

PROGRESS.

EDWARD S. CARTER, EDITOR

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Progress is a Sixteen Page Paper, published every Saturday, from its new quarters, 29 to 31 Canterbury street, St. John, N. B. Subscription price is Two Dollars per annum, in advance. The circulation of this paper is over 13,000 copies; is double that of any daily in the Maritime Provinces, and exceeds that of any weekly published in the same section.

Remittances should always be made by Post Office Order or Registered Letter. The former is preferred, and should be made payable in every case to EDWARD S. CARTER, Publisher.

SIXTEEN PAGES.

AVERAGE CIRCULATION 13,640

ST JOHN, N. B., SATURDAY, JAN. 9.

THE DUTIES OF ASSIGNEES.

The decision of Judge FORBES upon Sheriff STURDEE'S bill of costs as assignee of the KELLY & MURPHY estate was important and forcible. It was not complimentary to the methods of the sheriff or some of the lawyers engaged in the case but it was in the interests of justice and of creditors.

For many years the laws of this province had been so framed that an insolvent could practically protect any favored creditor by means of a concealed bill of sale and in the end, if he determined to assign, prefer any number of creditors who, perhaps, had no better right to their claims than others. In order to change this the legislature passed an act, the intention of which, in the opinion of Judge FORBES, was to furnish a cheap and expeditious way to wind up insolvent estates, and to prevent the open and gross frauds being acted daily by parties assigning to some relative, or, as in some cases, to their own attorney, who were simply trustees for the debtor, and, who set the creditors at defiance, ate up the estate in costs, or provided a living for the debtor under the garb of a clerk or agent of the trustee. There was no expeditious way to reach them except through a chancery suit, and this simply meant additional losses, costs and worry. Hence the legislature intervened, compelling parties to assign to the sheriff unless a majority of the creditors should otherwise direct, that this estate might be administered cheaply and expeditiously, and that the creditors might have some control in the matter.

The assignment of Messrs Kelly & Murphy to the sheriff as assignee was the first real case under the new act and from first to last it seemed to be a conflict between the assignee and the creditors. The latter ordered that Assignee Sturdee be paid \$300 which that gentleman refused to accept and carried the case to the county court judge with a taxed bill of costs of more than \$800. In addition to this it should be noted that two inspectors were voted \$150 each by the creditors and that the assignee paid his solicitor Mr. Currey \$570 for his services. Referring to this the judge said that "the assignee was possessed of considerable legal experience, aided by two practical business men as inspectors, and I see no reason or justification for the formal appointment of a solicitor. I can find no authority for it in the statute. I am not here called upon to pass upon the solicitor's account, which I observe amounts to over 10 per cent of the gross receipts, and where an assignee employs an attorney to do his work he must pay him out of his own pocket. He certainly has no right to charge it to the creditors, and in future it will not be allowed."

The assets of the estate realized \$3,800 and the expenses, so far, of winding it up are \$2,700 which leaves \$1,100 to be divided among creditors whose claims amount to \$85,000, or something like three cents on the dollar! No wonder the learned judge was severe upon the assignee and in his conclusion stated that "assignees must learn that they cannot deal with estates just as they please; that if they assume the duties they must also assume the liability; that they must exercise a wise discretion and bring into the discharge of duties the same care and prudence as they would in their private business, husband the assets of the estate, and save to the creditors the little that is left, and when they fail to do so they are personally liable."

Colonel JAMES DOMVILLE and Mr. WILLIAM PUGSLEY returned from the rich and woolly west, filled with glad tidings for their brethren in the east. A notice is often judged by the hospitality of the people and in that event the Colonel and the lawyer must indeed think well of the western country. From all accounts it was a model place to spend New Years.

RUBYARD KIPLING has struck an unexpected new vein of balladry in his latest serial, Captain Courageous. He has about

exhausted his old tap and in the Seven Seas, one finds in the words of EDMUND CLARENCE STEADMAN, "the running dregs of Tommy Atkins beer." The enterprising Kipling has now hit upon a new code. It is that of yankee fisherman's songs. One of those printed in the latest chapter of his story, runs thus: Now April is over, and melted the snow, And out o' Noo Bedford w's shortly must tow, Yes, out o' Noo Bedford w's shortly must clear, We're the whalers that never see wheat in the ear. Wheat in the ear, my true-love's posy blowin'; Wheat in the ear, we're goin' off to sea; Wheat in the ear, I left you fit for sowin'; When I come back a loaf o' bread you'll be!

The rumor of the disappearance of the Island of Juan Fernandez seems to have originated in the report of a Chilean skipper sent thither with supplies for the inhabitants of the island; but who could not find the spot, having lost his bearings in consequence of his excessive indulgence in drink. Everybody will be glad to hear that the reported destruction of ROBINSON CRUSOE'S island was merely the figment of a rum crazed brain, and that the rock, the memory of which has been made imperishable by the genius of DE FOE still presents its rugged front to the surging sea.

The rumor that the board of school trustees has decided to abolish the office of superintendent is merely a rumor as yet but it seems to come from a well informed source. St. John has had the reputation of having excellent schools but under the late policy of the board that name seems in danger of deserting her. The rumored plans to make office officials and principals do the work of the superintendent is not one that will commend itself to the good sense of the people.

Halifax opened her public school after the holidays with between 5000 and 6000 pupils in attendance. This is an excellent showing. Perhaps St. John could say as much but our school board has no time for such frivolous yet interesting statistics. Even if they are collected, how is the public to get at them. Many things reported to the board of trustees would be interesting to the parents if the newspapers had a chance to get the facts and print them.

PEN AND PRESS.

The Messenger and Visitor comes out this week in a new dress and in a new form that of sixteen pages which though smaller than they were formerly are pasted and neatly folded. The typography and press work are done in the office of Patterson & Co., and the paper looks well. The style of the arrangement, the width of the columns etc. are changed but both readers and advertisers will admit greater convenience and attractiveness.

Masseys Magazine for September is to hand replete with all the pleasing features that go to make up an excellent periodical. An interesting article on the New Brunswick, Regiment Canadian Artillery, by a St. John writer is very appropriately illustrated from photos of the Colors and Trophies of the corps, Lieut. Col. Hayne, Lieut. Col. Armstrong, 3rd Regiment Canadian Artillery and Group of officers of 1893. The article deals with the history of the regiment from 1793 to 1796 and is very interesting. Other entertaining features all of which are suitably illustrated are England in Egypt. A Review of the Rugby Football Season, With Parkman Through Canada, a story entitled Gilson's Love Affair, several poems and a charmingly written account of an interview with Anthony Hope the author of The Prisoner of Zenda with five illustrations including portraits of those who have played the leading parts in the famous play. Altogether the January number contains much matter of absorbing interest and the subjects are treated in a polished and clever manner.

The January number of Donahoe's magazine covers many interesting and timely subjects and cannot fail to meet with general appreciation. Among the striking features of the issue are: "Presidential Administrations" by Theodore F. Brenton who in a concise, pithy way gives his readers much valuable information. "Arbitration and Conciliation" by Edward O'Donnell is of deep interest to the working classes. Newfoundland in her four Hundredth Year" tells of the great natural advantages possessed by this rugged country and traces its history and struggles back to the foundation of the first colony. Mary F. Nixon has an interesting paper Salvini on the brilliant young actor upon whose life the curtain of death descended all too soon. "The Rights of Children" have an earnest champion in Rev. Mortimer E. Twomey who pleads their cause with much earnestness. The fiction of this number is excellent and is of a quality and variety that cannot fail to be pleasing. The illustrations are beautifully done and the poetry of a very high order. Every article and department is replete with deep interest and the number is unusually interesting.

VERSES OF YESTERDAY AND TODAY

The Old Cherry Tree. How oft do I dream of the old cherry-tree That shadowed the golden wall The glint of its flame, the green of the leaf, The cherries, the maiden and all. The only tree of its kind for miles, Its drapes had a charm unsurpassed To win for me the sweetest smiles Of that maid,—my first and last.

At other times she was coy and prim— A rival near me afoot— But once each year she coolly cut him, When the cherries shone red from the road.

What bouquets I took from the old cherry tree, Whole branches ruby with fruit; For that maid in those days was a goddess to me, To smile or to frown on my very suit.

What she did with the cherries I'm loth to tell, Since she tale my song but rest—ah, well, The rest she put up in jars.

The Dream-Town Show.

There is an island in Slumber Sea Where the driest things are done, And we will sail there, if the winds are fair, Just after the set of the sun. 'Tis the loveliest place in the whole wide world Or anywhere, so it seems; And the folks there play at the end of each day In a curious show called "Dreams."

We will sail right into the evening skies, And the very first thing you know We are there at the port and ready for sport, Where the dream folks give their show. And what do you think they did last night When I crossed their harbor bars; They hoisted a plank on a great stout bank And teetered among the stars.

And they sat on the moon and swung their feet Like pendulums to and fro; Down Slumber Sea is the sail for us, And I wish you were ready to go. For the dream is likelier on this curious isle Begin their performance at eight; There are no encores and they close their doors On every one who is late.

The sun is sinking behind the hills, The seven o'clock bells chime; I know by the chart that we ought to start If we would be there in time. O, fair is the trip down Slumber Sea; Set sail and away we go; The anchor is drawn, we are off and gone To the wonderful Dream-Town show.—Ella Wheeler Wilcox.

An Old Wedding Ring.

What a symbol of love is that circle of gold, By the token of which our devotion was told! How our youthful affection shined out, as it seems, In the light of the romance around it that gleams; And it knows no beginning or ending, or why Its continuing course should not run till we die.

And a sign and a seal of our reverence, too, Had a part in our creed, when that old ring was new. When a slender, light hand was upraised to our lips And our kisses were pressed on its slim finger tips. For that circle of gold seemed a hallowing pledge Of a homage profounder than words dare allege.

But the metal that's purist wears quickest away, And that old wedding ring has grown thinner to-day; Yet the hand which it once graced graces it in its turn With a magic the scientist vainly would learn. For sweet charity's touch has so filed it with gold That that hand never lacked to the hungry and cold. And the summer's may come, and the winter's may go, And the winters may whiten the hair with their snow; Still the hand which a lover delighted to kiss Wears the signet of half a century's bliss, And no earnest of joy in the heavens above Is more sure than that ring and its cycle of love.

Installation of Officers.

Evangeline Lodge No. 350, Brotherhood of Railway Trainmen, Halifax, N. S. had their annual installation of officers on the evening of Dec. 26th, the following officers were installed: N. W. Baur, past master; Wm. T. Spain, worthy master; John H. Yeomans, vice master; John V. McDonald, secretary; Geo. A. Tomas, financier; Journal-Agent, John J. Spain; Conductor, John Lovett; Chaplain, Geo. Murdoch; Warden, John McEachern; Inner Guard, P. Kelly; Outer Guard, Cecil T. Penz; John J. Spain was elected Grand Lodge delegate; A. G. Nichols was elected alternate Grand Lodge delegate. A very enjoyable time was spent. The lodge is making good progress since it was organized Feb. 15th., 1896.

A Piano for a Western Home.

A lady of great musical ability, after a careful comparison of the many pianos offered for sale in this city, selected a Pratte piano for Vancouver. The piano was shipped a few weeks ago and is now installed in one of the finest homes on the Pacific Coast.

What Did You Get For Christmas.

Why, I got three new neck bands put on my old shirts free. Isn't this a splendid chance for you to do likewise. Try it once. At Ungar's Laundry and Dye Works. Telephone 58.

Too Late.

Parrsboro, Sydney, C. B. and Dorchester correspondence received too late for publication in this issue of PROGRESS.

"Walter Baker & Co. of Dorchester, Mass. U. S. A., have given years of study to the skillful preparation of cocoa and chocolate, and have devised machinery and systems peculiar to their methods of treatment, whereby the purity, palatability, and highest nutrient characteristics are retained. Their preparations are known the world over and have received the highest endorsements from the medical practitioner, the nurse, and the intelligent housekeeper and caterer. There is hardly any food-product which may be so extensively used in the household in combination with other foods as cocoa and chocolate; but here again we urge the importance of purity and nutrient value, and these important points, we feel sure, may be relied upon in Baker's Cocoa and Chocolate."—Dietetic and Hygienic Gazette.

Mr. J. H. Plummer, publisher of Woman's World and Jenness Miller Monthly, offers \$100 in prizes to the persons making the largest number of words from the word "Endeavors." See his advertisement in another column.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.



HARCOURT.

Jan. 6.—Mrs. Harry Barrieau of Campbellton and Mrs. Herbert Buckley of Gloucester Junction, who have been visiting here for sometime returned home on Saturday.

Mr. H. H. Parlee returned here by Saturday night's express and has resumed his duties as teacher, having been engaged for another term.

Mr. Ambrose of Nelson, who was visiting his daughter Mrs. Lambert Flett, returned home yesterday.

Rev. J. K. and Mrs. McClure have taken up their residence in the Manse, the new building recently erected by the presbyterians.

Mr. and Mrs. Robert Saulnier entertained a large party of their friends on Wednesday evening, which proved the social gathering of the season.

Mr. Joshua F. Black of Richibucto and Miss Annie Black of Moncton were guests of Dr. and Mrs. Keith on Sunday.

Mr. John Wathen who has been spending his Xmas vacation at home will return to Sackville tomorrow.

Miss Jessie Miller of Chatham is visiting at Mrs. W. G. Miller's at Mortimore.

Mr. Thomas Wathen, who has been spending some time in Richibucto among his relatives is visiting in Harcourt this week.

The Harcourt amateur dramatic club gave a successful entertainment in the public hall to a crowded house on New Year's night.

Miss Minnie Buckley is visiting her sister, Mrs. Bairraut at Campbellton.

Miss Hattie Ferguson of Richibucto, and Misses Bertha and Ella Welton of Sackville were guests of Mrs. Gordon Livingston on Saturday.

SUSSEX.

Progress is for sale in Sussex by G. D. Martin, R. D. Abel and S. H. White & Co.

Jan. 6.—The New Year's concert which was given by the S. S. children in the presbyterian hall New Year's night was a grand success, and reflected great credit on the Misses Murray and Cougle who had the affair in charge. The Tambourine drill and Mother Goose being particularly fine.

A Whist Club which meets once a week has been formed with the following members, Misses Keltie, Fairweather, Cougle, Hallett, Roach, BeBoo, Ross, Kinnear, Messrs. Hallett, Sharp, Arnold, P. Hallett, Sherwood, Kinnear, Charters, D. Murray.

Mrs. R. A. Borden of Moncton, and Mrs. R. Roach of St. John spent New Year's with their mother Mrs. Smith of Upper Corner.

Miss Violet Kinnear entertained a few of her friends to a dance at her home on Saturday evening last. Among those present were Misses Murray, Keltie, Arnold, Cougle, Roach, Fairweather, DeBoo, White, Sherwood, Robertson, Messrs. Pike, Sherwood, Arnold, Murray, Major Campbell, Dr. Murray.

Miss Bessie Trites has returned to Wolfville after spending a pleasant vacation home.

The dance in Old Fellows hall New Years eve was well attended and was a very pleasant affair.

ANAGANCE.

Miss Belle McLellan of North Sidney is visiting in town the guest of Mrs. G. H. Davidson.

Mrs. Gilbert Davidson of St. John is spending a week or so in the village the guest of Mrs. George Davidson.

Mr. Will Dunlavy of St. John spent Christmas week with his friend Mr. Edgar Davidson at the depot.

Mr. and Mrs. Byard McLeod and children and Miss Annie Musgrave of Apohqui spent New Years with Mr. and Mrs. McNaughton.

Mr. Roy E. Smith of Mount Allison College, Sackville is spending his Xmas vacation with his parents Mr. and Mrs. Chris. Smith.

Mr. and Mrs. R. B. Colwell and children of St. John are visiting Mrs. Colwell's mother Mrs. Emma Davidson on "Apple Hill".

Mrs. Robert Bacon of Hopewell Hill, Albert Co., is visiting friends on "Apple Hill".

Mrs. Davidson and Miss McLellan spent Thursday last in Sussex.

Miss Julia McNaughton is visiting relatives in Apohqui.

Miss Helen Storrie and Miss Bacon are visiting friends in St. John this week.

NEW GLASGOW.

[Progress is for sale in New Glasgow by A. O. Pritchard and H. H. Henderson.]

Jan. 6.—Mr. R. P. Fraser who has been visiting in Newfoundland is home.

Mr. Harry Townsend was home from Yarmouth spending Christmas and New Years.

Mrs. McDonald of Truro is visiting her daughter Mrs. Kempton Stewart.

Miss Jessie Fraser and Miss Jennie Fraser, West Side, left Truro to spend the winter in Tampa, Florida.

A very pleasant progressive whist party was given by Mrs. George McDougall for her daughter Bessie on New Years evening, whist was played until eleven o'clock when the prizes were presented, the ladies prize to Miss Jessie W. Fraser and the gentleman's prize to Mr. Basil Bell. A dainty supper was served, and dancing was enjoyed until the old year had gone and 'twas in order to tender wishes for the New Year. Those present were Misses Bessie Conrod, Minnie Gray, Ella Gray, Eva Grant, Sophie Grant, Innes Hartry, Jessie Fraser, Ella Bowman, Messrs. A. D. Grant, Wall Jackson, Frank McNeil, James Fraser, Jack Grant, Charlie Gray, George Fraser, Basil Bell.

The Y. M. C. A. anniversary entertainment on New Years evening in gymnasium hall was well attended. A good programme was provided, those who took part were:—Misses Annie McKay, Laura McNeil, Scott Meikle, Jean Olding, F. Blanchard, Messrs. Jack Grant and H. Redpath, also James church quartette and banjo duets. Refreshments were for sale during the intermissions.

Quite a number from New Glasgow attended the concert in Sharon church, in Stellarton, in aid of the Aberdeen hospital, on New Years evening.

Miss Scott Meikle returned to Halifax Ladies college on Tuesday.

Mr. R. Campbell, teacher in the High school has resigned, his place will be filled by Mr. F. S. Simpson of Halifax.

Rev. Mr. Morton, son of Rev. Dr. Morton, Trinit

dad will preach in New St. Andrews church next Sabbath.

The band played at the rink on New Year's eve a large crowd attended, a few of whom skated the New Year in.

HAVELOCK.

Jan. 6.—Miss Bertha Hughes and Miss Blanche Fownes are visiting Miss Ina Keith.

Mrs. A. H. Robinson, entertained a few friends at supper New Years night.

Messrs. A. J. McKeigh, Allison, Keith, Herbert Alward and Misses Alice and Blanche Alward left for Fredericton Monday morning to continue their studies at the normal school.

Geo. P. S. Keith left for Acadia and Dick Taylor for Mount Allison college. We wish the boys success.

A social dance was held in the public hall New Years night and proved a grand success. Prof. Chapman of Sussex furnished excellent music.

Mr. Titus Hicks entertained a few friends at supper Thursday evening.

Dr. Pugsley of Penobscot spent a few days here last week.

Miss Dobson of Sussex is visiting M. A. H. Robinson.

Mrs. LeBaron Corey gave a skating party and tea Saturday afternoon.

Mrs. Fownes arrived home last week from Hampton where she has been visiting Rev. and Mrs. N. A. McNeill.

Miss Jennie Thorne is spending her holidays with her sister Mrs. Kingston.

Mrs. J. D. Seely and daughter went to Perobscot for a few days last week.

Mr. Whitaker, assistant post office inspector, was in town last Saturday, transferring the post office from O. I. Keith's to S. C. Perry's, King street.

Herbert Fowler, who has been in the United States for some time returned a few days ago on account of ill health. His physician reports typhoid fever.

Mr. Bart Taylor spent Thursday and Friday of last week in Sussex.

Miss McMuray was the guest of the Misses Price last week.

ANTIGONISH.

[Progress] is for sale in Antigonish at I. R. M. Ilreith & Co's Drug store.

Jan. 6.—Mrs. C. J. Samson and baby are in town, the guests of Mrs. J. F. Cunningham, Court street.

Mr. Phenev, Shelburne, was the guest of Mrs. Adam Kirk last week.

Mr. Baird, Baddeck, was in town over New Years.

Miss Cooke, Canso, is visiting Mrs. Edgar Whidden.

Mr. and Mrs. C. B. Whidden returned last week from Parrsboro, where they have been spending Christmas.

Mr. H. P. Archibald of McGill college spent his vacation in town.

Mrs. A. C. Thomson spent the holiday with friends in Truro.

Miss M. L. Manson was in Truro, a few days last week.

Mr. Creek returned on Monday from his home in Mill Village.

Miss A. Henry, Sydney, spent Christmas and New Years in town.

Miss Stevens, Canso, was in town last Thursday.

Miss Gossip who has been in Antigonish for the past four years leaves next week for her home in Windsor, she will be greatly missed in social circles as during her sojourn here she has made many friends.

The first race of the season took place in the rink New Years evening, the competitors were, W. Borden, J. McCurdy, G. Ferris and A. Bernasconie. The race finished in the order mentioned, Borden leading McCurdy and Ferris by nearly a lap and Bernasconie by over two laps. A match race between W. Borden and F. Blanchard, of the Halifax bank is talked of for the near future.

KENTVILLE.

Jan. 6.—On Monday evening Mr. Rupert Parker entertained a number of his friends at a very pleasurable card party. Those present were unanimous on the good time thus afforded them.

Tuesday, the "Chestruts" the home of Miss Alice Webster was again the scene of gaiety, dancing and games being the order of the evening.

On Wednesday Miss Violet and Mr. Colon Campbell gave a very enjoyable dance to a number of their Kentville friends. As befitting the holiday season all entered heartily into the time honored amusement of "tripping the light fantastic toe" till the small hours of the morning. A dainty repast was served when the fatigue of dancing demanded its usual pleasurable alleviation.

Thursday evening was spent, by the happy of heart and the light of foot, in ushering in the New Year. Mrs. John Moore was the hospitable hostess on this occasion, and if the old complete and maxim be true, no sorrow will mar the prosperity of the next twelve months at least.

On Friday an attractive concert was given under the auspices of Church of England Temperance Society, in aid of a drinking fountain. A very interesting programme was rendered, consisting of carol singing, pantomime and music.

Cards are out for a dance at Mr. Charles Smiths, on Monday Jan 4th, in honor of their daughter, Miss Kathleen Smith.

DIGBY.

[Progress is for sale in Digby by Mrs. Morse.]

Jan. 6.—Mrs. A. S. Cook of Yarmouth spent a day here last week with her aunt, Mrs. F. Jones.

Mr. Hedley Hughes left for Vancouver, B. C., Wednesday.

H. A. G. Smith is on a hunting trip in New Brunswick.

Ernest Burnham is visiting in Boston.

M. W. E. Brown spent Christmas and New Year with his family.

Dr. Hutchings and Mr. Mason White of Boston are here for the purpose of building a large summer hotel.

Capt. John C. Bennett for many years a resident of Digby, but of late residing Victoria, British Columbia died at the late place recently of cancer in the throat; a wide circle of friends and acquaintances here will hear of his death with regret.