

# PROGRESS.

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## MAGISTRATE IS AHEAD.

HE DOES NOT WAIT TO CONSULT WITH THE COUNCIL

About the Appointment of a Man to Fill Sergeant Wilson's Place, but Proceeds Under an Old Law—Much Discussion Over the Affair.

When Deputy Mayor Robinson took his seat in the mayor's office in the city building Thursday morning he was in his usual placid frame of mind, not thinking that there would be any event of unusual interest in the city business that day.

He was mistaken, in a degree. The police magistrate had prepared a surprise for him and he sent it by a special messenger who did not require any answer from his worship but remained where he was. In other words police officer Sergeant Caples, a young man who has been on the force a few years, was sent by the police magistrate to take the place of Sergeant Wilson, who died a few days ago.

There were two offices in the city that did not require much looking after. The duties of them were few and light but they suited the men who filled the positions and so long as Sergeant Wilson and George Stockford lived the council was not disposed to interfere with their positions.

But George Stockford and Sergeant Wilson, by a curious coincidence, were taken ill about the same time and died within a few days of each other. The opportunity of the frugal spirits in the council had arrived and there was a quiet rumor that the offices held by the deceased men would be amalgamated and the greater part of the money spent to maintain them saved.

It cost about \$1000 a year for the two offices. Sergeant Wilson received the pay of a police sergeant and Stockford made four or five hundred dollars out of his job.

This was the reason that there was a caucus of the aldermen last Tuesday morning after the presentation of the photo of the harbor to the captain of the Gallia. All, or nearly all, of the aldermen were present and the matter of amalgamating the two offices was thrashed out.

Why there should have been any discussion was explained by the fact that under an old statute the police magistrate was given the power to appoint a policeman to be in attendance upon the mayor.

At any rate the aldermen, whether agreeing with this view of the law or not, decided that it would be courteous to appoint a committee to consult with the police magistrate and explain to him the idea of the board and its intention with regard to the vacancies. This committee consisted of Aldermen McGoldrick, Millidge, Waring, and McArthur. This committee did not have a chance to meet the magistrate. That afternoon there was a meeting of the safety board and Alderman McGoldrick, who as chairman of that, would naturally be supposed to be convener of the special committee, telephoned the police magistrate to arrange a meeting. But he could not find the magistrate and the afternoon passed without anything being done.

Now here is where the joke comes in and what gives Ald. McGoldrick some trouble to explain. When going to his office in the street car that afternoon police magistrate Ritchie stepped aboard and they began talking over the matter. They were still talking when the car reached the alderman's office and the magistrate alighted with him and went into the office where a few features of the situation were considered. But in that conversation Alderman McGoldrick says the name of Sergeant Caples never came up, and he had no idea that the magistrate proposed to appoint him. If any body was to be appointed he had promised to support the claims of Sergeant Ross of the West side.

Still when the representative of PROGRESS reached the city building Thursday morning, the rumor that Alderman McGoldrick and the magistrate had arranged the matter of the appointment was ripe, and one or two of the aldermen were making quite a canvas of the affair. Perhaps they were not as disinterested as they might be, because some of them are aspiring to oust the chairman of public safety from the head of the department, and any rumor calculated to damage him at this particular time would serve the purpose of his opponents. The trouble was that the committee had not been called together and Alderman Millidge was ill pleased indeed to think that one member of the committee should have consulted with the magistrate and the others had not been notified. Of course McGoldrick's

explanation of this is that his meeting with the magistrate was purely accidental and that the appointment was as much of a surprise to him as to the others.

Under these circumstances the aldermen feel that the magistrate treated them with scant courtesy indeed. He was aware of the fact that they desired to make a change in the office and they had met informally and after talking over the matter had recognized a doubtful right of his and appointed a committee to confer with him. He ignored them and calmly proceeded to appoint a young and capable officer to sit in the mayor's office day after day and do nothing.

"Nothing" of course exaggerates the matter but the duties of the office, as the deputy mayor said Thursday, could be performed better, or as well, by a fifteen year old boy as by a full grown man. "It is ridiculous" said his worship to see a young and powerful man seated here from ten in the morning until four in the afternoon without anything to do. Of course we were used to seeing old Sergeant Wilson around but he became so feeble that he was unable to do anything and even the light duties of his position were made as easy for him as possible.

Thus it will be seen that his worship was not in the most amiable frame of mind when he had read the commission of Sergeant Caples which was handed to him by that officer. There was nothing pretentious about the document. The magistrate penned it himself and it bore the imprint of the seal of his office. It was the authority that Sergeant Caples had to take a chair in the outer office and await the orders of his worship.

It was brief enough and read as follows: POLICE DISTRICT OF THE CITY OF ST. JOHN, PROVINCE OF NEW BRUNSWICK, CANADA.

Know Ye, I have nominated, appointed and directed and do hereby nominate, appoint and direct Sergeant Thomas Caples, policeman of the Police force of the city of St. John to be in constant daily attendance at the Mayor's office during office hours, whose duty it shall be to observe and obey all such orders and directions as may be given him by the Mayor or Recorder in respect of the public business of the city.

As witness my hand and seal this 27th day of April A. D. 1898.

ROBT. J. RITCHIE P. M.

Deputy Mayor Robinson was not alone in his indignation at the abrupt method of the magistrate in making the appointment. Alderman Millidge spoke quite tersely about it and seemed to doubt the power of the magistrate to make any such appointment. Aldermen Smith, McArthur and Christie could not understand why the magistrate had acted in the way that he had and there was an inclination among all of the aldermen to find out just to what extent the powers of Mr. Ritchie extended.

Common clerk Wardroper had the acts before him and he was not long in showing any of the aldermen who wished just where the magistrate had the authority or thought he had it.

In the olden days there was no such an official as the chief of police and the magistrate was all powerful.

He appointed the men who guarded the city and he directed their movements. The act that gave him that power was passed in the thirteenth year of Victoria's reign and is known as 13 Victoria and in one section of it these words occur "The police magistrate shall direct some one of the policemen to be in constant daily attendance at the mayor's office etc." It was pointed out however that the act did not specify that any particular policeman should be chosen, but one assigned from the force to be at the call of the mayor during office hours. If the police magistrate had that power every day he would surely be interfering with the rights and privileges of the chief of police.

And here is where the rub comes in. As stated before when that act was passed there was no chief of police but six years later another law was made creating the office of chief of police and all the powers over the force that had existed in the police magistrate were vested then in the chief of police. So there is quite a question as to the right of Magistrate Ritchie to make the appointment he did.

PROGRESS is told that Chief Clark thinks so and has been looking into the authorities on the matter. If he finds out that he has full control over his force then look out for squalls. He does not relish the idea of the police magistrate interfering in his department at any time as was instanced a few days ago when the chief and his force were startled by the assertion of Mr. Ritchie that policemen

might be implicated if a certain witness told all he knew. The magistrate was right in that case but still the force did not like the general insinuation.

However the action of the magistrate had deprived the police force of one of the most capable officers it had. Sergeant Caples was esteemed a good man on the force. In his earlier days as an officer he had to use his revolver and that is always an offence in the eyes of many people but his friends say he was justified—the others say not. In later years however he has done excellent service and for two years and a half has been on night duty in the north end. Those who know him well say that two physicians declared that unless he gave up night duty on the force that he would not live much longer. Under these circumstances he looked for an easier job and nobody blames him for succeeding in getting what is perhaps the softest job in town.

But there was a new sergeant to be appointed and another policeman. Who would be the new sergeant? Officer Campbell of course. Didn't he get his head broken the other night out of the city limits trying to arrest a man suspected of stealing and didn't he give the other fellow a proper thumping with his "billy" for throwing a stove cover at him? Wasn't he suspended for a day or two for leaving his beat to clear the snow off the sidewalk of his chief?

Still his superiors say he is a good man, more inclined to be too vigilant than negligent which is a good fault in the eyes of the chief and captain. He does not go into the north end but will remain in the south which he knows better, and Sergeant Baxter goes to the north end for the present. Then a new policeman was appointed. His name is White. Now if the chief of police learns that he has the power to appoint what will happen? Will he conform to the wishes of the aldermen and refuse to fill the vacancy or will he put in one of the "old men" of his force who surely have a right to any soft job that is going.

Sergeant Watson has been tramping the streets of St. John as a police officer for more than forty years. He is not active today and there is little doubt that had the magistrate appointed him, his right to all the rest of the city can give him for the remainder of his life would have overshadowed any objections there was to continuing the office. Still Sergeant Watson was not an applicant. He remains on duty as usual and says nothing.

There was a sergeant, though, who was in the field and his name was Ross. He had made a good canvas. The chairman of the safety was in his favor, provided an appointment was made, the mayor elect went and saw the magistrate in Ross's behalf and received a most encouraging reply. It is said that the magistrate proposed to give this sergeant first consideration but he was not in it at the finish.

The result of the action of the magistrate will simply be this, a change in the law. In all probability the council will address a resolution to him which will mean a good deal of it is framed in the kind of language the aldermen used Thursday. But they may take another course and ask the recorder for an opinion on the law as to the right of the magistrate to make the appointment. If the opinion is in their favor, then there will be a change and they will have to deal with the chief of police instead of the gentleman who dispenses justice in the police court.

But these differences only serve one object in the end, to remind the council and the people that they should have the power to appoint, dismiss and control those officers whom they are forced to pay.

## The Patent Medicine War.

A new grocery started in the city a few days ago and without any warning whatever began to cut the prices on anything and everything. Cash was the order of the day but the price list was so inviting that that place was thronged and the best people in the land were to be found there. Patent medicines came in [for a special sort of attention and the prices on them went down as quick as the mercury one morning this week. Now, the drug stores do not appreciate that kind of attention and they retaliated simply by reducing the price of patent medicines by about 25 per cent. So the people now get Hoed's or Ayer's for 75 cents instead of a dollar, and Pink Pills for 35 cents instead of 50 cents. This is the age of competition.

## HER SISTER ACCUSED.

MRS. ANNIE CANOVAN ON TRIAL FOR MURDER.

Mrs. Tucker the Dead Girl's Mother Has Been Acquitted by the Grand Jury—Features of the Murder Case and Portraits of the Two Women.

The trial of Mrs. Annie Conovan and her mother Mrs. Tucker, was resumed this week at Woodstock, and the witnesses who gave evidence at the preliminary examination are again testifying. Mrs. Tucker's evidence is somewhat different from that given at the examination, but the rest of the evidence is substantially the same and nothing new has been elicited.

Mr. Best, who made an analysis of the murdered woman's stomach, went to Woodstock this week, but up to the time



MRS. TUCKER, Mother of the Murdered Woman.

of writing had made no statement regarding the condition in which he found it.

It will be remembered that at the time of the examination, PROGRESS gave a full account of the affair together with portraits of the prisoners, which appear this week and for which PROGRESS obtained an exclusive right at the time.

Mrs. Tucker, against whom the grand jury found no bill is a comparatively young woman—placing her age at 39 years though she looks much older, and says she was married at fifteen.

During the trial she displayed a great deal of fear, and to the persons with whom she talked, constantly repeated the statement that she "knew nothing about it," meaning the cause of her daughter's death. PROGRESS maintained at the time that Mrs. Tucker did not impress those who had an opportunity of watching her closely, as a coldblooded murderess and this opinion has been verified by the action of the



MRS. ANNIE CANOVAN, Sister of the Murdered Woman.

Grand Jury in their finding in her case. One good point in her character was her evident devotion to her aged husband, from whom she had never been separated before and who, she felt convinced, would not get along without her during her incarceration. Old man Tucker was equally devoted to his wife and with tears streaming down his cheeks, he recounted to PROGRESS numerous instances of her care for him. He did not seem to have any love for the other prisoner, his daughter, whom he described as "case hardened as a dog, and the cause of all the destruction which had come upon the family." Mr. Tucker is over seventy years of age and until he was brought to Woodstock in February, had never been in Woodstock, which is about forty miles from Johnville where the family lived. He was never in a hotel in his life and

had never seen the inside of a jail. Mrs. Annie Conovan the woman now on trial is twenty four years of age, is not bad looking, in fact has a peculiarly sad expression that appeals at once to the beholder, and has a quiet, timid manner.

The family lived in the utmost wretchedness it is said, and when Deputy Sheriff Albion Foster visited the place for the first time he found the body of the dead girl wrapped in an old night dress behind the stove, the mouth and eyes wide open and the family going about their duties as usual. There was only one bed in the place and the others slept for two days in the same room with the corpse. Altogether the condition of the Tuckers was most wretched, and perhaps the most comfortable times they knew was after they were brought to Woodstock.

## Troubled With a Swelled Head.

A young man with a black moustache and plenty of mouth arrived in town Monday. He registered at a leading hotel and then began to make the people around him acquainted with who he was, where he had been and his business. He said he belonged to St. John at one time but was now connected with the New York Herald, "the greatest sheet on earth." Of course nobody in this section of the globe had heard of the Herald or any other newspaper and he proceeded to give them all the information he possessed and left the rest to their imagination. Most important of all, though, he had been sent by the Herald to Cape Breton and Halifax to ascertain the quantity of coal procurable there and he left no doubt on the minds of those who listened to him that it was largely through his efforts that Spain was prevented getting coal from the British colony. Mr. Shaw did not stay in town very long. He had "money to burn" but he didn't ignite it. On the contrary he secured it in his pocket with a safety pin every time after he flourished it. His chief local grievance was against an hotel, which in enforcing its rules and the law, had requested him to withdraw from a certain portion of the house. Such representatives as this from a great American journal do not increase the respect of the people for the profession or the newspaper.

## Better Than Buying Stock.

Louis Green made quite a lucky strike when he secured the transfer of the lease of that lot of land on Protection Street in Carleton. It turns out now that the extension of the elevator will require a considerable portion of the land that Mr. Green has leased. That does not seem to disturb him for only a few days ago he had an architect over to the west side looking over the ground with a view to preparing plans for a lodging house on the site. It seems that Mr. Green has an idea that a cheap lodging house with restaurant attached where a working man could get a comfortable bed for 25 cents and a meal for 15 cents and a cigar or a glass of ginger beer near at hand, would pay, so he proposes to put up a building that will cost from \$4,000 to \$5,000. But it is a question if he does. The city wants the land and of course will have to pay Mr. Green. It will be a case of another expropriation. More arbitration and more arbitrators. Louis was lucky in getting the land in Carleton. He will probably find that it pays better than buying stocks or bonds.

## Jokes of the Campaign.

There are many good things got off on the Spanish-American war these days and there is a good deal of suspicion when any one volunteers the information that there has been another capture. But the merchant who coolly remarked as he was drawing on his gloves preparatory to going to dinner that the gathering of 25,000 men on Boston Common the day before must have been a great sight, could not have had a better question than when somebody eagerly asked him "what did they assemble for." Then as he closed the door after him the reply came "To prevent the grass from shooting."

## He Wasn't to Talk Politics.

Mayor elect Sears was at the St. George's dinner Monday night and he was mighty anxious to avoid politics in his speech, but when he spoke of the time having arrived when the federal government should help this port and how little had been done in former years, Hon. Thomas R. Jones thought he was talking politics and he said so in his abrupt fashion. There was much laughter and not until the high sheriff took a hand was order restored. But it was all in after dinner humor.