

# PROGRESS.

VOL. XII., NO. 616.

ST. JOHN, N. B., SATURDAY, MARCH 31 1900.

PRICE FIVE CENTS

## Troubles of a Judge.

The disclosure proceedings in the matter of the property of Judge Vanwart that took place at Fredericton this week were indeed disclosures. A good deal has been said from time to time of a trust deed but it was never produced before. Mr. Vince of Woodstock had the document and it showed that there were 47 creditors whose claims ranged from \$15,000 down to hundreds. The largest one was that of a woman and Mr. Vince himself and Hon. A. F. Randolph and others figured for considerable sums.

Judge Vanwart had been holding the circuit court in St. John and he ignored the orders of Judge Wilson to appear before him and having adjourned the circuit in St. John the week before to the date fixed for his examination calmly proceeded to let the latter await his pleasure. This was the state of affairs that confronted Mr. Geo. F. Gregory when he appeared before Judge Wilson on behalf of his client, Mr. Lynch.

Mr. A. H. Hanington of St. John appeared for the judge. One time before, if PROGRESS mistakes not, the examination was postponed on account of the absence of Mr. Pugsley who has been associated with Mr. Hanington in the case. But this week Mr. Pugsley did not appear though he was in Fredericton. It may be that the reason for this was the bridge inquiry but there have been insinuations to the effect that the proposed deal that hinges on the retirement of Judge Vanwart concerns the political ambition of Mr. Pugsley to some extent and for this reason the counsel for the government in the bridge investigation might not be anxious to appear.

The publication of the deed of trust Judge Vanwart gave to Mr. Vince would prove interesting. There have been so many statements as to who his creditors were and the amount, that were due them that some definite information on this point would be valuable.

The statements have gone broadcast that the greater portion of this money belonged to estates that were entrusted to the judge when he was in law business in Fredericton and that he used the money and cannot return it now. The reformed Baptist denomination have no hesitation in stating their case to be one of this kind and the Mangerville church people say the same. These are extraordinary statements which if true can hardly be overlooked. If they are not true the denial should be prompt and complete. Respect for the judiciary at best demands an investigation. This is what Mr. Gregory aims at before Judge Wilson, but Judge Vanwart does not seem eager to go on the stand.

When Mr. Hanington made his statement that his client Judge Vanwart was detained in St. John and asked that the examination be postponed for a few days, the fun began, and according to the report in the Fredericton papers the following sharp discussion took place.

Mr. Gregory said that Judge Vanwart had been duly served with an order for examination and had accepted fifty cents as conduct money and that it was his duty to obey the order of court and be present. It was true that he was at present presiding at the St. John Circuit, but he was constrained to believe and had no hesitation in saying that he could have arranged without any inconvenience to the circuit or to himself to attend before Judge Wilson today. Judge Vanwart, Mr. Gregory continued, had some days ago, after he had been served with the order for examination and knowing that his presence here was expected today, adjourned the circuit court sitting until yesterday, spent two or three days in Fredericton last week and returned to St. John yesterday, just in time to support an application for adjournment of his examination. This Mr. Gregory characterized as a manoeuvre and a trick for the purpose of delaying and escaping examination.

Mr. Hanington asked that these words be taken down.

Mr. Gregory said he had no objection whatever and in order that there might be no mistake about it he would repeat them slowly and deliberately. He said furthermore he would challenge Judge Vanwart or Mr. Hanington or any other barrister

to take any proceeding they might think the use of such words called for.

Continuing, Mr. Gregory declared that even if Judge Vanwart's present engagement at St. John Circuit were not designed as intimated there was no sufficient excuse for his disobedience of Judge Wilson's order, for he could, had he so desired have

proceedings against the judge. It will be remembered, Judge Vanwart upon that occasion did not spare the defendant in the suit, who is now making things pleasant for him in return. The counsel for the plaintiff at the divorce trial is probably aware whether this is correct or not and also whether there is any truth in the report that a gentleman keenly interested in the divorce proceedings figures as a creditor of the judge for very considerable sum.

No doubt all the facts will come out in time but at present the people are waking



GEO. E. COULTHARD M. D.

A Respected Physician and Resident of Fredericton Who Died Saturday Week.

readily called in any other Judge of the Supreme Court to relieve him.

Mr. Hanington vigorously resented Mr. Gregory's imputation that Judge Vanwart had deliberately adjourned the St. John Circuit last week for the purpose of preventing the examination.

Mr. Gregory read an affidavit of service of order on Judge Vanwart and moved for an order nisi for an attachment against him for disobedience.

Judge Wilson said he would not under the circumstances grant this application.

Mr. Gregory then stated that he had served a summons upon Mr. D. McLeod Vince of Woodstock to attend for examination touching Judge Vanwart's affairs and he was expecting him in town by the noon train. He therefore asked that Mr. Vince's examination be proceeded with today.

Mr. Hanington opposed this, claiming that no witness could be examined in Judge Vanwart's absence, but Judge Wilson held otherwise.

Thereupon Mr. Hanington stated that he had wired Mr. Vince last night that the examination would not be held today.

Mr. Gregory censured Mr. Hanington severely for so interfering with a witness.

Mr. Hanington said he would undertake to have Mr. Vince present at the time to which Judge Vanwart's examination should be adjourned.

Mr. Gregory wanted to know how Mr. Hanington could make such an undertaking. He, as Judge Vanwart's counsel, had no control over Mr. Vince or any other witness summoned by the plaintiff.

Upon Mr. Gregory's reverting to Mr. Hanington's telegram to Mr. Vince, Judge Wilson said that in view of this he would take into consideration Mr. Gregory's motion for order nisi for attachment.

Mr. Vince did however put in an appearance and the examination went on, when as noted above the trust deed was produced.

These disclosure proceedings will no doubt add much to the interest in the rumors regarding the retirement of Judge Vanwart. If there is an investigation many of the rumors that are floating around will no doubt get attention. One of the most recent PROGRESS has heard and its correctness was confidently asserted, is that there is some connection between a recent divorce court trial and the

fact that men in high positions in Canada can do things that might well place an ordinary subject's liberty in danger and their feeling that no suspicion should hover round a judge is but natural under the circumstances.

## PROGRESS CONTENTS TODAY.

PAGE 1.—This page speaks for itself.

PAGE 2.—A specially prepared article on the three big millinery openings this week, with illustrations. The opinions of experts as expressed to PROGRESS.

PAGE 3.—Dramatic and musical columns—General miscellany.

PAGE 4.—Editorial on Dr. Christie and the exhibition and other subjects—A letter from agent Robinson—Joys and Woes of other places and good poetry.

PAGES 5, 6, 7 and 8.—Social items from Halifax, Fredericton, Hartland, St. Stephen, Calais, Chatham, Woodstock, Wolfville, Truro, Anagance, Yarmouth, Digby, Sussex and smaller places throughout the Maritime Provinces.

PAGE 9.—Nearly a whole page of local topics including:— Officer Garnett's clever scoop. Those desperate St. John mashers. Well known Jubilee singer dead. N. E. Salvage Corps election. A visit which brought gloom. The wrong singer got his bouquet. That fire on Duke street last Monday.

PAGES 10 and 15.—The second instalment of that delightful serial "The mystery of a mountain pass."

PAGE 11.—Sunday reading and a short story by Rev. Chas. M. Sheldon the writer of the hour.

PAGE 12.—"Blighted by Judge Lynch"—a writing with reference to lynching.

PAGE 13.—Chat of the Boudoir and fashions fancies from the style centres.

PAGE 14.—An instructive article by an eminent French physician on "How to restore the Drowned."

PAGE 16.—"Gallant Little Hale Robbins"—a pleasing short fiction. Some French Canadian Talk. Births, marriages and deaths of the week throughout the Maritime provinces.

## He Got His Full Pay.

It is somewhat unusual for the application of a policeman for pay while absent on account of sickness, to be opposed by the chief, yet this was the surprise that official sprung upon the safety board at a recent meeting.

Officer Finley went home sick one night about nine or ten o'clock and lost a day. He was docked by the chief and as this is not always done when a man is ill for a portion of a day the officer put in his application to the safety board for full pay for that day and for half pay for two days lost same time before. Before his application had been read the chief appeared upon the scene and said that there was one application that he could not recommend and he mentioned that of Officer Finley. As the application had not been read at that time the chief did not get much satisfaction. He had far better have remained silent, for when the officer's request was read the Safety board gave him full pay for one day and half pay for two. That evening in the guard room the chief, learning what the Safety board had done, made the statement that he had not opposed Officer Finley's application. This was a poser and surprised even those who stick to the chief through thick and thin, because the fact had come from the city hall that the chief had opposed Officer Finley's request and mentioned his name.

It is somewhat dangerous to talk back to the chief in the guard room and there was but little discussion, but the incident made an unfavorable impression on the force because they knew why Officer Finley was not in favor with the chief.

With a good deal of difficulty PROGRESS got at the facts. It seems that Finley, who is considered one of the best men on the force, steady and competent, took an interest in the police fund and was one of a committee to inquire into its affairs. There were three of them Sergeants Baxter and Kilpatrick being the other two. The result was that a meeting was held early in February and those long delayed bye laws and constitution were adopted and officers were elected. There were two candidates for the office of president, the chief and Sergeant Kilpatrick and the latter beat Clark two to one. Sergeant Baxter was chosen vice and Officer Collins secretary with Officer Finley financial secretary and Capt Jenkins treasurer. These names appeared in the papers as the officers the next day but the fact that they resigned shortly afterward, in fact, the very day that they appeared in print was not made public.

The chief was much incensed at the ac-



MISS CLARA JEAN BRENNAN

Is one of St. John's foremost vocalists and although her career in prominent musical circles has not been very long she has earned unstinted praise for her singing.

Miss Brennan's first appearance was less than two years ago, but since then she has sung in many grand concerts, and last week sang very acceptably the role of Iolanthe in the amateur opera. Her greatest success has been the singing and acting of a part from "Il Trovatore" with Prof. E. W. Buck.

tion of his men in not choosing him president and this was apparent in a very short time. After the constitution and bye laws had been adopted he wanted to change them but Officer Finley, who had a hand in framing them, maintained that this would not be done except in the regular way.

His reward for this very proper objection was to listen to his chief calling him ignorant and dishonest. As the officer was not on duty he asked for an apology or insisted that the chief should prove his charge that he was dishonest. The chief refused to do either and the discussion became somewhat bitter. The result was that Sergeant Kilpatrick resigned his position as president and the other officers who had been elected followed suit. This seems to have dealt the association a death blow because at the next meeting there was not a quorum.

The petition for incorporation of the association was presented to Officer Finley but he refused to sign and gave as a reason that until the chief apologized for his language to him he was done with the affairs of the fund.

The chief was supported of course by Sergeant Campbell and this caused a good deal of bitterness among the men who do not have any respect or consideration for him. They do not hesitate to say that he owes his promotion to his willingness to do the chores of the chief. Clearing the side walk of snow is but a small portion of his additional duties. To attend the furnace, groom the horse and lug out ashes is the price of his chief's favor. The men know this and have no respect for the man who is promoted over their heads and is always willing to bear some tale about them to headquarters.

Said one officer to PROGRESS "If I had acted as Campbell has, been as brutal to the prisoners, figured in a Fox scrape and so forth I should not be on the force, and yet I see he is applying for pay from the time he was appointed sergeant, when the regulation was that there should only be so many sergeants. Finley is one of the best men on the force, never takes a drink and has not had a complaint against him and now I will wager he will be dogged and watched and if nothing can be found against him he may, like poor Tom Burchill, have to go to the North End. Why, do you know that Sergeant Campbell even votes the chief's horse blankets and stuff down to old Nell Mitchell on Shefield street to be mended. This is the kind of work he is rewarded for while the policeman who respects himself and refuses to do such menial work is liable to be reported for nothing, lied about and traduced. A lot of us are getting tired of the injustice of the chief and if we can unite and get pluck enough to risk dismissal on some trumped up charge we propose to present our case to the members for the city or the council or whoever can best assist us. But the man who expresses an opinion differing from the chief must keep a look out. Finley is our last example of this."

### A Man Who Will be Missed.

Doctor Geo. E. Coulthard, whose portrait PROGRESS publishes in this issue, died at Fredericton, on March 17th in the 51st year of his age. The death came as a severe blow to relatives and friends. Cut down in the very prime of life the loss to the community of one who did so much to advance mankind cannot be easily estimated. In the medical profession, he took a foremost place among his brother practitioners and by his patients few doctors have been more loved. Judged in whatever sphere, whether domestic, professional or public Doctor, Coulthard set a grand example. Many a home has been made sad and desolate, the poor has lost a true friend and the city of Fredericton and the province a worker and a helper. By little children he was greatly loved as this story told shortly after his death illustrates. A little child of six had been taken ill, her little sister seeing her sick exclaimed "Well it is no matter if you do die for if you die and you get sick in Heaven you will have Dr. Coulthard to come and see you." PROGRESS publishes the above picture knowing it will be welcome by many who have no other means of obtaining the likeness of one so much beloved.

Umbrellas Made, Re-covered, Repaired  
Ducal 17 Waterloo.