

## FUN FOR THE CROWD

The Aldermen Spend a Couple of Hours in Squabbling Before a Big Audience.

Mayor Teague Leaves the Chair Because the Council Rejects His Advice.

The Hutchison Investigation to be Continued This Evening in Public.

If the old adage that a good laugh is better than a dose of medicine holds good in regard to the citizens who attended last evening's meeting of the city council, they will not have to call in doctors for some time to come. The meeting was better than any farce-comedy that has been presented at the theatre for many a day, and before they got through they had more than once been badly muddled. The big audience, a regular public meeting crowd, enjoyed the fun immensely. The meeting was called for the purpose of investigating the charges made by the electric light committee against Superintendent Hutchison, and although the board sat for two hours the investigation was not advanced a single point. Ald. Macmillan was the only absentee. Superintendent Hutchison was accompanied by his solicitor, Mr. A. L. Belyea, and all the witnesses were there, ready to give their evidence.

Mayor Teague opened the meeting by stating that he had a proposition to offer. According to the municipal act the mayor has the power to conduct investigations in such manner as he sees fit. It was his desire to conduct the investigation, not in public, but in private. He therefore, read a resolution to the effect that it was in the public interest to hold the investigation in private, and he asked some aldermen to move it. This, he considered, was the proper manner in which to proceed. It was not necessary for the council to take any evidence under oath. They already had enough information to proceed upon.

No one offered to move the mayor's resolution, so Ald. Macmillan moved, seconded by Ald. Hall, that the council proceed with the investigation as agreed upon at the last meeting. Ald. Macmillan said he could not agree to the proposition to hold the investigation in private. The charges have been made public, they should be investigated in public. A man's reputation had been attacked in public and it could not be washed in private.

Ald. Partridge spoke in the same strain. He contended that the charges having been published it was necessary to hold a public investigation. Ald. Bragg said the committee's report had been laid on the clerk's table within the object of having it read. If his idea had been carried out Mr. Hutchison would have been suspended long ago. He was proceeding to review the charges when the mayor called him to order.

Mayor Teague—Before you discuss the charges I want to know if you intend to act upon my advice. If not I intend to retire from the chair and you can carry on the investigation as you like.

Ald. Partridge—Documents have been read condemning a man. How can you, the mayor of the city, leave the chair when it is proposed to find out if an investigation whether the man is guilty or not?

The Mayor—Look out, or you will be getting out of your depth and drowning.

Ald. Humphrey thought Mr. Hutchison should say whether he wanted a public or private investigation. Documents had been read condemning him, and he should have some say.

The Mayor—It is a matter for the council to decide. Employees should not dictate to them.

Ald. Wilson—Where I made a great mistake was when I would not agree to the suspension of the superintendent. The Mayor—It wouldn't have made any difference. You would have had to go through all this anyway.

Ald. Partridge contended that either the mayor or some member of the electric light committee, he did not say which one, had first made the matter public.

Ald. Wilson—That is an unqualified falsehood.

And then there was a wrangle as to who had the floor. Ald. Partridge finally gaining his point and contending that he could prove by the city clerk that before he opened the note asking him to attend the private meeting to receive the reports of the policemen he knew what was in it. He had been told by a gentleman who was not in any way connected with civic affairs. He asked Mr. Dowler to bear him out.

At the request of the mayor Mr. Dowler said that Ald. Partridge had intimated what was in the note before he had opened the envelope.

Ald. Partridge—Hal! hal! How do you like that?

The mayor then put Ald. Macmillan's motion to proceed with the investigation in public. The motion was carried, Ald. Wilson alone voting against it.

The Mayor (leaving the chair)—Good evening, gentlemen. I am going home. I hope you will get along harmoniously.

Ald. Hall moved, seconded by Ald. Macmillan, that Ald. Humphrey take the chair.

The clerk was asked to put the motion, but he doubted whether there was any provision for such an emergency.

Ald. Cameron contended that section 5 of the municipal act covered the point. The council could appoint a chairman when the mayor left the chair.

Ald. Macmillan agreed with Ald. Cameron. The mayor had been derelict in his duty in not appointing some alder-

man to the chair before vacating it. It has been the custom for the senior alderman to take the chair in the absence of the mayor. Because one man had not the courage to remain in his place the business should not be blocked. He again moved, seconded by Ald. Partridge, that Ald. Humphrey take the chair.

Clerk Dowler—If the council wish me to put the motion I will do so, but do not hold myself responsible.

The council having expressed a wish to have the motion put the clerk did so and it was carried.

Then there was another delay while Ald. Humphrey was obtaining advice from the solicitor as to how he should proceed. Upon having taken the chair he said the first thing for them to decide was whether Mr. Hutchison's solicitor should be allowed to take part.

Ald. Bragg rose and was proceeding to go into the merits of the charges, and the investigation will be continued this evening.

The council adjourned at 9.30.

From Saturday's Daily.

The city council got down to business last evening, which was rather disappointing to the large audience that crowded the council chamber, expecting repetition of the comedy enacted on Thursday evening. Standing room was at a premium, and the crowd remained until the last minute, although the session did not end until 11 o'clock.

The mayor stuck to his resolution not to have anything to do with the Hutchison investigation, and consequently did not show up. As provided by Ald. Macmillan's resolution, Ald. Humphrey took the chair, but he did not call the meeting to order until after he had a long conference with the solicitors as to the mode of procedure. Ald. Bragg, chairman of the electric light committee, sat alongside the solicitor, who conducted the direct examination. Mr. Hutchison was accompanied by his solicitor, Mr. Belyea. A number of witnesses were examined for the "prosecution," but the investigation was not concluded and an adjournment was taken until Tuesday evening. The audience at times gave expression to their feelings in applause and had to time and again be asked to refrain from making a noise.

Thos. Carson, engineer in charge of the electric light department, was the first witness. Having been sworn by the chairman, he deposed that he did not know whether Mr. Hutchison's duties had been defined.

Asked how long Mr. Hutchison had been superintendent, he answered: "From the date of his appointment." (Laughter.) He could not say that Mr. Hutchison had been regular in his attendance at the power house. His report, made at the request of the chairman, was correct in all details. He was on duty at night. There was a break down on the 7th of October. He could not say whether the superintendent or the dynamo tender executed the repairs.

To Ald. Bragg—The Devonshire road circuit was out of repair for five weeks. It could have been repaired in two days. The dynamo was at the tramway shed. He could not say whether the commutator was put on at the tramway shed or at the station. One man might think he could do the repairs better outside than at the station while another might think otherwise. With regard to the attendance of the superintendent at the power house, his report for October was a good criterion for the previous three months.

To Ald. Macmillan—He had wound up his sections. He probably could have wound the armatures if he had the necessary facilities. It would be necessary in the first place to have a lathe.

Ald. Macmillan—If you wanted a man to run your engine and he did not know how to run it, would you trust him with the engine?

Mr. Carson—I would not. (Applause.)

Mr. Belyea—Tell us how much you know about electricity. Do you know anything?

Mr. Carson—A little.

Mr. Belyea—How little? Enough to make a mess of it?

Mr. Carson—No.

Mr. Belyea—Then you don't know anything about it. (Laughter.)

Mr. Carson, examined by Mr. Belyea, admitted that there was no repair shop at the station, and that Mr. Hutchison could have passed into the office without being seen by him. His report only referred to the nights. He could not see anything about the day time. He did not know who had charge of the station during the superintendent's absence. The only break that occurred during the month of October, requiring Mr. Hutchison's presence, was during the night of the 27th. Hutchison could not have executed the repairs at night if he had been there. They were executed the next day. He had put an order under the superintendent's door on the 28th, but between those dates he had met Mr. Hutchison on the street and told him he wanted the oil. That was on Saturday, and the oil was delivered on Monday. He had had no trouble with the superintendent, but had been suspended once. He did not know what Mr. Hutchison had to do in the day time or whether he had any work to do in connection with the fire alarm system.

Mr. Belyea—Does he have anything to do in connection with the wires and lights?

Mr. Carson—I suppose so.

Mr. Belyea—Could he do that at night?

Mr. Carson—I don't think so.

Ald. Macmillan—Do you think it was honorable to mislead Ald. Bragg in regard to the order for the oil?

Mr. Carson—I might have overlooked that. I have no ill feeling against the superintendent or any wish to injure him.

To Ald. Wilson—I got my first orders from you to employ a man to fill up a gap in the wharf. If it had not been done the coal would have gone through into the water.

Ald. Macmillan—Who did you get the last orders from?

Mr. Carson—I only got orders from Ald. Wilson.

Constable Clayards, the next witness, had received orders to make a report on the movements of Superintendent Hutchison. He identified the reports, which were true, and were ordered to take notes of details, important or otherwise.

To Mr. Belyea—I got instructions from Acting Chief Walker.

Mr. Belyea—Did you have a conversation with anybody on the day that you

evening. It was the solicitor's opinion that notice was necessary.

Ald. Macmillan—If a notice is necessary for this motion notice was necessary when it was moved to hold this investigation. The solicitor seems to have changed his views since then.

The Chairman—He considers this a more important notice, and besides his opinion was not asked for on the previous occasion.

Ald. Bragg remarked that the mayor had also changed his views since the last meeting. This was greeted with various noises from the rear of the hall.

Ald. Wilson demanded that the noise be stopped or the hall cleared.

The chair asked the audience to stop the noise, but it only had the effect of increasing it.

Ald. Wilson—You can hiss and stamp all you like. I am not afraid of you.

Ald. Macmillan's motion was adopted, and the investigation will be continued this evening.

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To Mr. Belyea—I got instructions from Acting Chief Walker.

Mr. Belyea—Did you have a conversation with anybody on the day that you

allowed your imagination to get away with you in regard to Mr. Hutchison being connected with the firm of Cunningham & Hinton?

Witness—That is only your opinion.

Mr. Belyea—How came you to put those suspicions in your report?

Witness—When I received my orders I understood that the duty was private and confidential, and I considered that I had the privilege to express my suspicions.

Mr. Belyea—Upon what did you ground your suspicions?

Witness—I saw the superintendent going to Cunningham & Hinton's very often, and I thought it would be out of the usual course to store corporation wire in a private building.

Mr. Belyea—Was that all?

Witness—That was all. Nobody told me that the wire belonged to Cunningham & Hinton. Had I been on the duty longer I would have found out who the wire belonged to.

Mr. Belyea—In all previous reports you only put down what you saw Mr. Hutchison do. Why did you depart from it in this last report?

Witness—I cannot answer that question.

To Mr. Mason—I only expected the chief to take my suspicions for what they were worth. I considered it my duty to report my suspicions to him.

To Ald. Macmillan—I was not ordered to watch Cunningham & Hinton. I think it is my duty to report my suspicions regarding reputable citizens to the chief.

Ald. Macmillan—Whether you are ordered to watch them or not?

Witness—Well, no.

Ald. Macmillan—Cunningham & Hinton were simply singled out in this case. Why did you not cast suspicion on the other man in whose window Mr. Hutchison looked? (Laughter.)

Constable Anderson was with the last witness four days watching Superintendent Hutchison. He reported them correct. He had a good watch and put down the exact moment when the superintendent went in or came out of a place.

To Mr. Belyea—He did not know whether Mr. Hutchison did anything illegal. He simply watched him and jotted down what he saw him do. He did not act as a judge.

Ald. Macmillan—In one report it says you gave up the watch because you were tired.

Constable Anderson—If it is in the report it is correct.

Ald. Macmillan—Don't you think Mr. Hutchison would be fired?

Constable Anderson—I was watching his house three hours before he got up. John Roberts, dynamo tender, said it was not necessary to take orders daily. He expected orders from Mr. Hutchison. The superintendent had only been at the works during running hours in October two or three times. On the 12th he was there half an hour, and on the 18th he was there half an hour, and on the 19th he was there half an hour. He did not wish to see the superintendent and he was not there. In September one of the armatures had burned out. It was not the fault of anybody. The repairs, in his opinion, should have been made by the superintendent the morning after the break. The repairs were not made for several days. They could have been done in a few days. He did not know whether the material was there to execute the repairs. There are no facilities at the station for repairing machines. They could be done at the tramway, where there is an armature winding section.

To Mr. Belyea—There is plenty of room at the station to make repairs. Probably the superintendent's duty would be to see that the repairs are made. He did not know how long the superintendent was at the station during the day. He could not name any occasion when it was necessary for the superintendent to be present and he was not there. He had sufficient orders to do his work. All the men knew their respective duties.

To Ald. Bragg—At the old station, the superintendent, Mr. McKicking, did the repairs. There is plenty of room at the old station, and Mr. McKicking repaired the armatures there. The first armature that burned out lay out of repair for five weeks.

To Mr. Belyea—The commutator had to be taken to Spratt & Gray's to be turned on the lathe. He believed that he could do the repairs at the station.

Constable Kavanagh's evidence was very brief, simply stating that his report of the days he watched the superintendent was correct.

Andrew Gibson, foreman of the lamp-trimmers and repairer, when asked about the superintendent said he was too busy during the day and said he hadn't time to look after the superintendent or the council. (Laughter.)

To Mr. Belyea—Mr. Hutchison rode around with him three or four times to inspect the circuit. He had gone out with him once to repair a break. He had never told Ald. Bragg that he had never seen Mr. Hutchison on the line, that was not the question the alderman asked. He could not have said such a thing. The alderman had asked him whether he had seen the superintendent in his end of the line, which, said the witness, "is out in the cow pastures."

Ald. Bragg—What is the first thing the lamp trimmers do in the morning?

The witness (after some hesitation). Well, I don't know. (Laughter.)

The first duty he required of them was to be at the station at 3 o'clock, fill their sacks with carbons and get out. (Laughter.) He kept no check on the carbons, the men could not get them, (laughter)—or do away with them in any way.

Ald. Bragg—Now, didn't you try to evade me when I questioned you on this subject?

Witness—You're right there. I didn't want to get mixed up in this council business and I tried to get away from you. (Laughter.) He had a faint recollection of the old station. He believed Mr. McKicking did the repairing there.

To Ald. Macmillan—I never kept a record of the supply of carbon given the trimmers at the old station.

To Ald. Wilson—We once ran short of the regular sized carbons and made up the difference using small carbons. I made the repairs when a wire burned a pole on Store street. Didn't know whether the superintendent could be found that night or not. Evidently the policemen were able to find him. (Laughter.)

Harry Lewis, lamp trimmer, said he took his instructions from Mr. Gibson when he went to the station in the morning. He had never met the superintendent in the morning, and when he returned to the station in the evening he reported to any one who was there.

If nobody was there he wrote his report on the slate. He had met the superintendent at the station two or three times in the evening. Nobody checked the carbons that he took out.

Mr. Belyea—He could not have said to any person that he had never seen the superintendent on the line.

To Ald. Bragg—He did not know that the superintendent could have been of any assistance to him in instructing him in his duties. When he was first appointed Mr. Wriglesworth went around with him and instructed him in the work. He had seen the superintendent working on the line but once.

To Mr. Belyea—I reported to Mr. Gibson.

Walter Wriglesworth, lamp trimmer, said he had received his first instructions from Mr. Gibson. He had also received instructions from the superintendent. He had seen the superintendent on the circuit a dozen or more times, and had seen him almost every day at 2 o'clock when he went to the station to trim the house lamps. The superintendent had gone out with him several times to make repairs. Mr. Hutchison had asked him how many carbons he took out.

To Mr. Belyea—I never told Ald. Bragg that I had never seen the superintendent on my circuit.

To Mr. Belyea—The superintendent had gone out with him three or four times to repair lamps. He had also met him on the circuit.

Fred Widdowson, lamp trimmer, had taken his instructions from Mr. Hutchison when he started work. Mr. Hutchison furnished him with a map. He should think he had seen Mr. Hutchison very near every other day when he returned to the station at 4 o'clock.

The evidence of Aylesworth in regard to the payment of the \$2,700 which Wells loaned the prisoners was considerably shaken when examined by the defence. He said that the bills which Hyams offered Willie Wells were of small denomination, but in his cross-examination he would not swear that there were not enough of them to make an amount equal to the loan. The statement of the witness relative to the scheme by which the Hyams brothers wanted to start Aylesworth and Willie Wells in an hotel business at Fort Erie was instrumental in bringing out a very strong point for the defence. The prisoners' counsel at once pointed out that had this enterprise been carried into effect Willie Wells would have been at Fort Erie and not at the warehouse the day on which his death had occurred.

The testimony of Aylesworth, which went to show that Hyams brothers had resorted to many skilful artifices in order to persuade Willie Wells to take out a policy for \$25,000 was fully substantiated. Counsel for the defence took Aylesworth over all the details connected with the warehouse tragedy, but on the whole they agreed with his previous story.

When his cross-examination was finished Mrs. Aylesworth, sister of Willie Wells, was put on the stand. She was a party to the \$2,700 loan to the Hyams brothers. She said that \$2,000 of the money was promised her brother the Saturday before his death. She also stated that on the day before the occurrence in the warehouse, Harry Hyams came to her house and left a message telling Willie Wells to be down early Monday morning. Wells went down early Monday morning and met his death early in the forenoon.

From Saturday's Daily.

DIED ON THE STREET.

William Mackay, the Well Known Pioneer, Passed Away Today.

William Mackay, an old and respected resident of the city, fell dead this afternoon at the corner of Blanchard and Cormorant streets. He had been in for some time and was out for a short walk. The deceased was a pioneer of the city, and had resided with Sheriff McMillan for upwards of thirty years. He took a prominent part in church work. Some years ago he served a term on the school board, being appointed by the provincial government. He was a native of Prince Edward Island, 83 years of age, and a plasterer by trade.

LAW INTELLIGENCE.

Thomas S. Burnes, by his solicitors, Messrs. Rodwell & Irving, has commenced an action against Arthur Walkley, Michael King and Lewis Casey, claiming by the endorsement of the writ a declaration that he is entitled to an equal interest with the defendants in the profits arising out of a certain contract for work connected with the new filter beds at Beaver lake under a contract between the defendants and the corporation of the city of Victoria, and for an account of all profits which have been received by the said defendants and for an order for payment to the plaintiff of such sum as shall upon the taking of such account be found to be due to him. Mr. Burnes was for some time engaged on the work and recently discharged by the contractors.

THE SPECTATORS APPLAUDED.

The Verdict of Acquittal Given in the Reed Island Murder Case.

John Smith, of Reed Island, was acquitted by the jury at Vancouver on the charge of murdering Christopher Benson, who was found dead in his boat. The closing scenes of the trial are thus described in the News-Advertiser report:

"The jury were at 7 p.m. conducted to the jury room and the court was adjourned until 8.30.

"Long before that hour the passages leading to the court room were packed and when the folding doors were opened the police with difficulty restrained the mad rush for places of vantage in the dock and sat with a frightened, haunted look in his eyes, until the jury trooped in headed by the sheriff. Eagerly he scanned their faces as they passed before him to their seats, but received no responsive look. Dead silence reigned in the court room as the judge took his seat, and the registrar called over the names of the jury and put the question: 'Have you agreed on your verdict?' The foreman's reply was, 'We have,' and again the question was put: 'Do you find the prisoner guilty or not guilty?' As the words 'not guilty' dropped from the foreman's lips, a swelling torrent of applause was checked by the judge, with the command to clear the court."

"The judge then thanked the jury, stating that the case had been a very difficult one, and although he disagreed with them, he did not say their conclusion was wrong. The prisoner was therefore allowed to step down from the dock, and immediately proceeded to the jury box, where he shook hands with the foreman of the jury. The judge, however, sternly ordered him to leave the court."

"Turn the rascals out!"—the familiar party cry—may be applied to microbes as well as to men. The germs of disease which lurk in the blood are "turned out" by Ayer's Sarsaparilla as effectually as the old postmasters are displaced by a new administration.

## THE HYAMS MURDER TRIAL

Defence Have Considerably Weakened Aylesworth's Testimony on Cross-Examination.

Willie Wells' Sister Takes the Stand and Gives Evidence of Her Brother's Death.

Toronto, Ont., Nov. 15.—The cross-examination of E. A. Aylesworth was concluded this afternoon, and on the whole the defence have considerably weakened his evidence. He has been on the stand nearly twelve hours, and during the whole time has been subjected to a most thorough cross-examination.

In cross-examination Aylesworth repeated his statement in regard to the agreement between Willie Wells and his sister on the one part and the Hyams brothers on the other. By this agreement the Wells