

OPINION ON LICENSE FEE BY-LAW ASKED

**ALD. HALL BROUGHT
MATTER BEFORE COUNCIL**

**One Agent Who Defied the City
to Make Him Pay the
Fee is Here
Now.**

The City of Fredericton is to ask for a ruling of the City Solicitor on the matter of the by-law relating to the imposition of license-fees upon travelling agents selling to the consumers in this city. The matter was brought to the attention of the City Council at the committee meeting Monday night by Ald. C. W. Hall. He particularly directed attention to Section 12 of the by-law which required an annual license-fee of one hundred dollars from each non-resident selling printed matter and stationery to the consumers. He said there had been no attempt to enforce the section. He brought the matter up not particularly because he was connected with the stationery and printing trade but because the by-law imposed license-fees upon agents in numerous lines of business and yet local dealers were given no protection because of non-enforcement of the by-law.

Agent Here Now

Ald. Hall said that there was one particular agent in stationery and printed matter who had defied the city to impose the license-fee upon him and who had threatened suit against the city if any step were taken. His threat evidently had produced result for nothing had been done toward enforcing the by-law. That particular man was in Fredericton doing business at that very time. The claim with regard to the by-law was that it was ultra vires of the City Council. It was his opinion that the City Solicitor should give an opinion and if possible a test-case in regard to the man in question be made.

On motion it was decided to have the City Solicitor prepare an opinion on the matter.

Has Left Hospital.

Ex-Warden Harry A. Smith who has been in Victoria Hospital for some weeks with typhoid, has recovered sufficiently to be removed to his home.

Ask for Refund

E. P. Bradt late Deputy Minister of Agriculture, has petitioned the city council for a rebate of two months taxes on his income. He has removed from the city to the Niagara Peninsula.

Rapidly Improving.

The condition of Miss Dorothy Tweeddale daughter of Mr. and Mrs. M. A. Tweeddale, who was operated upon for appendicitis at Victoria Public Hospital some days ago has improved to such an extent that she was removed to her home Monday afternoon.

The Employment Bureau.

The city again is urged to cooperate in re-establishment of an employment bureau here. Ald. Cooper is to take the matter up with the special committee of the City Council appointed previously. It is claimed that the bureau while in operation here had 2,338 applicants including 60 women of whom 2,002 including 32 women were placed. From employers there were 818 applications for 3,001 employees.

Grand Falls Power

The International Paper Company, who control the water powers at Grand Falls on the St. John river, are advertising, asking those interested to communicate with the head office of the company in New York, stating what power they would require, etc. Asked concerning the matter yesterday Premier Foster said that this was the first intimation he had received that the company proposed carrying out development there in the near future.

Death of Aged Lady

Mrs. James A. Young of Taymouth, died Monday night at the home of her daughter Mrs. E. A. Bell, St. John Street, at the advanced age of eighty nine years. Two sons survive also seven daughters. The sons are John A. Young, M. P., and William Young of Taymouth. The daughters are Mrs. E. A. Bell, Mrs. Peter M. McDonald, Miss Millie Young and Mrs. Gordon Grant of Fredericton, Mrs. Walter McWha, Mrs. John R. Buchanan, Mrs. J. F. Douglas and Miss Annie Young of St. Stephen.

Question of Demurrage

There was another complaint at Monday night's committee meeting of the City Council, concerning the paying of demurrage by the city on coal bought by contract. Ald. Neill made a strong protest saying that it was unnecessary for the city to pay demurrage on cars when there was a city team available to haul coal and also many truckmen only too anxious to take the work. On his motion the City Engineer was instructed to put the city horses to work hauling the coal, or secure other teams, should demurrage be charged in the future.

Visited in the East

Vancouver World: Mr. and Mrs. William Jarvis, of 1535 Fifth avenue west, have arrived home after a two months' holiday. They visited Mr. Jarvis' brothers and sister in Fredericton, N. B.; a sister at Scarborough, Me. From Boston they went to Bradford, N. H., where they visited another sister whom Mr. Jarvis had not seen for thirty-two years. They had the pleasure of seeing the old log house at Red Rock, Stanley, N. B., where Mr. Jarvis was born. It is still being occupied by farmers. It was built more than sixty years ago.

EXAMINATION IN THE ATTEMPTED MURDER CASE BEGAN IN POLICE COURT HERE THIS MORNING

Chief Finley of Local Force and the Complainant, Arthur H. Estey, Gave Evidence This Morning—Estey Identified Both the Accused, Burke as the Man Who Stabbed Him, and O'Ree as the Colored Man Who Accosted Him—Changed Details But Little Under Cross-Examination.

The preliminary examination of Edward Burke and Charles O'Ree of this city charged by Arthur Henry Estey also of Fredericton with assault and attempt to murder by stabbing on the night of October 19th, began this morning in the police court before Police Magistrate Walter Limerick. W. H. Finley, Chief of Police, and the complainant were the witnesses examined. Charles L. Dougherty counsel for Burke cross-examined. The complainant stuck to his story in the main particulars and positively identified the two men, O'Ree as the colored man who accosted him and Burke as the white man who came up later and stabbed him.

Estey's clothing worn at the time of the assault was produced in court. The coat was cut in two places. The other clothing was cut clear through. Estey at the request of the court bared his body and showed the mark of a slight wound.

Chief Finley the first witness said that at 11 p. m. on Oct. 19th he left the police station to drive home after passing Christchurch Cathedral on Queen Street he noticed a man sitting on the railing nearest the C. N. R. track. This man got up and walked toward Queen Street. Another man was sitting near the first. The second man also got up. This man was a colored man and was taller than the other.

Cross-examined by Mr. Dougherty, Chief Finley said that it was not unusual to see men at that place. The rest of the cross-examination brought out few new facts.

Arthur Henry Estey, the informant was next heard. He said he was farming for "old Mr. Crockett" and was a resident of Salamanca, Fredericton. On the night of Oct. 19th he walked about the city and to a restaurant in King Street. He walked down King Street to Queen Street. At the lower end of the Cathedral grounds he saw two men. He passed them. The colored man said "Hold on I want to see you" and witness stopped. The colored man said "You're the man who informed on us for selling booze." Witness asked, "Do you know who you are talking to?" He said "yes." Witness asked "Who is it?" The man said, "It doesn't make any odds. You're the man I'm looking for."

The white man then walked up to witness, pulled a knife out of his pocket and said "By — you will never inform on another man." He then struck witness in the left breast with a knife.

The clothing worn by the witness at the time of the accident was produced. Witness identified a cut near the top of the left coat-sleeve as that made by the knife used by the man. The latter struck at witness twice

making the cut in the clothing on the second effort.

Witness also identified a cut in the left breast of a coat-sweater as made by the knife the first time. The same blow cut the vest, the cotton shirt and the under shirt. His skin was cut a little.

Witness at the request of the Magistrate bared his breast and showed the scratch.

Continuing the witness said that at the first blow with the knife he grabbed the man's hand with both his hands. The second slash took witness on the shoulder. Nothing was said by anybody. The colored man stood there and "just looked". A car came up Waterloo Row and over the C. N. R. track. It slowed a little. The two men left him and went toward the railway bridge. Witness went home arriving at about 11.30.

Witness looking at Burke identified him as the man who used the knife. Looking at O'Ree he identified him as the colored man who stopped him. At that time he did not know either of the men. The knife was long and straight-bladed.

Cross-examined witness said he worked for James H. Crockett and lived at his gatehouse at Salamanca. He had come to town between 7 and 8 o'clock on the night of the 19th ult. About ten minutes to 11 o'clock he went to Essensa's restaurant King Street, below the old Gem Theatre. He stayed there twenty-five minutes and had a cup of tea. At about 11.15 he left but was not sure of the time. It was not later than that. He reached home at 11.30.

Counsel cross-examined particularly with regard to the time but witness stuck to his statement. The Cathedral chimes rang as he passed. He did not understand the chimes and not know what time it was. He could walk home in fifteen minutes from any point in the central part of the city. The first people he passed were those at the railing at the lower end of the Cathedral grounds. He passed them ten or fifteen feet distant. They were facing toward the railway track. The light was good enough for witness to see that one man was colored and one white. The colored man stood within three feet. The other man came up to within two feet. While he spoke to witness he was pulling the knife from under his coat at the rear. Witness had no time to ward off the blow. If it was a jack-knife it was a big one. The man was of fair height but appeared to be shorter than witness perhaps not much shorter. He appeared to be a stout man weighing 150 to 165 pounds. The man was not light complected but rather dark. The assault lasted five or eight minutes. Witness made no outcry and did not attempt to get away.

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