a remarkable selection in view of the past year's history. The text was peculiar but the sermon was stranger still. It contained many very broad references to the troubles that have recently tormented the congregation. Then the unprecedented sight was seen of a minister sobbing in his pulpit for during prayer he broke into tears and said:

"I cannot pray audibly; let us bow in silent prayer." Long ere this many heads had been bowed, but whether in mortification at the proceedings or in devotion each worshipper will have to answer with his own conscience as a witness.

At a recent presbytery meeting, when Rev. Mr. Robbins' resignation came before that body, five elders from the First Presbyterian Church were present. Four of them were supposed to be favorable to Mr. Robbins and one thought to be against him. The one was ticket-agent Dawson. When the collection was about to be taken up on Sunday last, Mr. Robbins gave it to be understood from the pulpit that he wished only four elders to assist in passing the plates, to the exclusion of Mr. Dawson. The boycotted elder is being chaffed about the matter this week.

There are interesting features concerning the arrangements of the service for next Sunday, which will be the "farewell," but enough has been told to show how very appropriate were the words of Mr. Robbins' text "My peace I leave with you."

No Word of William Cook.

Nothing more has been heard of the whereabouts of William Cook, the story of whose mysterious disappearance was told in PROGRESS last week, though there is a rumor that he has been seen in Philadelphia. This seems to be a rather improbable place for him to have sought, supposing him to be alive and well, for he would be more likely to go to Halifax to get a passage to his home in England. It is understood that the St. George's society has written to kindred bodies in Halifax and Montreal to learn if Cook has made himself known there. Should he be an applicant for assistance to a branch of the society in any city, the usual course would be to notify the society in St. John of which he is a member. As Cook had but a small amount of money with him when he disappeared, it may be the society will get some word of his whereabouts, unless he is in specially good luck in getting employment. So far, however, there is nothing to show that he is alive. All that is known is that he has vanished under the most peculiar circumstances.

They Slaughtered a Horse.

Last Monday night an omnibus horse dropped on Douglas avenue, and gave every evidence that it was near the end of its arduous pilgrimage. A large crowd of men, women and boys, gathered around and for nearly two hours they had to watch the bungling attempts of the police to put the animal out of its misery. A policeman arrived with a revolver and fired one shot, which had no apparent effect. This exhausted his stock of ammunition and he had to walk to the Elm street station to get a fresh supply. This took some time, for the North end police have not a record as

sprinters, and in the meanwhile the crowd continued to increase. After a while the police returned and then a sergeant came to assist and direct him. The night was very dark, but they brought no lantern, and when they wanted to take aim the bystanders had to light matches. Another shot was fired close to the horse's forehead, but it still lived. Then, time after time the policeman snapped his revolver without being able to explode the cartridges. The weapon was practically worthless, and the sergeant finally got his revolver and after two more shots, making four in all, the poor animal was put out of its misery. During the long period it then took to do what should have been a very simple act of mercy, the crowd kept offering suggestions that the policeman would be more efficient if he procured an exp., and there seemed a good deal of reason in the idea. If horses are to be put out of the way by the force, the men should either have pistols which are some good or should send for the nearest butcher. The bungling which was seen in this instance should not be allowed to occur again.

FIXED UP THE MATTER.

The Easy way in Which a Halifax Citizen Got out of a Case in Court.

HALIFAX, Oct. 24.—There is much subdued indignation in police circles, and elsewhere over the peculiar termination of a case which has been hushed up by the daily press. Complainants came to the police that a well-known citizen and merchant was misconducting himself in the Acadia hotel. No action was taken on the report lodged with the police till those officials became sure that the offences alleged had actually been committed, accordingly Sergeant Collins was detailed to watch for developments. He came back with the report that the man was guilty. The next move was to have another competent witness, and a police officer was sent along to corroborate what was to be seen. This time the man failed to make his accustomed appearance. But next day he was there as of yore, and both witnesses saw what was done.

Then a summons was carefully prepared, at least it was done as carefully as the efficient and painstaking city clerk, Henry Trenaman, could do it. It was duly served, and a prominent Q. C., who frequently affiliates as prosecutor, was directed to proceed with the case. A leading lawyer was retained for the defence. The case went along by the usual stages and it looked very serious. A bomb-shell was thrown into the camp when one day a new lawyer appeared in the role of prosecuting attorney. The Q. C. took a back seat. The case was called before the stipendiary. The witnesses were ready with their damning testimony. The counsel for the defence arose. He held the summons tremblingly in his hand. He pointed out an alleged flaw in it. The new prosecuting lawyer came over. He cast his eagle eye across the document held by his brother legal light. Then without much further ado, the learned counsel for the defence moved that the prisoner for the present be discharged on the ground of the faulty summons. The counsel for the prosecution "booked the inevitable," and the court forthwith discharged the prisoner. The sergeant and his policeman attendant still have, their evidence untold, but people as they talk of it, under their breath, wink their eye, and say there are often more ways than one of accomplishing an object. But their respect for the law is not heightened on account of this occurrence.

Still Talking Election.

Though the local elections are over, some people are still fond of discussing the features of it. The other day two men got into a heated argument in the cabin of the Carleton ferry boat, and started their debate just as the boat left the Carleton side. When they finished, each in a very bad temper, they came out to go ashore, and were astonished to find the boat was at the Carleton floats. They had been to the city side and returned without noticing the fact. Then one blamed the other for being an old fool, and the other retorted on the same spirit, and another discussion followed which ended only when the boats had again reached the city side and the men separated to go for to places they had started for in the first place.

He Talks of Dreams.

A recent number of the New York Independent has a paper on Dreams by Walter L. Sawyer, formerly of PROGRESS. Mr. Sawyer's friends in St. John will be glad to know that in his present position on the Youth Companion, he had many and pleasant realities, and that, his dreams are only a recreation.

Should Have Come Sooner.

The greatest religious revival ever known in Fredericton is anticipated during the sojourn there of Hunter and Crossley. The evangelists should have been on hand there before the recent election campaign in York.