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MUNICIPAL MATTERS

County Council by a Large Majority Rejects a Proposal

TO MAKE SOUTHAMPTON PAY BLACK'S SHORTAGE.

Strange Way in Which County Affairs Have Been Conducted.

MR BLACK'S BONDSMEN NOT RESPONSIBLE FOR DEFALCATION

Coun Seymour's Interesting Contribution to a Spirited Debate—Where Pinder Came in.

Tuesday Afternoon.

The council reassembled at 2:30 p.m. with the Warden in the chair. The only absentee was Coun Rowley of Marysville.

The Warden, as per instructions from the council, submitted the bond of the late Secretary-Treasurer, which was read to the council by Secretary-Treasurer Bliss.

Coun McManiman had noticed an advertisement in the papers some weeks ago calling upon creditors of the Fenety Estate to file their claims some time in May, otherwise they would not be paid. He wanted to know if the estate could still be made to make good the Black shortage.

Mr Bliss said that as he understood the law, the bondsmen were only responsible for shortages which may have occurred during their life time, and not for any occasioned after death. It was true that the bonds bound the heirs of the bondsmen, but he thought this meant for any shortage occurring while they were alive. In his opinion the council should have looked out for new bondsmen for Mr Black after the death of Messrs Fenety and Douglas.

Coun McManiman wanted to know if the executors of Mr Fenety's estate could not be made to pay up.

Mr Bliss in reply quoted an authority to show that the estate was not responsible, and added that the Fenety estate was not yet wound up and could not be during the lifetime of Mrs Fenety, therefore there would be time enough to collect the amount when it was found that the estate was responsible. In the meantime he thought the council might consult other legal authorities upon the subject.

Coun McManiman said that the account had been outlawed years ago, and that if it could not be collected from the bondsmen the county would have to lose it, as it could not be legally collected from the Parish of Southampton.

Coun McMullen thought the county could stand a law suit with the bondsmen if necessary.

Coun Brewer said he would not vote to have the county pay one red cent of the amount.

Coun Burden remarked that the bill had already been paid by the county and Southampton would not pay it back as the debt had become outlawed. The question to his mind was should the council let the matter drop or try and collect from the bondsmen.

Coun Fawcett thought the amount should be collected from the bondsmen if possible. The Parish of Southampton was no more responsible for the misdeeds of Mr. Black than the other parishes, therefore it had no right to pay the amount.

Coun Scott thought that ex-Coun Lockhard had shown considerable forethought when he made the remark that the Purvis law suit would come up against the county some day. He (Scott) had assured Lockhard that it would not while he had a seat at the board, but it seemed to have slipped in some how.

Coun Seymour said that the costs had been incurred by the parish of Southampton and he thought the people of that parish had a right to pay the bill. He had been given to understand by Mr Black that he had purposely held back the account at the request of J. K. Pinder and Patrick Lockhard, the then councillors for Southampton. He would move the following resolution:

"Whereas, The amount of \$477.08 of costs of the equity suit of Thomas W. Purvis against Peter Johnson, highway commissioner for the parish of Southampton, was paid by Mr. Black while secretary-treasurer of the municipality; and

Whereas, Such costs were incurred under the authority of such commissioner acting as a public officer; and

Whereas, Such costs were a just indebtedness,

Therefore Resolved, That the payment of the same be authorized by the council, and the amount charged to the parish of Southampton."

Coun Cliff said that he would second the resolution provided the word "just" was omitted from it. He did not think the council should say whether the debt was just or not.

Coun Fawcett thought that the resolution proposed to pile it on to the Parish of Southampton a little too thick. A committee appointed for the purpose had determined that Mr. Purvis' building was not on the road and it was the duty of the commissioner to abide by that decision, but he did not do so. He held that the claim was not a just one. Mr. Bliss on being asked for his opinion, stated that the council had a legal right to order the amount assessed upon the parish of Southampton. The council had the right to order an assessment, not the councillors from any particular parish.

The amendment offered by Coun Cliff was accepted by Coun Seymour, and Coun Cliff then seconded the resolution.

Coun Fawcett said that the council had already by a unanimous vote referred the matter to Mr. Black's bondsmen, and he did not see how they could get over that. The bondsmen had a right to pay the amount, and if the bonds were not right the Parish of Southampton was not responsible.

Coun Burden said he did not think it was right to saddle the amount on to the Parish of Southampton. The debt was outlawed anyway, and therefore could not be collected from the parish. He had not been able to collect outlawed debts and he did not see how the county could.

Coun Masten said that the secretary-treasurer had paid the bill without authority from the council, and therefore it could not properly be charged to the Parish of Southampton.

Coun Scott thought that if the money could not be got out of Mr Black's securities the county had a right to lose it. If the securities are no good the council is responsible, and it will be a useful lesson to them for the future.

Coun Cliff said that the Parish of Southampton incurred the debt and the county had nothing to do with it.

Coun Scott—The county has lost the money.

Coun Cliff said the question was one between the parish of Southampton and Mr. Black's securities and the county had nothing to do with it. He thought the parish had a right to pay the bill.

Coun Goodspeed differed from Coun Cliff. He said the money had been wrongfully taken out of the county funds and the county had a right to deal with it. The council should endeavor to get the money out of the securities if possible, as Southampton had nothing to do with taking the money. He thought it might be a good plan for the county to seek legal advice and if thought proper, prosecute the securities.

Coun McManiman moved in amendment that a committee be appointed to take the matter up and report at the January meeting, such committee to employ counsel if necessary. Coun Burden seconded the amendment.

Coun Fawcett said that his only objection to laying the matter over was that the bondsmen might get out of the council's reach.

Coun McMullen believed in fair play and thought it would not be right to shoulder the claim on to the parish of Southampton. The bill was outlawed, therefore the parish had no right to pay it. He observed that Mr Pinder was in the city and thought that possibly he could give the council some valuable information in regard to the matter.

Several other councillors shared Coun McMullen's view regarding the King of Nackawick, but that worthy was not invited to testify.

Coun Graham thought that if the securities were responsible they ought to be made pay up.

Coun Seymour gave the councillors for Southampton credit for the way in which they were fighting the matter, and he would take the same course did he represent that parish. Nevertheless he thought the debt was a just one and should be

borne by the parish. He repeated what he had said about Mr Black holding the bill at the request of Pinder and Lockhard until after the election was over, as they were afraid it might have a bad effect upon the electorate.

Mr Bliss, in reply to Coun Masten, said that the council could order the amount assessed upon the Parish of Southampton if they saw fit.

Coun Fawcett assured Coun Seymour that the people of Southampton were willing to pay their just debts. It was quite plain to him that Messrs Pinder and Lockhart knew that there was something wrong about the bill or they would have urged Mr Black to pay it.

Coun Masten said he had been told by Mr Black that there was no judgment under which the costs could be paid as Judge Fraser, before whom the case had been argued in chambers, had been appointed governor before he had given his decision. He could assure the council that the people of Southampton would not pay the bill unless compelled to do so.

Coun Cliff cited a similar case which had existed in the Parish of Kingsclear some years ago, and said that the parish had on that occasion paid up.

Coun Goodspeed thought it would be a useful lesson to the council if the county had to pay the bill.

After some further discussion the vote was taken on Coun McManiman's amendment, which was carried on the following division:

Yeas—McMullen, Jewett, Graham, Scott, Masten, Fawcett, Mowatt, Robinson, Goodspeed, Moffatt, Brewer, Timmons, Burden, McManiman, Merrill—15.

Nays—Simmons, Cliff, Murray, Hillman, Cropley, Seymour, Haining—7.

On motion business was suspended to allow a delegation composed of John A. Campbell, M. P. P., Geo. Y. Dibblee, F. S. Hilyard and Edward Moore, representing the Agricultural society, to be heard in regard to a grant for an exhibition.

Mr. Dibblee spoke first and forcibly presented the claims of the society upon the council. He was followed by Mr. Campbell, who spoke briefly along the same lines.

Coun McManiman broke in at this stage and stated in most emphatic language that he was opposed to granting one farthing to an exhibition.

Postmaster Hilyard and Mr. Moore also spoke briefly, after which the delegates withdrew.

Coun Burden referred feelingly to the death of the late Coun. McNally and moved the following resolution, which was seconded by Coun. Cropley:

Whereas, through the overruling wisdom of Almighty God it has been ordained that our late colleague Alanson McNally, should be removed by the hand of death from our midst; and

Whereas, while we deplore his loss and miss his advice from our deliberations today, yet we feel that our loss is as nothing compared to that of the wife and family who are left to mourn the loss of an indulgent husband and father.

Therefore resolved, That we, the members of York County Council in session here assembled, do tender Mrs. McNally and the members of her family, our sincere sympathy in this their hour of trouble and hope that time, the great Healer, may deal kindly with them.

And further resolved, That a copy of this resolution be prepared by the secretary and tendered to Mrs. McNally on our behalf.

The resolution was unanimously adopted by a standing vote.

Coun McMullen said he would move that the council do not grant the exhibition one cent.

Coun McManiman said that he would be willing to second the motion.

Coun McMullen said that the people in the county were taxed enough already and it is about time they were getting a rest. There were lots of people in the country who were not able to pay taxes. He would move that no grant be made.

Coun Cliff said that a negative motion was not in order, and the secretary-treasurer being referred to, said that he found such motion on the minutes.

Coun Cliff moved, seconded by Coun Scott, that a grant of \$500 be made in aid of the exhibition.

Coun Scott combatted the arguments made by Coun McMullen and pointed out that the increase would not effect the poor man who was lightly taxed anyway. He contended that the exhibition would be a decided benefit to the county and that the council would be justified in making a grant.

Coun Burden endorsed the remarks

made by Coun Scott, and announced himself in favor of the resolution.

Coun Goodspeed thought that the farmers should not ignore exhibitions. They were the means of bringing together a large number of people, and the farmers of this country had an opportunity to meet and exchange ideas, and again it was a benefit to the farmers to have a large gathering of people at Fredericton occasionally.

Coun McManiman again spoke against making a grant. He claimed that many of the people in the country did not have ten cents to make good the increase in their taxes.

Coun Cliff said he believed in economy, but there were two matters on which he would not economize,—the hospital grant and the grant to an exhibition.

Coun Grosvenor spoke at some length in opposition to a grant of \$500. He thought the association already had ample funds to make the exhibition a success. He believed in holding exhibitions, but not in taxing the people to support them.

Coun McMullen again expressed himself as opposed to making a grant to the exhibition. He did not believe that the establishment of a shoe factory in Fredericton had improved the market, as had been stated by Mr. Dibblee. He had visited the St. John exhibition last fall, and found that a great many people did not go there to visit the exhibition, but to patronize gambling dens.

Coun Graham thought that the council should encourage the farmers and therefore would be justified in making a grant.

Couns Morgan and Mowatt spoke against making a grant and Coun. Brewer spoke in favor of it.

The amendment that no grant be made was then put, and carried on the following division:

Nays—Jewett, Simmons, McNally, Masten, Fawcett, Mowatt, Robinson, Hillman, Grosvenor, Cropley, Veysey, Moffatt, Green, Seymour, Timmons, Morgan, Haining, Merrill, McManiman—19.

Yeas—Graham, Cliff, Murray, Scott, Goodspeed, Brewer, Burden—7.

Coun Seymour submitted the following report of the public accounts committee, which was adopted:

1. We have examined the statement in detail of the receipts and payments from the first day of April last to the 29th day of June last, and find same according to the statement submitted as follows:—

Cash in Bank April 1st.....	\$1,899 61
County rates received.....	3,230 31
Jury fees received.....	233 40
Peddlers' license.....	3 00
Interest on account.....	7 30
Total.....	\$5,353 62
Payments April 1st to June 1st inclusive.....	3,775 24

Cash in Royal Bank June 29th..	1,603 64
Check outstanding.....	25 36
	\$1,578 38

Correct vouchers are on file for all payments. Respectfully Submitted,

George Seymour,
John Mowatt,
Luther Goodspeed,
John Scott,
A. E. Cliff.

On motion of Coun Burden George McKay was granted a license to run a ferry.

On motion of Coun Cliff a ferry license was granted to A C McNally of Queensbury, to take the place of the one formerly held by his father.

Coun McMullen complained that Thos Sawyer had overcharged the county for taking a lunatic from Prince William to the asylum.

Auditor McCready made an explanation regarding the account which was satisfactory to the council. He stated that Mr. Sawyer had been put to considerable expense on account of the patient damaging furniture belonging to the steamboat company.

Coun Burden submitted the following report from the public accounts committee, which was adopted.

A. D. Cobo, account for inquest on body of Thos. Cunningham, ordered paid, \$31.50.

Farmer Office, for advertising from 1897 to 1901, \$15.50. Laid over till January.

Dr. F. J. Seery, for second inquest over body of John Hewitson, ordered paid, \$51.85.

J W McCready for special work in April, ordered paid, \$15.00.

E Brewer, putting in wood at jail, ordered paid, \$10.00.

Dr T D Walker, cow poisoning case, \$28.00. Laid over until January.

Albion Foster, for arresting Edward Hawkins, ordered paid, \$24.25.

J B Hawthorn, for assistance in same matter, ordered paid, \$8.80.

J S Scott, coal for jail, \$3.50.

J B Hawthorn, for arresting Richard Gallagher, ordered paid, \$19.25.

J B Hawthorn, serving paper on John A Scott, held over, \$14.00.

Coun Fawcett thought that the auditor should be given enlarged powers, and should be allowed to go into the secretary's office and count the cash.

Mr Bliss said that there was no restriction on the powers of the auditor in that respect.

On motion of Coun. McManiman it was resolved that the reporters and constables receive the same allowance as last year.

Coun. Cliff moved that the constables in attendance at court be paid in future at the rate of \$1.00 per day instead of \$1.50. Coun. Grosvenor seconded the motion.

Coun. McManiman, moved in amendment, seconded by Coun. Hillman, that the allowance be \$1.50 per day. The amendment was carried.

Coun. McMullen thought that Mr. Black's bondsmen should not be released until the Purvis matter was disposed of, and it was pointed out that they were held under a previous resolution.

Coun. Simmons wanted to know if any thing had been done by the committee appointed to wait upon the government and ask for an amendment to the Highway Act.

Coun. McManiman said that the committee had been unable to wait upon the government during the session because of the illness of one member, and when he recovered Mr. Black had disappeared.

Coun Seymour also made an explanation regarding the committee. He said he had discussed the matter with Mr. Whitehead M. P. P. who had assured him that any suggestion the committee had to make would receive due consideration. He (Seymour) did not intend to offer for reelection, but he would do what he could to secure a better highway act.

The question of substituting iron shelves for wood in the county vault was left to the building committee, which was also empowered to procure additional shutters for the window. The committee was also empowered to dispose of an old furnace.

The warden appointed Messrs. Cliff, Burden, Seymour, Masten and Mr. Bliss as the committee to investigate the matter of the Purvis costs.

The warden was ordered to return the late secretary-treasurer's bond to the Royal Bank.

The warden complained of the disgraceful condition of the court house square, and hoped that steps would be taken to improve it.

It was moved by Coun Robinson, seconded by Coun Graham and adopted that hereafter bonds for the secretary-treasurer be executed annually.

Warden Morehouse then briefly addressed the council, informing them that it was not his intention to seek re-election, and thanking them for courtesies extended during the six years he had held a seat at the board.

On motion of Coun. Cropley, council adjourned sine die.

In some of the Swiss valleys the inhabitants are all afflicted with goitre or "thick neck." Instead of regarding this as a deformity they seem to think it a natural feature of physical development, and tourists passing through the valleys are sometimes jeered by the goitrous inhabitants, because they are without this offensive swelling. Thus a form of disease may become so common that it is regarded as a natural and necessary condition of life. It is so, to a large extent, with what are called diseases of women. Every woman suffers more or less from irregularity, ulceration, debilitating drains, or female weakness, and this suffering is so common and so universal that many women accept it as a condition natural and necessary to their sex. But it is a condition as unnatural as it is unnecessary. The use of Dr. Pierce's Favorite Prescription strengthens the delicate womanly organs and regulates the womanly functions, so that woman is practically delivered from the pain and misery which eat up ten years of her life—between the ages of fifteen and forty-five. "Favorite Prescription" makes weak women strong and sick women well.

Come to Houlton July 4th. Great Day. Cheap trip, \$1.25.

If you take a Laxa-Liver Pill at night before retiring, it will work while you sleep without a gripe or pain, curing biliousness, constipation, dyspepsia and sick headache.