

ANOTHER FIZZLED "SCANDAL"

The Complete Collapse of Chief Engineer Lumden's Charges—An Impartial Review of the Investigation Which Vindicated the N. T. R. Commission and the Government—The Bad Effect of the Gabble About Graft—It Debauches Public Mind.

Mr. E. W. Thomson, the Canadian correspondent of the Boston Transcript, tells in a recent issue of that paper the story of the Lumden sharges fizzle and the complete collapse of the wholesale charges of graft and scandal which the Opposition have been exploiting. Mr. Thompson's letter is as follows:

The Eastern Division of the Grand Trunk Pacific or National Transcontinental Railway of Canada some two thousand miles between Winnipeg and Moncton, N.B., is being built at the public expense. It will be leased for fifty years to the Grand Trunk Pacific Company at three per cent on its cost, as annual rental. Thus the Grand Trunk Pacific Company have a great interest in keeping the cost as low as is consistent with the specifications. These require a line of very low grades, curves of large radius, heavy rails—in short a road far better than any other lengthy line in America or, probably in the world. In order that the Grand Trunk Pacific Company may know the cost to have been thus kept down, that company has a staff of engineers watching the contractors and also those Government engineers, who supervise the work, and who make the estimates on which that work is paid for. In general, these Government engineers are not employed directly by the Government Department of Railways, which has a general charge over the operations, but by the National Transcontinental Railway Commission a body of eminent business men created by Parliament especially to construct the road, the chairman being Mr. Parent, formerly Premier of Quebec. The only National Transcontinental engineer employed directly by the Department of Railways is the chief engineer. He had to certify all estimates of the Commission's engineers before the Commissioners will cause them to be paid. In case the Grand Trunk Pacific engineers object to any estimate, then the National Transcontinental Chief Engineer and the Grand Trunk Pacific Chief Engineer shall confer on the dispute. If they cannot agree on figures, they must try to agree on a third arbitrator. If they cannot do this then a Superior Court judge shall be required to name the third arbitrator, and the decision of the majority of the arbitrators shall be final. That is to say, they shall specify in any dispute instance the cost on which the Grand Trunk Pacific Company shall pay three per cent interest for fifty years. IT IS NOT EASY TO IMAGINE AN ARRANGEMENT EVINCING MORE FORESIGHT AND WISDOM IN PROVIDING CHECKS ON EXTRAVAGANCE OR FRAUD.

CHARGES OF FRAUD IN CLASSIFICATION.

Nevertheless it has been much alleged for more than two years that the cost of the Eastern Division was being fraudulently enhanced to an enormous degree. The assertion got some color from the fact that the preliminary estimates of expenses, estimates made hastily before the line was located, amounted to only about half of the cost as ascertained by construction. It was alleged, with no more vagueness than enough to protect the algeers from suit for slander, that the Commissioners and some of their engineers were leagued with certain contractors to rob the treasury by "over-classification," i. e., by estimates which represented that quantities of "earth excavation" were "loose rock" or "solid rock"—in short that cheap sorts of excavation were dear sorts. Grading contractors get paid according to the quantities of each of the several sorts of excavation. Nobody saw any good reason to think the allegations of fraud possibly true until Mr. Lumden, chief engineer, the man employed by the Government to guard the public interest, suddenly resigned last June. In his letter of resignation he said: "In view of the general disregard of my instructions, and having lost confidence in the engineering staff, I have concluded to resign my position as chief engineer." On the next following day he supplemented his letter by stating, "This does not apply to the whole staff but applies only to a portion of the staff, who were responsible for the measurement, classification, supervision and inspection of considerable portions in Districts 'B' and 'F' and east of Rennie Crossing." Mr. Lumden was supposed to be a capable man, and his honor was as undoubted then as now. Hence the situation looked black for the Commissioners, or some of their engineers, and for certain contractors. A storm of scandal flew. The Opposition pronounced the Commissioners guilty and proposed to hold the Government responsible for their sins. This would have been quite right had the sins been perpetrated. Still, Mr. Lum-

den had not proved that anything was wrong. He had merely laid a number of unnamed fellow engineers under abominable suspicions.

A CHIEF ENGINEER'S BLUNDERS

Civil engineers are an exceedingly honorable body of professional men. Their associations are rigid and quick in disciplining erring members. It was inevitable that the profession should investigate Mr. Lumden's imputations, if the Government shirked that duty. But Sir Wilfrid undertook the business by a motion in Parliament. A committee of the Commons was appointed. It has been sitting off, and on, since Feb. 3. It has been assisted by three able lawyers, representing all concerned interests except that, of Mr. Lumden, who refused to have counsel, though he was pressed to name any lawyer he might choose to employ at the public expense. Because this correspondence formerly dealt with the affair, I have thought it my duty to read every particle of the evidence carefully, in order to correct, if that should seem proper, any erroneous impression previously stated by me. The evidence was practically all in on two weeks ago. It covers 483 pages of closely printed question and answer. It consists mainly of Mr. Lumden's own evidence, illustrated by various documents.

The substance of the whole thing is that he first had a difference of opinion with every one of the other engineers as to the meaning that ought to be attached to the term "solid rock" in the specification; and second, differed from them all as to the meaning of his own amended, written and illustrated interpretation of "solid rock" and "assembled rock." He declared, over and over again, that he had never meant, and did not now mean to impute any dishonesty or fraud, or complicity with fraud to any of the engineers, any of the Commissioners, or any of the contractors. He charged the unexpectedly large cost of the road mainly to the fact that the preliminary estimates were but preliminary, hasty, and inclusive of less than half the work which subsequent location proved to be necessary to the establishment of the required grades.

WHAT IS "SOLID ROCK"

Mr. Grant, who succeeded Mr. Lumden as chief engineer, testified that he could not understand Mr. Lumden's first contention, nor his amended interpretation of that contention. It was shown, and not denied by Mr. Lumden, that the resident engineers has first, and for a long term, faithfully tried to "classify" according to the specifications, and had as faithfully tried later, to classify according to his amended interpretation. A great deal of space would be uselessly occupied here in explanation of just how all the other engineers, many of them far more experienced than Mr. Lumden, differed from him. He was plainly an honest man obsessed by a notion of the technical meaning of "solid rock" which he had derived from an experience limited to the C. P. R., a meaning which all the other engineers dissented from, and in which all the others were pronounced right by half a dozen eminent lawyers who were invited and paid to give written opinions as to the meaning of the words of the specification. The essence of the dispute was that Mr. Lumden wished to limit the term "solid rock" to rock occurring in ledges, though the specification applies that term no more to ledge rock than to all manner of indurated and cemented material that cannot be advantageously removed except by blasting.

When Mr. Lumden found it impossible, two years ago, to stand by his interpretation, then he changed it, invented the term "assembled rock" to define any material except ledge rock, which he would agree to class as solid rock, and so worded his interpretation that neither he, nor any other engineer, nor any lawyer, could make head or tail of his words and sketches. He had in his mind some meaning that never was clear to himself, and which he had therefore failed to express. Because the engineers, who tried faithfully to follow what they supposed his meaning, failed to show illumination by his monopolized inward and spiritual light, he "lost confidence" in them (so he wrote), and resigned. The evidence shows clearly that he really lost confidence in himself, because he could not find anybody capable of being guided satisfactorily by his puzzle-headed verbiage.

He declared often in his evidence that he regretted the expressions in his letter of resignation; that he would write it quite differently if he had to write it again. In short, he apologized. He did this in so many and open a way that it is impossible to read the evidence without admiring his disposition and character even while inwardly pronouncing him almost unique in obnoxiousness

to the meaning of words. He may be said to have believed everybody concerned except himself from every kind of blame.

THE LESSON OF LOOSE ACCUSATIONS.

As ammunition for the Opposition the whole affair amounts to a bottle of smoke. There is, however, a "moral" in it, and one for United Statesers no less than for Canadians. Here was an immense volume of accusation and slander founded on nothing. In consequence of the episode many people were not only put into gross suspicion of a number of decent, honorable, laborious public and semi-public men, but into suspicion of so many engineers that the reputation of the whole profession could not but in some degree smirched in the minds entertaining the suspicion. In so far as false scandal causes the people at large to become chronically suspicious and cynical regarding public servants, the public morale is degraded, and the way to evil is paved. Where public servants are made to feel suspected of theft, the less steadfastly honorable among them will be caused to reason: "It is as well to be suspected of sheep as of a lamb." Their minds become habituated to thought of rascality, even while they may shun it.

There is an old story of Pat, hostler, at confession being asked by the priest "Do you grease the horses' teeth?" "I do not, your reverence. And what for should I do that same?" "To prevent them eating their oats." The next time Pat was at confession the same question was asked. "Yes," replied Pat. "Why you villain, didn't you tell me last time you never did such a thing?" "Faith your reverence I didn't know the use of it till yourself told me."

Similarly the incessant talk of alleged description of "graft" in Canada and the United States pits me thinking about and often practising graft. It is somewhat as if a Pagin were employed in each school to warn the children against pickpockets by showing them, as Oliver Twist was shown, how easily a pocket could be picked. The consequence of such instruction are often manifest. It has become expedient of late years to include "paid" in the body of your prepaid telegrams, and to mark the same word conspicuously on prepaid express packages. If you do not the deliverers at the other end may collect, and if taxed with this they will affect that "a clerical error" caused mistake. Somewhat so it goes throughout the whole field of democracy. Small people are led to practise rascality by seeing it imputed every day to big people. Folks are being so much affected by irresponsible public lying that they are ever more and more callous to the infamy of the imputed wrong. "They all do it" is a current expression regarding politicians and financiers. Which leads me up to reasserting that our democratic countries need a new bit of Governmental machinery—an investigator-general's department. INVESTIGATING DEPT. NEEDED.

In this Lumden case any official recognized as impartial, capable and honest could have got at Mr. Lumden's meaning in two hours' talk. ONCE HE HAD SHOWN THAT HE IMPUTED NO FRAUD TO ANY BODY, THEN THE BASIS FOR ALL THE SCANDAL WOULD HAVE VANISHED. As things actually went, the country was bedevilled for nearly a year by slanderous gabble; the Government brought into contempt among many; the Transcontinental Commissioners and their honest engineers vilified; no telling how many thousand young minds allured to a cynicism likely to be permanent; a number of experts who should have been steadily on their job were assembled at Ottawa for a long inquiry; and a great many thousand dollars were wasted in an investigation wholly superfluous to any other purpose than that of vindicating the honest charges against which a dull man never thought he was laying and never meant to allege. An investigator-general department might have prevented all this folly, wickedness degradation and expense.

CONVICT BANKER BECOMES EDITOR

Hartford, Conn., May 4—William F. Walker the former banker who is serving a sentence in the state prison at Wethersfield for embezzlement from the New Britain Savings Bank, has become editor of the monthly Record gotten up by the prisoners. Walker as a contributor has written a number of stories of prospecting for gold in lower California.

WANT CAMERON AND CORKERY IN ST. JOHN

St. John, May 5—Efforts are being made to bring Fred Cameron of Amherst, James J. Corkery and Ernest Stirling together here in a ten mile contest. St. John men are already in communication with the manager of Corkery and Cameron's manager, and it is hoped that the race can be arranged.

If it is not found possible to get both here, either one or the other may be secured.

GOVERNOR HUGHES AND THE JUDICIAL BENCH

New York World Considers his Appointment to Judgeship both Interesting and Important.

(New York World)

The political aspects of Gov. Hughes's appointment to the Supreme Court of the United States are numerous and interesting. In two respects they are highly important.

By adopting a judicial career, the Governor unquestionably abandons the Presidential ambitions which he might very easily have cherished. He is not the man to pursue intrigues in that direction after assuming the robes of his new office. He is no Salmon P. Chase. Thus the party to which he belongs loses as possible candidate for the Presidency the most promising of its leaders, excepting only Mr. Taft.

A man who distinguishes himself as Governor of New York is unmistakably of Presidential stature. Mr. Hughes has taken high rank even among the notable men who have preceded him at Albany, and there can be no doubt that in his retirement to the bench he sacrifices prospects of political advancement that were unusually brilliant. He is the one man who might have contested the nomination with Mr. Taft two years hence.

From this point of view another political problem must have presented itself to the President. In disposing of a possible rival he also deprived himself and his party of its most persuasive orator. It was Gov. Hughes who gave dignity, purpose and intelligence to the Taft campaign in 1908. His speeches abounded in ideas. They carried conviction to hearers and readers alike. A thinker himself, he addressed the reason of the people. In a day of flippant familiarities from car platforms, of turgid preachments on undisputed subjects of crazy appeals to ignorance and passion his discussion of public questions was a reminder of American political oratory at its best.

President Taft was guilty of no exaggeration a year ago when he referred to the Governor as one of his party's most valuable assets. As a member of the Supreme Court learned in law and devoted to right, Mr. Justice Hughes will be for many years, we hope, a great national asset.

SOME OF HIS REFORMS.

Of the many and varied reforms with which Gov. Hughes has been identified the following are notable:

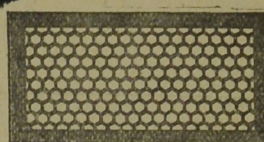
1. In 1905 the Governor as counsel for the legislative Gas Committee urged the passage of an eighty-cent gas bill, which was first defeated but afterward passed and later confirmed by the United States Supreme Court.
2. In 1906 the Governor conducted the investigation of life insurance companies and drew the bills that compelled far-reaching reform.
3. In 1907 he recommended and secured the passage of the public service law creating ten commissioners at annual salaries of \$15,000 each and divided into two departments extending the penal law to cover and to punish persons making false reports of corporations and compelling the registration of lobbyists.
4. In 1907 he vetoed the Two-Cent Fare bill in the face of general protest.
5. In 1907 he directed the investigation of State banking institutions and compelled the passage of several laws reforming their methods.
6. In 1908, after sensational battle he compelled the passage of the bills exterminating the gambling operations of bookmakers on race tracks.
7. In 1908 he appointed a commission to investigate Wall street, which recommended that the New York Stock Exchange be intrusted with the task of reforming itself.
8. In 1908 and subsequently, he recommended the extension of the power of the public service commission over the telegraph and telephone companies, a consummation which will be realized within the next few weeks.
9. In 1907, and subsequently, he compelled the passage of bills requiring power companies to pay a tax to the State for the privileges exercised by them and extending the power of the State over the control of power producing utilities.
10. In 1907, and subsequently, the Governor established the policy of selecting officials because of their fitness, irrespective of their political affiliations, and holding them directly responsible for their official undertakings.
11. In 1908 and subsequently the Governor advocated the adoption of the direct nominations and Massachusetts ballot plans, although he has not so far succeeded in securing either.
12. In 1910 the Governor openly opposed the endorsement by the Legislature of the proposed Federal income tax, a proposition upon which the Legislature had not finally gone upon record.

The most effective weapons used by the Governor in securing the adoption of his reforms are frequently admitted by him in his public speeches have been:

First, publicity; second, appeals to the people; third, the moral issue.

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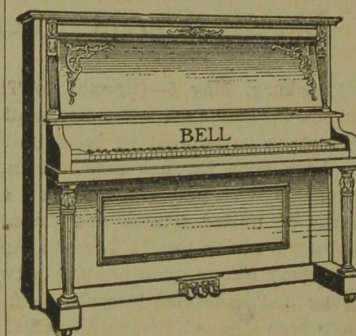
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NOTICE OF FORECLOSURE

To Albert E. Everett of the City of Fredericton in the County of York and Province of New Brunswick, Hotel Keeper, and all others whom it may in any wise concern—

NOTICE is hereby given that by virtue of a Power of sale contained in certain Indenture of Mortgage bearing date the twenty-sixth day of May in the year of our Lord one thousand eight hundred and ninety-nine, and made between the said Albert E. Everett, of the One Part, and me, the undersigned E. S. Ranney Murray of the City of Saint John in the City and County of York in the City of Fredericton on Saturday the Twenty-eighth day of MAY NEXT at the hour of twelve o'clock Noon, the leasehold lands and premises described in the said Indenture of Mortgage as follows:—All that certain lot, piece or parcel of land situate, lying and being in Block Number Seventeen in the Town Plat of Fredericton aforesaid and comprising bounded as follows:—Beginning at the point of intersection of the South Western side of Brunswick Street with the North Western side of Westmorland Street in the City of Fredericton, thence from the said point running South Westerly along the North Western side of Westmorland Street aforesaid one hundred and thirteen (113) feet, thence at right angles North Westerly and parallel Brunswick Street aforesaid one hundred and sixty-four (164) feet, thence at right angles and parallel to Westmorland Street aforesaid one hundred and thirteen (113) feet to the South Western side of Brunswick Street aforesaid, and thence along the same South Easterly one hundred and sixty-four (164) feet, thence (3) inches to the place of beginning, containing one rood and twenty-seven perches more or less, and being part of Lots Number 263, 265 and 267 in said Block Seventeen Town Plat of Fredericton (except as therein excepted).

Together with all and singular the buildings and improvements thereon and the privileges and appurtenances to the said premises belonging, or in any way appertaining, together with the Indenture of Lease relating to the same and all benefit and advantages thereunder. Dated this thirty-first day of March A. D. 1910.

(Signed) E. S. RANNEY MURRAY Mortgagee. (L. S.) A. J. GREGORY, ESQ., Solicitor of Mortgagee.

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