

PROGRESS.

EDWARD S. CARTER, EDITOR

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AUTHORITY AND LAW.

The proposition of the police magistrate and the chief of police to exercise an authority for which they have no law, in the establishing of a curfew, is not likely to lead to any serious results, now that public attention has been called to the matter. As Progress showed last week, the police have no more right to arrest a child for peacefully walking the streets than they have to arrest a man, or have they even a right to arrest a woman of known bad repute for being on the street, unless she is some other way renders herself amenable to the law. Despite of this fact, however, as is elsewhere related in this issue, the police, acting under the chief's order, did arrest two women last week and the magistrate imposed on them a heavy penalty for being night walkers and vagrants. Had these unfortunate victims of misdirected official zeal known enough to defend themselves, or had they employed the cheapest kind of a lawyer to defend them, the conviction would either not have been made, or what is more probable, it would have been upset so speedily as to teach the police and the public a much needed lesson. As it was, the girls no doubt supposed they were being dealt with under the law of the land, rather than by what the magistrate believed ought to be the law. They went to jail, probably thinking they had got no more than their deserts.

On general principles, it may be, they were in need of punishment for leading irregular lives, and doubtless the magistrate hoped to be applauded by the moral community for dealing so promptly with these offenders. It may be that many will say he did well. There are well meaning people in all communities who would endorse any steps to put down evil, whether there was or was not any law. Some of these people are men with hobbies as reformers, and others are harmless cranks. There are extreme total abstinents, for instance, who would be glad to see every liquor dealer sent to prison; there are anti-tobacco men who would like to see all the tobacco destroyed, and there are social purity advocates who would gladly imprison every offender against their code. Now, while the world might be better if there were a possibility of carrying out these ideas, it is very clear that in the condition of the laws at present, the authorities cannot do all that such reformers desire. They cannot take cognizance of what may be objectionable unless the law declares it to be so. The police and the magistrate may think it a very shocking state of affairs that women of supposedly bad character should be allowed on the street at night, and many good citizens will have the same opinion. It may also be in the interests of the community, that children should not be allowed on the streets after a certain hour, and indeed, from a point of morals there are many things about the community which ought not to be. These facts, however, do not warrant the police in making arrests for what are not legal offences, nor do they warrant the magistrate in mistaking authority for law and sending people to prison for no other reason that they have not a good reputation and are on the streets when, in the opinion of the magistrate and the chief, they ought to be at home. If this test of suspicious reputation and roving habits were to be applied to both sexes, we fear that even some men in official position would have been arrested in the past for dodging along the dark sides of streets on mysterious errands after nine o'clock at night.

The laws defining what are offences against the public peace and public morality are sufficiently clear for any body to understand, and no official can legally go outside of them and engage in prosecution of what he thinks, or what any number of people think, ought to be offences. The authority of the police department, from the magistrate down to the last greenhorn from the country, must be within the law.

It cannot take the place of the law or exceed it. Experience has shown that police officials everywhere must be closely curbed and hedged in by definite regulations. Their duties are purely ministerial, and there would be a very great danger if they were otherwise. They are put in place simply to enforce the laws, and were it intended that they were to have any latitude as censors of morals outside of the laws, men of different character and calibre from the average police officials would be chosen.

That two street walkers should be sent to prison may seem a very proper thing to some people, but it ought to be understood that street walking is not a crime. In this instance, however, the prisoners were charged with being vagrants as well. They pleaded guilty, because they were ignorant of what constitutes vagrancy in law. Both of them were in employment as servants, and were simply out for the evening. They could not be legally punished as vagrants, but they really were punished for their ignorance of the law.

The danger of permitting such a case as this to pass unnoticed is that the police, emboldened by one unchallenged illegal act, may proceed to still further abuses of authority in the place of law. If they can arrest one person merely for being abroad at night, they can arrest another. If they can order off the street women who are supposed to be of bad repute, they may extend their authority to all women who are unaccompanied by protectors, and can establish a system of impertinent annoyance from which no lady will be safe. They may choose to call any woman a night-walker and arrest her for being such, putting upon her the burden of proof that she is not. This would be a pretty state of affairs, but it is the logical conclusion of the illegal crusade already started by the chief and endorsed by the magistrate.

It is to be hoped that the advice given by Progress last week has been taken by the police officials, and that they have made their first and last big mistake in the way of arresting people who have a perfect right to be at large. This is the wrong kind of a country in which to try experiments which imperil the guaranteed liberty of peaceable subjects.

STANDARD TIME.

With one thing and another, including getting the Beaver line here and eating a dinner to celebrate the event, the members of the common council seems to have totally forgotten the question of standard time. The matter was referred to a general committee, many weeks ago, but that committee has not yet been called together nor is there any indication that it is likely to be. It may be that the individual aldermen have been carefully considering the question, so that each will know what to say and do when the committee meets, but the presumption is to the contrary. A meeting of the committee will, therefore, necessitate the bringing up of all the points on which most citizens already have positive opinions, and the threshing over of all the arguments for and against the various times now in use in the city. It can hardly be expected that any decision will be reached by the council before the first of the year, which date is the one on which a change, if any, should be officially made. It is true the date makes no real difference, save that the first of a year is a time when business men usually make changes from the settled order of things, and that date would have been an eminently suitable one for the city to make an official change of time.

As pointed out in Progress last week, however, a number of the leading business houses of St. John do not propose to wait to follow in the path of the laden-heeled aldermen. They will make the change themselves, and let the city government bring up the rear when and how it pleases. They find that with the post office, the custom house, and lines of travel all regulated by Eastern standard time, it is inconvenient and unbusiness like for commercial establishments to adhere to local time. When a hour is mentioned in business transactions, they do not want to have to explain that it is or is not standard time, but want it understood that there is only one time for business purposes. In the course of the daily transactions of a large establishment this matter is an important one, and the effort to do business on a time varying thirty six minutes from post office, custom house and railways, is found to be a needless nuisance.

With the close of the year, therefore, the adoption of Eastern standard time will be no longer a question to be settled. The city will only have to fall into line. This, possibly, is just what some of the council have wanted to see. They have found themselves called upon to decide between the merits of Eastern standard, Atlantic standard and local time, and they have found warm advocates for each of these among their constituents. They have postponed the evil day of declaring their sentiments and giving offence here or there, and have been hoping the question would settle itself. It seems to have done so, and the council can now execute itself in declaring for standard time, on the plea that the action of the Dominion officials and the leading merchants has left no other course possible.

The adoption of Eastern standard by the

Dominion offices and large commercial establishments means its adoption in the houses of hundreds of clerks and employees, and in this way its use among the citizens in general will be a matter of fact even if the city makes no official change for months to come. In a very short time, in any event, the people who will be out of line on the time question will be those who adhere to the local custom. There will be some of them, no doubt, who will refuse to change under any circumstances, but they will be few in number and cannot affect the course of the general business. Eastern standard will be the time of the future in St. John.

LABOR ILL REQUITED.

One of the papers in the Cosmopolitan Magazine for November was on the identification of criminals, by a Mr. CROFTON, which was considered as of special interest on account of the accompanying illustrations. These were a set of photographs of a man, full face and side face, under various disguises. Some had whiskers grown in one style and some in another style, while some had no whiskers whatever, and there were various other changes which would make identification out of the question, so much had the expression been altered from time to time. Yet they were all of one individual, presumably a clever criminal, and the point was that the shape of the ear was the means by which any person could be identified beyond doubt.

The original of the photograph has been heard from as a claimant for \$50,000 damages from the proprietors of the magazine. He is not and never has been a criminal, but on the contrary is the agent in America of the famous BERTILLO system of identifying criminals. His name is GEORGE M. PORTOUS. He had the photographs of himself taken to illustrate the theory of identification by the ear, but kept the negatives and supposed that any sets he had given to others were in safe hands. In the search for illustrative specimens, however, one set got into the hands of the writer of the magazine article, and was used as admirably adapted to his purpose. There was no statement that the pictures were those of a criminal, though such might be a reasonable presumption, and the publishers and author seem to have been alike ignorant of the fact that the portraits were those of Mr. PORTOUS.

To be thus held up for inspection in a magazine was bad enough, but Mr. PORTOUS ere long found that readers of the article had a good memory for faces, and thus he was subjected to a great deal of inconvenience through being mistaken for a crook by strangers, including detectives. The story goes that even an undaunted rascal recognized him by the picture and shook hands with him as a comrade, while he was viewed with suspicion when he went to New York and made a visit to the clearing house. All these have exasperated him so that he has begun one of the most curious libel suits on record.

That a man who is diligently employed in furthering the ends of justice by promoting the identification of professional crooks should himself be made to serve as an object lesson is very hard luck. His labor is trying to prove a theory by means of his own pictures seems very ill requited, but he is not the first man who has tried to benefit humanity and got kicked for his pains, nor will he be the last.

The new English farthing is said to be so like the half sovereign in design that, when new, it can only be distinguished by a slight difference in the weight. Some years ago the United States coined a five cent nickel which was almost the counterpart of the five-dollar gold piece, and which was easily passed on the unwary when gilded. The issue was called in as soon as the opportunities for fraud became apparent, and this course may have to be taken with the new farthing.

The English home secretary has consented to reconsider the case of Mrs. MAYBRICK, and the chances are that she will again be a free woman. She has now been in prison five years.

BOOKS AND MAGAZINES.

The cosmopolitan for December has a fine array of well known writers of fiction in the persons of Robert Louis Stevenson, I. Zangwill, James Lane Allen, Sarah Grand and Ouida, who contribute fiction in the form of both serials and short stories. Stevenson's Tale "The Great North Road," opens well and gives promise of keeping up its interest, as do all of his stories. Ouida's story of crime from Poverty is, as might be expected, terse and graphic. "A Christmas Legend of King Arthur's Country," is a contribution befitting the season, while in view of the growing number of noble men who marry out of the nobility a paper on past and present actresses who have become pecesses will attract attention. The illustrations this month are fine, and are very plenty. Those illustrating some recent examples in art will attract special interest. Price 10 cents.

A very well printed and illustrated magazine for farmers is forming a monthly published in Toronto, at \$1 a year. It has departments devoted to various kinds of stock. It is the successor of the Canadian Live Stock and Farm Journal, and ought to have a large circulation.

Windsor Salt, Forest and Best.

VERSES OF YESTERDAY AND TODAY.

Answering Eyes.
Voices sweet in the fragrant pines,
Chorus acclama where spice winds blow;
Fan with their delicate filmy wings,
Flowers where beautiful rivers flow.
How lovely the scene when fond eyes look,
My whole soul through and so they call;
And I answer back in their dreamy light,
I love you ever the best of all.
Twilight walks by the purple lake,
My heart beats fast for the golden time;
Waking the green leafed linden boughs,
To sing me a hymn of a better clime.
Longing I welcome a footstep dear,
A voice as low as the tides that fall,
In eyes that answer from pensive lids,
I love you ever the best of all.
Dear answering eye I meet you 'til,
Though sadly here must my spirit cry;
Soon I shall see your light no more,
Oh beautiful eyes of love good bye.
The saintly sadness of parting pain,
Our golden dreams of the past recall;
And breathe around me in accents true,
I love you ever the best of all.
Oh heavenly eyes your tearful love,
Woo me with eclogue never told;
Warm as the glow in their passion depths,
Mirrors the worth of the streets of gold.
A scholar am I interpreting there,
Pentecost gifts that may well appal;
Could my soul not read in their silent words,
I love you ever the best of all.
Oh answering eyes of my true love,
The spirit of one sweet summer day;
The dial circles with moments past,
But ne'er from my heart shall fade away;
That last farwell the fond hope still,
Under the hemlock dark and tall;
Whispering sadly in silent tears,
I love you ever the best of all.
CYRUS GOLDB.

Eyry Head West, Dec., 1895.

Rock of Ages.
"Rock of Ages, cleft for me,"
Tremulously the maiden sang,
Fell the words unconsciously
From her girlish, guileless tongue,
Sung as little children sing,
Sung as sing the birds in June,
Fell the words as light leaves down
On the current of the tune—
"Rock of Ages, cleft for me,"
Let me hide myself in thee."
"Rock of Ages, cleft for me,"
'Twas a woman sung them no;
Sung them slow and wearily—
Sung and sang on her achings brow,
Rose the song as storm tossed bird
Beats with weary wing the air;
Every note with sorrow stirred,
Every syllable a prayer—
"Rock of Ages, cleft for me,"
Let me hide myself in thee."
"Rock of Ages, cleft for me!"
Lips grown aged sung the hymn
Tranquilly and tenderly,
Voice grown weak and eyes grown dim—
"Let me hide myself in thee."
Trembling though the voice and low,
Ran the sweet strain peacefully,
Like a river in its flow;
Sung only they can sing
Who life's thorny paths have pressed
Sung as only they can sing
Who behind the promise rest.
"Rock of Ages, cleft for me,"
Let me hide myself in thee."
"Rock of Ages, cleft for me!"
Sung above a coffin lid
Unheeded, and mostly,
All life's joys and sorrows hid.
Never more from blows' roll,
With thou ever need a hide.
Count the sighs, unken eyes
Closed beneath the soft, white hair!
Could the mute and still lips
Move again in pleading prayer,
Still, eye, still, the words would be,
"Let me hide myself in thee."
The Dream-Ship.
When all the world is fast asleep,
Along the midnight skies—
As though it were a wandering cloud—
The ghostly Dream-Ship flies.
An angel stands at the Dream-Ship's helm,
An angel stands at the prow,
And an angel stands at the Dream-Ship's side
With a rue-wreath on her brow.
The other angels, silver crowned,
Pilot and helmsman are,
And with the wreath of rue
Tosseth the dreams afar.
The dreams they fall on rich and poor,
They fall on young and old;
And some are dreams of poverty
And some are dreams of gold.
And some are dreams that thrill with joy,
And some that melt to tears;
Some are dreams of the dawn of love,
And some of the old days of care.
On rich and poor alike they fall,
Alike on young and old,
Bringing to slumbering earth their joys
And sorrows manifold.
The friendless youth in them shall do
The deeds of mighty men,
And dreaming as shall feel the grace
Of buoyant youth again.
The king shall be a beggerman,
The pauper be a king,
In that reverse of recompense
The Dream-Ship dreams do bring.
So ever downward float the dreams
That are for all and none,
And there is never mortal man
Can solve that mystery.
But ever onward in its course
Along the haunted skies—
As though it were a cloud astray—
The ghostly Dream-Ship flies.

Christmas Novelties.
During his recent visit to Boston, New York and Philadelphia Mr. D. McArthur the King street bookseller secured many novelties for the Christmas trade. He is showing a great variety of new goods in silver, leather and celluloid at prices lower than ever. He has also great bargains in books, bibles, calendars, Xmas cards, albums, work boxes dressing cases, dolls and other goods too numerous to mention. Give him a call, it will pay you.
Ready for the Trade.
Mr. Thomas Dean the well known meat merchant in the country market is always to the front for Christmas, the festive season for everything in his line. Turkeys as good as the best, beef as tender, large and fat as can be found in or out of the country and every delicacy in his line will be found in stock. His prices are right and he always strives to give satisfaction to those who patronize him.
Presents in Footwear.
A serviceable Xmas present is something in foot-wear, and in the advertising columns of Progress Mr. John H. McRobbie, 94 King St., offers a special list of prices in boots shoes and rubbers for the holiday season. Visitors to his establishment will find everything in foot-wear to meet their wants, and he invites all to call and see his stock.
Not Mrs. Batheson.
The woman in jail at Hampton, with a baby in the cell with her, is not Mrs. Batheson but another victim of the Scott Act. The name is a matter of minor importance however, and the fact is one that speaks for itself.

FACTS ABOUT CHAMPAGNE.
Here and in France—Why the Best Wine Does Not Come in Magnums.
It is commonly said in this country that the best French champagnes are sent to Russia and the United States. It is said in England, however, that the best French champagnes are sent to Russia and Great Britain, and that the best cannot stand the voyage to America. Wherever the truth rests, it is pretty well known that the champagnes consumed in the France itself are not what Americans esteem the best. The French like a sweet champagne, and what is there called a dry wine would be esteemed here a sweet wine. The drest champagnes are made almost exclusively for export.
There are some odd superstitions touching champagne that have no real foundation. It is occasionally affirmed that a great deal of so-called champagne is made of gooseberries.
" My dear boy," said a famous champagne grower to a young Englishman visiting him, "that story about champagne made from gooseberries is absurd, for the reason that it is much cheaper to make it from grapes than from gooseberries. Perhaps if it were not, we might—well, I'll not say what we might do."
There is a popular belief that a magnum of champagne is a big bottle of the very finest wine produced, and magnums are always named in the accounts that come from luxurious banquets. As a matter of fact a magnum is likely to contain a comparatively inferior wine of its brand, and for an excellent reason. Sparkling champagne is distinguished from still wine by the fact of being matured in the bottle. But, unhappily, it is difficult to make a bottle larger than a quart that will be strong enough at all points to resist the force of the gases generated in the process of maturing. Even champagne bottled in quarts is lost in considerable quantities by the breaking of the bottles during the process of fermentation. So the magnum of champagne is filled from smaller bottles after the process of fermentation is complete, and from that fact the wine thus bottled is less likely to be the best of its brand than that bottled in quarts. When a large London wine dealer was giving a great dinner, a feature of the table decoration was an enormous bottle of champagne treated with flowers. It had been especially prepared in France and was said to be the largest bottle of champagne ever imported in Great Britain. The bottle was greatly admired by the guests, a number of champagne buyers, but disaster followed, for the bottle was too weak for the wine, and in the midst of the meal, doubtless owing to a rise in temperature, broke, and the table was suddenly flooded.
It is noteworthy, however, on the other hand, that champagne in quarts is likely to be better in quality than champagne in larger bottles. Of course the difference is not noticeable by the ordinary consumer, not blessed, or cursed, with a delicately sensitive palate.—N. Y. Sun.

HE WOULD HIT DOWN.
Why He Got Up Again and What He Carried Away in His Hurry.
The old man in the "L" smoking car was absorbed in his newspaper when the burly youth entered. A pasteboard box was on the seat beside the old man, and with the air of a man who knew his rights, and was prepared to enforce them, the youth sat down on it.
" I beg your pardon, sir," said the old man, politely, "but you're sitting on my box."
" I know it," replied the burly youth, as he took a cigar from his pocket and prepared to light it. "Why didn't you get it out of the way? You only paid for one seat, I guess."
" If you had spoken to me," explained the old man, "I would have made room for you. I was reading the paper and did not see you."
" It ain't my business to keep your things off the seats," retorted the burly youth. "I paid for a seat and took it."
" But I have something in that box that I wouldn't have injured for a great deal," expostulated the old man.
" Well, I guess it's done for now," said the burly youth, with a taunting laugh.
" Perhaps isn't," urged the old man. "If you'd kindly get up for a minute—"

" But I won't," returned the youth, shortly.
By this time some of the other passengers were becoming interested, and one or two of them evinced a desire to throw the burly youth out of the car. A faint smile that seemed to lurk around the old man's mouth, however, made them hesitate. He looked like a man who thought he had the best of the affair in spite of the other's calm assurance.
It was perhaps two minutes later when the burly youth emitted a wild yell and tumbled from his seat into the aisle toward the door with both hands in the vicinity of his coat-tail pockets. On the platform of the car he began making frantic endeavors to take off his coat, but before he succeeded the train pulled into a station and he sprang off and dashed into the waiting room.
The old man had thrown a paper over the box when the burly youth got up, and now he carefully raised the edge of it and inspected what was underneath.
" Confound him!" he exclaimed at last. "What's the matter?" asked one of the others.
" Why, he's run off with one of my prize bees," said the old man, ruefully.
Has a Great Snag.
A Regular Snag.—"What is Smith doing now?"
" He is travelling with a circus,"
" Pretty hard work, isn't it?"
" No, he has nothing to do except to stick his head into the lion's mouth twice a day."