

CITY COUNCIL.

(CONTINUED FROM FIRST PAGE).

master would trim up the trees on King street between York and Westmorland, to enable the sun to get in to dry the street.

MUST NOT EXPECTORATE.

A petition from the W. C. T. U., asking that a bye-law be enacted to prohibit expectoration on the sidewalks of the city, was next read to the council. The petition was signed by Mrs. Mary Burt Miss Sampson and sixty others.

Several of the aldermen thought there was already a law dealing with the case.

Ald. Farrell wanted to know whose duty it was to enforce the bye-laws of the city. He did not hesitate to say that all the bye-laws were very loosely enforced. People are allowed to throw rubbish and paper into the streets and no action is taken against them. Why is this so? He had understood that some of the officers had made the statement that it was not their duty to enforce the bye-laws. The police officers are sharp enough when they find some poor fellow lying in the gutter, in hustling him off to the lockup. That seems to be the extent of the work they perform. He did not hesitate to say that the way the bye laws are enforced in this city is disgusting and demoralizing. He did not wish to be hard on the policemen, but ask one of them to define his duties and he will be unable to do so. There seems to be no organized head to the police force. It is true that the council does not appoint the policemen, but the citizens pay for them, and they should perform the duties for which they are paid. He would move that the administration of justice committee wait upon the police magistrates with a view of ascertaining the duty of the policemen, and report back to the committee. The motion was unanimously adopted, several of the aldermen approving of Ald. Farrell's sentiments.

STREET LIGHTING.

A communication from Donald Fraser jr., asking permission to instal wires for incandescent lighting on the poles to be acquired by the city from the Gaslight Company, was read to the council.

The communication stated that the Aberdeen Electric Company intended introducing incandescent lights for commercial purposes, and would also be in a position to give a street light service.

Ald. Clark in reply to Ald. Vanwart said that the council had not yet acquired the plant of the Gaslight Company, but expected to do so in the near future.

On motion of Ald. Scott, Mr. Fraser's letter was referred to the Electric Light Committee.

A communication from F. I. Morrison, accepting the council's offer to purchase the Gas Company's plant, subject to the approval of the stockholders, was read and ordered to be placed on file.

A petition from James McKnight, praying for a reduction in his assessment on real estate from \$1800 to \$1400 and that he be exempted from the payment of a poll tax, was read and referred to the assessment appeals committee.

A similar petition from Nehemiah Vradenburg, praying for relief from payment of a poll tax on the ground of advancing years, was referred to the same committee.

A communication was read from W. S. Hooper, sec'y of agricultural society, asking if the council intended to exact a license from special attractions in the show line put on here during exhibition week on the exhibition grounds.

Ald. Vanwart moved that exemption be granted.

Ald. Farrell thought that concerns that only paid for the privilege of showing on the exhibition grounds, should also pay a license as they would take money out of the city.

The mayor stated that in the case of the diving horses, the exhibition people had to pay a fixed amount.

After some further discussion the motion for exemption was put and carried.

Ald. Clark presented the application of W. H. McGinn of Fredericton, and W. Allan Staples of St. John, for the position of city electrician, and at his request they were entered on the minutes.

Ald. Moore stated that he had been informed by Mr. McGinn that he would like action taken on his application as soon as possible, as another situation had been offered him.

Ald. Clark, from the committee appointed to interview the exhibition executive in regard to furnishing security for the grant, submitted a verbal report. He stated that the executive had given him to understand that they intended shortly to acquire the land on which the building now stood, and would deed the same over to the city. In the meantime they were willing to sign an agreement show-

ing the city's interest in the building. He would move that the balance of the grant of \$1,250, be paid over on the 20th inst. Adopted.

CAPT. SMITH'S CASE.

Ald. Ross said he had learned from the chief engineer that Capt. N. J. Smith had refused to hand in his resignation as requested to do by the council. He (Ross) thought that there was no other course open to the council but to make the dismissal. He would therefore move that the services of Capt. Smith be dispensed with, and that he be paid \$6.35 for his services to date. Ald. Scott seconded the motion.

Ald. Maxwell said that Mr. Smith being present should be given a chance to address the council.

Ald. Stockford was of the same opinion. Ald. Ross said that Capt. Smith had been given an opportunity to state his case but had not availed himself of it. There was no reason now why he should be heard.

The city clerk, at the request of Ald. Moore, read the correspondence between himself and the several captains in regard to the council's regulations that in future two men remain at the central hose station each night, and also the correspondence with Capt. Smith.

Ald. Moore contended that Mr. Smith had not been asked to sleep at the hose station himself, but had only been asked to furnish two men for that duty. He would submit, therefore, that Capt. Smith had not disobeyed any order of the council.

Ald. Scott said he had voted to increase the pay of the firemen and did not regret having done so. The council appointed the firemen and the latter elected their own captains, therefore he contended they were all on an equal footing. He did not think that Capt. Smith, having disregarded the order of the council, had any grievance to air. He considered the council quite competent to deal with these and other matters, notwithstanding the criticism of anonymous newspaper writers. The people sent them to the board to do the public business, and they should attend to it. It had been said that he (Scott) had a contract with the city to supply fodder for the fire department horses. He signed that contract three months before being elected to the board and had offered to throw it up, but had been told by the other members of the council to carry out his contract with the city. That was what he was now doing.

Ald. Stockford spoke out strongly in defence of Capt. Smith, and contended that he had not been guilty of a breach of discipline.

Ald. Ross said that there was another side to the question. Capt. Smith had not only refused to sleep at the hose station but had ordered his men not to do so.

Ald. Farrell said he would not object to the council hearing Mr. Smith, providing he thought that it would have any influence upon members of the board. But he had an idea that all the aldermen had made up their minds as to the course they intended to pursue, and nothing would be gained by hearing Mr. Smith's statement. After briefly reviewing the circumstances of the case, Ald. Farrell said that he regretted very much that the matter had reached its present stage. The motion asking for Mr. Smith's resignation passed the board by a large majority, and that should have settled the matter. But it seems it did not satisfy Capt. Smith. Instead of sending a courteous reply to the letter of the city clerk, he had rushed into print, publishing in the press of the city a letter over his own signature, in which he had cast reflections upon members of the board. He held that Capt. Smith was a servant of the city, and had no right to belittle and hold up to ridicule the members of the council board. Ald. Ross, had been appointed chairman of the fire committee by the council, and should therefore have the support of the council in his efforts to enforce discipline and improve its efficiency. It may be true that Capt. Smith was not instructed to take his turn at sleeping at the hose station, but the failure to cross a "v" or dot an "i" amounted to very little in the long run. The other captains had taken their turn and there was no reason why Capt. Smith should be exempt. He and Capt. Smith had always been on friendly terms, and he regretted that trouble had arisen, but there was no other course open to him but to vote for Ald. Ross's motion.

Ald. Moore moved, seconded by Ald. Rodgers, that Mr. Smith be heard by the council.

Ald. Ross stated that there was already a motion before the board.

Ald. Farrell did not think that Ald. Moore's motion could be treated as an amendment to the original motion.

After some further discussion, Ald. Ross, with the consent of the seconder, withdrew his motion, and Ald. Moore's was put and carried.

Capt. Smith, on being invited to address

the council, said that he had listened to remarks made by the several aldermen with a great deal of interest. It was true as stated by Ald. Farrell that they had always been friends and he hoped would always remain such. He gave Ald. Farrell credit for being conscientious in the course he had taken. Mr. Smith then went into the details of his case, and strongly contended that he had not been fairly treated by the council. He admitted that he had objected to sleeping in the central hose station for certain reasons, but did not consider that he had disobeyed any order of the council. He complained because the fire committee had tried his case without giving him an opportunity to be heard on his own behalf. He had asked the mayor and several of the aldermen if they did not think that he had a right to be heard, and they had admitted that he had that right. Had he been given a chance to attend the meeting he would not have found it necessary to rush into print over the matter. When he had received a notice from the city clerk he had gone to that official and in a gentlemanly manner had informed him that he would continue to discharge the duties until the meeting of the council. He had been a fireman for 28 years, and had always faithfully discharged his duty and done all in his power to protect the property of the city. He had turned out in all kinds of weather and only had two marks against him in all his term of service. He thought that was a record of which he had no reason to be ashamed. If the council thought he had disobeyed them he was willing that they should dismiss him, otherwise he thought he should be allowed to continue in office.

Mr. Smith was questioned by Ald. Ross, but stuck to it that he had not been guilty of any breach of discipline. Asked if he had told his men not to sleep in the station, he repeated that he had merely explained his own position, and had told them they could do as they pleased.

After returning thanks for the hearing given him, Mr. Smith withdrew from the chamber.

Ald. Ross again moved his resolution that Capt. Smith be dismissed, and Ald. Scott seconded it.

On the question being put, the resolution was declared carried on the following division:

Yeas—Ald. Edwards, Scott, Vanwart, Ross, Farrell, Clark—6.

Nays—Ald. Rodgers, Moore, Maxwell, Stockford—4.

The city clerk stated that he had prepared a bye law to govern the fire department, but the hour being late it was agreed not to take it up until the next meeting.

On motion of Ald. Stockford, council adjourned sine die.

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Sackville, N. B., Aug. 1st, 1903—d&w mwf

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D. POTTINGER,
General Manager.

Railway Office,
Moncton, N. B., 27th July, 1903.
July 31—dl 151

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Railway Office,
Moncton, N. B., 21st July, 1903
July 23—dl 101