

PROGRESS.

Board of Works 5 May 99

VOL. XII., NO. 606.

ST. JOHN, N. B., SATURDAY, JANUARY 13 1900.

PRICE FIVE CENTS

The Burchill Evidence.

Last week PROGRESS spoke about the treatment accorded Officer Burchill of the police force in connection with his removal to the North End and mentioned that it was not in accordance with an understanding reached when the McKelvey-Clark investigation was going on. Since then the stenographic report of the evidence has been available and this is that portion of the report that refers to Officer Burchill and the part that he was forced to take at the inquiry.

Mr. Pugsley—I think that it would be only proper that Officer Burchill should have an opportunity of giving evidence in consequence of Capt. Jenkins saying what Mrs. Earle had told him and I think in justice to Mr. Burchill he should be called. I made some enquiry and found that he is on night duty and cannot come without the consent of the chief.

I think that under these circumstances Officer Burchill should be called by the chairman and be given an opportunity of telling what took place as I am instructed he will show that he has been entirely misrepresented.

Mr. Skinner states that the Chief invites the fullest enquiry and that he has no objection to Officer Burchill being called other than that the matter is altogether outside of the matter which is before the committee and that the subject was opened up by Mr. Pugsley.

It is moved, seconded and carried that the board allow Dr. Pugsley to call Officer Burchill if he wishes to.

Mr. Pugsley—Mr. Chairman, I have much pleasure in informing you sir and the committee that through the kindly intervention of his worship The Mayor counsel on both sides have been brought together and certain explanations and statements have been made which we desire to respectfully present to the committee.

In the first place with reference to the hearsay statement which was made by Captain Jenkins, a statement of what had been told to him in reference to Officer Burchill I desire to say that I have gone into the matter very fully with Mr. McKelvey and I am in a position to assure the committee, as I have already assured the Chief of Police and I think to his entire satisfaction, that Officer Burchill is in no way responsible for the carrying of information in respect to Mrs. Earle to Mr. McKelvey. That Officer Burchill did not give him the information which it was stated by Captain Jenkins he had been told that Officer Burchill had given. I am glad to be able to make this statement because it will remove an erroneous impression which has been created.

Mr. Skinner—in harmony with that Mr. Chairman and because of the friendly intervention of His Worship The Mayor and of course on the supposition that it will be satisfactory to the committee as well I have a paper which I will read to you in a moment, before doing which I desire to say and this is said after an interview with the mayor and counsel on the other side and our respective clients as well, that there must have been some misunderstanding with reference to what was said to the lady that has been spoken of. I have examined Mr. Collins thoroughly about it, as well as the Chief of Police, and it was then that took hold of the woman in the station that night and their statement to me, which is concurred in by the other side as far as they know. The woman was in danger of being pressed in the crowd and she was in a very dangerous position indeed and Officer Collins and the Chief of Police both sprang to her assistance and what they did was to carry her to a place of safety. There was no intentional violence and if she was injured or hurt in any way it was entirely accidental. Whatever was done to her was done with regard to her safety.

Officer Smith was Proud.

"Ain't that just like New York?" said Police Officer Smith of the North End division a few days after the last big snow storm, as he pointed to the almost bare sidewalks on Main street as far as Fort Howe rock. "I had a hard job with them but as long as I'm on the day beat I'll see that this important thoroughfare is made safe to walk upon." And Officer Smith was in the right of it. After property

owners and store-keepers had removed the superfluous snow from in front of their places the chilly weather froze what remained into hillocks of ice, most dangerous to pedestrians. A constant drumming backed up by the brass buttons brought forth a long line of men and boys with axes and shovels, and presto!—the street is almost like summer. St. John needs more of these vigilant "coppers".

TWO SARCASTIC LAWYERS.

Messrs. Currey and Mullin Have a Fling at One Another.

The closing of the Runciman-Star Line Steamship Co. case in the Circuit Court on Saturday last was somewhat of a battle of lawyers in a more than ordinary way. Mr. L. A. Currey Q. C. representing the steamboat people in their efforts to keep from paying the big amount of damages asked by the plaintiffs, addressed the jury in his most learned and eloquent way. He dug and delved into legal depths in quest of the merest points to uphold his contention, nor did he spare the feelings of his opposing counsel Mr. Daniel Mullin Q. C., or those of Mr. Mullin's clients in his performance.

The Court room was crowded with an eager, expectant crowd, who at this final stage of the case expected an exciting finish at least as far as both sides of the council was concerned. However nothing of an especially sensational nature occurred, although at times throughout the case, the wordy sorties of Messrs Currey and Mullin were sharp and apparently bitter.

Both were acknowledged keen students of the law as well as considerable masters of the art of declamation. Naturally their seeming rivalry found vent in some words during this case. Mr. Mullin was ruffled at various times by Mr. Currey and in opening his address to the jury on Saturday the counsel for the plaintiffs devoted some ten minutes to an exposition of his candid "sizing up" of Mr. Currey.

He said it had been mooted that he, (Mullin), being a young man of comparatively little court experience, showed remarkable courage and daring to pit himself against such an able exponent of the law as Mr. Currey Q. C., in so important a case, and that he was considered more or less underrated by his opponents. In answer to this seeming bit of sarcasm Mr. Mullin said, he was chosen counsel for Mr. Runciman because Mr. Runciman was a man of meagre means and could not afford to pay for the high priced abilities of such learned counsel as Mr. Currey Q. C., but was financially able to do so, he (Mullin) would have associated with him in the case, the acknowledged leader of the bar in St. John. However he was willing and glad to try conclusions with Mr. Currey, Q. C., and fought his case out on the basis of truth and fair play. Then in a more feeling tone of voice the plaintiff's counsel drew a word picture of Mr. Currey, or rather a caricature. He said his opponent had gained a very wide reputation for his ability to get his clients "out of holes," inferring that he made a specialty of such cases. If any person was in a tight place and amenable to the law, Mr. Currey could squirm and connive and dig deep for legal quibbles to cover and sanctify their sin. With some further remarks, not quite of a brotherly nature, and teeming with sarcasm, Mr. Mullin proceeded with his address, apparently fully satisfied that he had repaid with interest what he owed Mr. Currey. Mr. Currey had no chance to reply but His Honor censured Mr. Mullin later. On Monday the jury awarded the plaintiff \$3500 damages, but Mr. Currey gave notice of appeal.

May It Be But Rumor.

Some unkind talk, whether rumor or not is not known, has been going the rounds this week with reference to one of the St. John boys who went away with the first South African contingent. The report is that the lad, who was of a none too robust constitution, had been ill all the way to Capetown, and that during the voyage he was found sleeping while on guard. The commanding officer severely reprimanded him and there and then gave him his discharge. It is said that the lad was left at Capetown, and that he was soon to return home.

VOLUNTEERS FOR THE TRANSVAAL.



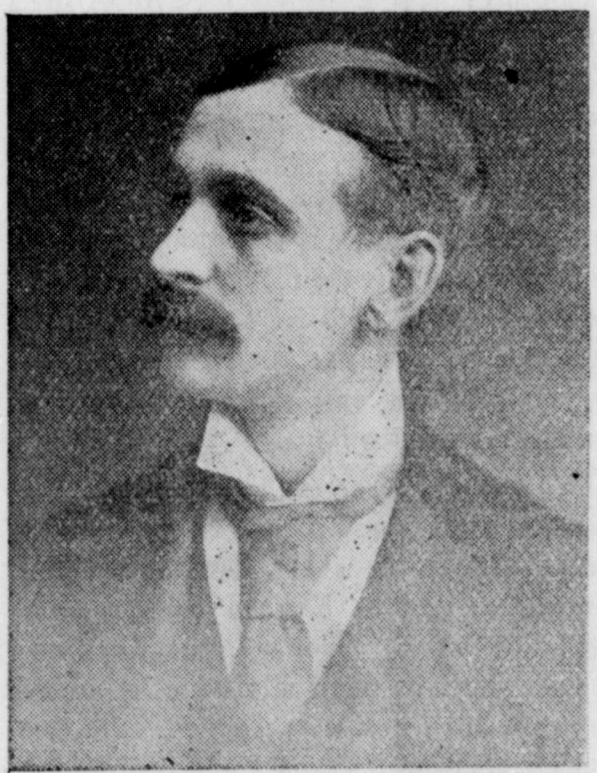
LIEUT. RALPH MARKHAM.

Lieut. Ralph Markham joined the 8th Hussars in 1894 as trumpeter, and was appointed provisional second lieutenant in 1895. He is in possession of a Royal Cavalry school certificate, and is an excellent horseman, a fairly good shot and an all round athlete. He is the son of Lt. Col. Markham, manager of the Star, and has been for some time connected with the business staff of that paper. He is 23 years of age, and also surrendered his commission for a place in the loyal ranks.



CAPT. B. R. ARMSTRONG.

Captain Armstrong is son of Lt. Col. Armstrong, late of the 1st Artillery, and a school-trained soldier. He threw up his commission to get on the continent even as a private. He is a lawyer by profession and is very busy as a gold prospecter with his fellow officers in the R. C. A. here. He is a very energetic and wild enthusiastic at the Institute.



DANIEL A. MORRISON.

Daniel A. Morrison is one of St. John's best known young men, the road representative of Messrs. Birt & Peters. Also he has been perhaps the most active worker in Christian Endeavour circles among the young lads of the city. He is Maritime Provincial secretary of that brotherhood's body at present. His wife is Primary Supt. of the Maritime Provincial Sunday School Association.



CORP. ANDREW MCINTOSH.

Corporal Andrew McIntosh of Company 2 62nd Battalion (formerly the Rifles) and son of D. McIntosh the Marsh Road florist. "Andy" was a very popular soldier as Monday night's meeting demonstrated.

'Pete' Williams is Angry.

It is doubtful if St. John today holds a more disgusted or dissatisfied young man than Harold Williams, son of Prof. Williams, the veteran bandmaster, and who himself is an all-round musician of local note. Harold, or "Pete" as his intimates have been pleased to nickname him, became fully as enthusiastic in the second contingent matter as did any of the St. John volunteers. His five years connection with the Eighth Hussars, and his especially complete knowledge of all camp and field trumpet calls gave him the very best reasons for believing that his acceptance on the St. John's list of volunteers would be only a matter of course. But, sincere and loyal as he was, along with his particular efficiency, he was set aside by the medical examining officer as within the chest measurement requirement.

This curt decision of Dr. Walker's was like administering an ice bath to the general bass violinist of the Opera House orchestra. He had made ample preparation to depart for South Africa and had even gone so far as to resign his musical post in the theatre. Recourse to a tape-line, it is claimed, revealed his chest not to expand to the necessary number of inches, despite the arbitrary ruling of the examining officer. Though not overtowering in height nor massive altogether, Mr. Williams is particularly well developed about the chest. Those who have heard him on many public platforms execute difficult saxophone solo and E-flat clarinet selections can bear testimony to his lung capacity, nor would it be suspected that his chest measurement would be below normal. Nevertheless, aside from the fact that he was an excellent horseman, a trained shot and, as some have allowed, the best military bugler in Lower Canada, he was debarred from joining the loyal corps on account of an alleged shortcoming in breathing expansion, when other men in the first contingent and some in this latter contingent, were known to be physically deficient, but who by more or less military wire manipulating and personal favor were admitted to the ranks.

As soon as Williams received a refusal from Dr. Walker he sought entrance into the suburban detachments. Colonel H. Montgomery Campbell was telegraphed at Sussex but the application was too late there. The Colonel knew of Williams' general good qualities as a Hussar trumpeter and was sorry that he could not find a place for him. So, dismayed and discouraged, the Hussar trumpeter gave up the idea of trying to enter the ranks, much to the regret of the volunteers, especially the Hussar boys, who knew of Williams' soldierly qualities, his expert bugling and incessant jollity. They wanted him to go along with them and seemed greatly surprised at his being "turned down" by the doctor.

"Kissing goes by favor" it is said and it would almost appear that some of the selections made for the contingents upheld this old time saying.

In this latter detachment of volunteers men who had never ridden a horse in the field were readily placed on the lists, and many of them were not startling examples of physical manhood. The 62nd battalion was well represented, and it a member of this corps was available for service, it seemed as though outside applications, no matter how good, were not given the same chance. Military sentiment, or rather esprit de corps seemed to influence the selection of members for the little horseback squad.

One man is said to have had a glass eye but evidently the examiners failed to discover it. He was a 62nd battalion member. Another well built fellow who went down on the Shore Line Railway to bid his people good-bye, received word that he would not be needed. A friend of the influential ones got his place, Farmer Ryan, of Sussex, the man who sold his farm and all to go and fight for Queen and country, it is stated, was only taken on at the last moment, after no little amount of demurring. He is as good as a circus rider on a horse and overstepped the measurements in every particular.

In consideration of matters generally concerning the choice of volunteers Trooper Williams feels as though a gnat had been strained at in his case and a camel swal-

lowed in other instances. Nor does he acknowledge that he is deficient in chest measurement, but says it was merely an excuse to retire him from the ranks in order to make room for another recruit, who were apparently the chosen people. So disgusted is he with the whole proceedings that he promises never again to put on his Hussar uniform, for if he is considered not physically fitted for South African service, he thinks it folly to be actively engaged in trumpeting in camp and on the field at home. "Pete" is really cast down.

ONE LINE COMES FORWARD.

And States The Number of Taxpayers and Licensed Employed.

One result of PROGRESS' statement last week that there were 72 workmen at Sand Point who came from outside the city and are not paying taxes is the statement of the Elder Dempster people filed with the Mayor showing how many of their employees pay taxes and how many are licensed. Now, if the other companies will do the same, it will be an easy matter for the police on the west side to check the sheets and satisfy themselves that the bye law of the council is being carried out. The information received by PROGRESS was from a source that cannot be disputed and seems to simply bear out the facts that have been known to many persons for some time.

According to a man who knows the workmen better perhaps than any other, a considerable portion of the employees of one line came from up river as soon as a steamer belonging to it arrived in port. They did not board like other laborers but hired rooms in the house of a well known man on the west side and one of their number did the cooking. When the boat was loaded and ready for sea the whole party moved back to the country, took the train part of the way and teams were always waiting for them at the nearest station to drive them some fifteen or twenty miles to their homes.

This was not as bad however as some of the men working on another line did. They did not even rent rooms but occupied an old scow where they miserably housed and one of their number cooked for them. When their boat was loaded and the skirting was good they did not even pay railway fares but walked to safe ice and had a cheap passage home.

These are facts that can be vouched for. They are known to workmen in Carleton, to members of the old and new union.

Why did not these men pay a license?

They Fall for the Damage.

The complaint is made that while St. John stevedores are asked to tender for the loading of the steamers, their tenders in some cases, do not receive the consideration due them. Some of them assert that even if their tenders were lower they would not get the work because the Montreal men have an all the year contract. Whether this is true or not the men who work say that they are not so well off under the outside boss. The same precautions are not taken for their safety or for that of the goods. An example of this was given recently when four tons of wire were being lifted from a hole. A St. John stevedore says the laborers would have put on a safety gear but this form did not and the result was a smash that cost nearly \$2000. To prevent being discharged the laborers agreed to pay for the damage though they were not compelled to do so as a matter of right. There should be some regulations, however, making the safety of workmen an imperative matter.

Proposed Cheers for the Boers.

The Boer enthusiasm in Fredericton seems to have reached a portion of the people outside of one or two members of the council. Some days ago when the report was wired to Canada that the Boers had defeated and wounded General Buller, a butcher named Boyle was so overcome by his joyous feelings that he proposed three cheers for the Boers on Queen street. A well known Fredericton man called him down and the news spread so quickly that the loyal little city through its most prominent citizens manifested its displeasure in a most substantial way. The butcher lost many of his best customers. It is a wonder he did not lose his health.