COMMISSIONER CHANDLER FINDS CHARGES AGAINST CHIEF OF POLICE PROVEN

Report Submitted to Provincial Government Last Night Declares Police Force is Partly Demoralized and Not of Sufficient Strength —Recommends Changes and Suggests Superannuation Allowances.

Special to The Standard.

Fredericton, Nov. 17.—The provincial government's monthly session opened this morning with all the members of the executive present. Information was placed before the meeting by Acting Premier Clarke that the first Belgian relief ship containing 15,000 barrels of potatoes, the gift of the New Brunswick government to the suffering Belgian people has arrived off the coast of England, and after consultation with the Belgian minister in London and the local government board of England and under advice of the Admiralty Board has been ordered to Rotterdam, Holland.

Letters of incorporation have been granted the following companies: "Boundary Fur Farms, Limited," W. R. McCloskey, Limited and The McFarlane Wagon Works, Limited. The government will be meeting here all day tomorrow.

The report of W. B. Chandler on the St. John Police Department inquiry was submitted as follows:

"To the Honorable The Lieutenant-Governor-in-Council of the Province of New Brunswick:

"Having been appointed a commissioner under Chapter 12 of the Consolidated Statutes of New Brunswick 1903, respecting investigations by commission and departmental enquiries, to investigate certain charges made by the Common Council of the City of St. John against Walter Clark, Chief of Police in the City of St. John, I beg leave to report as follows:

"The charges made against the Chief of Police of the City of St. John are as follows:

"That W. Walter Clark, Chief of Police of the City of St. John, is inefficient in the discharge of the duties of his office. That by reason of such inefficiency the discipline of the force is relaxed, that that body is in a state of partial demoralization and the city does not receive adequate protection for the money which is expended for the purposes of the police department.

"An inquiry into the charges made against the Chief of Police of the City of St. John under the commission issued to me on the fourth day of June A. D., 1914 was held at the City of St. John.

"The enquiry was commenced on the 28th day of July A. D., 1914, and was completed on the twenty-second day of September A. D., 1914, the time occupied in the holding of the enquiry being thirteen days.

"At the enquiry the common council of the City of St. John was represented by J. B. M. Baxter, K. C., and W. Walter Clark, Chief of Police of the City of St. John, was represented by Daniel Mullin, K. C. A large number of witnesses were examined, the evidence of such witnesses being submitted herewith.

Charges Substantially Proved

After careful consideration of the evidence adduced on behalf of the Common Council of the City of St. John, and on behalf of the Chief of Police of the City of St. John, I have come to the conclusion that the charges preferred against the Chief of Police by the Common Council of the City of St. John have been substantially proved.

Dealing first with the charge that the discipline of the police force for the City of St. John is relaxed and that that body is in a state of partial demoralization and that city does not receive adequate protection for the money which is expended for the purpose of the police department, I find that the discipline of the police force of the City of St. John is relaxed, that that body is in a state of partial demoralization and the City of St. John does not receive adequate protection for the money which is expended for the purposes of the police department.

Loafing in Hotels

"A number of policemen, members of the police force for the City of St. John, were examined and a large number of them, fifteen out of thirty-three, admitted that they had been in the habit of leaving their beats in the city during the night and going to hotels or other places and remaining there for periods of half an hour or an hour, very frequently in fact. This loafing in hotels and other places seemed to be a constant practice among the members of the police force and this practice was continued up to the time of the holding of the enquiry.

This practice was principally confined to the policemen whose beats included King Square, King street, Dock street, Water street and Brussels street, and the officers on these beats were, according to the evidence, almost nightly in the habit of leaving their beats after the sergeant in charge had made his last round, which would be in the early hours of the morning, and going either to some of the hotels on King street and King Square or to some other place in the vicinity of their beats, and occasionally, as many as five or six of the members of the force, were in one hotel at the same time.

The sergeants in charge of the southern division which included the streets mentioned above have for some years been in the habit of making regular tours of the division during the night and after the last tour of the sergeant which would be about three or four o'clock in the morning the policemen on the beats in this division apparently felt perfectly safe in leaving their beats and going to these hotels and other places.

The sergeants who had been in charge of the southern division at night for several years past were examined and each of them declared that he knew nothing about this leaving of the beats by the officers, and the Chief of Police himself and Deputy Chief both stated on oath that the first they heard of this leaving of the beats by the officers was at the time of investigation which was held by Mr. McLellan, the Commissioner of Public Safety for the City of St. John not very long ago.

None of the officers who were in the habit of leaving their beats in this way were ever reported for so doing and some of the policemen who gave evidence seemed to have convinced themselves that they were quite within their rights in acting in this way owing to the length of time during which they were supposed to remain on duty.

Important Business Sections Left Unprotected

The result of this almost universal neglect of duty by the officers on these beats was that the most important business section of the city of St. John, in which are situated the banks, the express offices, many hotels and large warehouses, was left entirely unprotected during the early hours of the morning and at a time when police protection was most needed.

It appeared in evidence that at the time of the appointment of the present chief of police, in the year 1890, he changed the system as to the patrolling of the beats in the city. Previously to his appointment the system was to send a certain number of policemen and a sergeant out at night to patrol each divison of the city. The sergeant remaining with the officers and assisting them in patrolling the division. Mr. Clark changed this system and arranged that the sergeants should make regular tours of the divisions at night and report in the morning as to anything which occurred during the night. Under this new system the sergeants made regular tours of the divisions at apparently regular hours so that it became possible for the policemen to leave their beats after the last tour made by the sergeant and escape detection altogether.

I do not see that the system introduced by Mr. Clark was any improvement upon the former system, and at all events under the new system this leaving of the beats by the officers in the early morning hours grew into a regular habit or custom and was never detected so far as the sergeants or the Chief of Police were concerned. That fact was only brought out at the investigation mentioned above.

It seems to me that with proper supervision of the officers by the sergeants and the Chief of Police such a state of things as was detailed in evidence before me should not have been possible.

No One in Control at Night

It further appeared from the evidence that both the Chief of Police and deputy go off duty at about ten o'clock in the evening and after this time the only person left in charge at the central station on King street east is a policeman who remains there until morning. The result of this systems that there is really no one in charge of the police force during the night, except the sergeants of the northern and southern divisions. The southern division including the old City of St. John and the northern division including what was formerly Portland. And in the case of any unusual event or trouble in the city there is no one at the central station with authority to direct the officers from about ten o'clock at night until morning.

The deputy chief for some time past seems to have had his time pretty well occupied in clerical work. The chief of police has a very excellent system on paper and a number of books and records are kept in his office either by himself or the deputy and the keeping of these records and books entails a great deal of labor upon someone. This work seems to be divided between the chief of police and his deputy.

Deputy Should be on Duty at Night.

So far as I could discover from the evidence the greater part of the deputy's time is spent in the central station in the office and his work is more that of a clerk than of a deputy of the chief of police. It struck me that this system is a very undesirable one. I admit the value of the books and records which are kept in the police office and the necessity of having them, but in my judgment they should be kept by a clerk employed for that purpose and the deputy chief of police should be on duty at night instead of in the day time and should have the charge, control and supervision of the policemen at night.

Under such a system and with a proper patrolling of the city by the deputy chief and the sergeants the desertion of the beats by the policemen already referred to should be impossible.

It seems to me that this desertion of the beats by the officers is a very serious matter indeed. Owing to the smallness of the present police force in the City of St. John it seems impossible to provide officers to patrol a large portion of the city at night and a considerable section of the City of St. John has no protection whatever at night.

Under these circumstances it is a very serious state of affairs to have the officers who are supposed to patrol the beats in the most important part of the city abandon their beats almost regularly in the early morning hours, thus leaving practically the whole of the City of St. John entirely without protection. A system under which this sort of thing is possible should be radically and absolutely changed.

What struck me as a very serious aspect of the situation was that the chief of police, although he had learned of this practice of leaving the beats at night by the officers several months ago, apparently made not the slightest effort to deal with this evil or stop the desertion of their beats by the officers. He made no change in his system of patrolling the city and he does not seem to have issued any orders whatever with respect to this state of affairs to the sergeants in charge of the city at night, and up to the time when the enquiry was being held before me this system of leafing and leaving the beats continued according to the evidence given by the policemen before me.

A good deal of evidence was given with respect to the instructions given to the policemen at the times of their appointment to the force, and later. While it appeared that an attempt was made both by the Chief of Police and the Deputy to give the men occasional instructions at roll call and at other times, I must say that the men do not seem to have profitted very much from these instructions. Nearly all the policemen on the force gave evidence and very few of them, if any, seemed to have any clear idea as to the laws by which they are governed, or as to their powers as to making arrests, etc.

It must be admitted that the Chief of Police has neither time nor opportunity for giving very much instruction to the men, but so far as I can see from the evidence the members of the police force have to depend upon what they can pick up while on duty, and from other members of the force as to their powers and duties as policemen, and the result is that very few of the policemen seem to have any definite idea as to what they should or should not do in any particular case of emergency. There was at one time in existence a manual of instructions for the police prepared, and seemed to me to be a very useful book, but there are only one or two copies of this manual now. The Chief of Police has frequently asked for authority from the common council to prepare a new manual, but nothing in this direction has ever been done by the common council and the Chief of Police seemed to have confined his efforts in this direction largely to mentioning the lack of a manual in his annual reports to the council. It is true that the Chief of Police some time ago did prepare a manual, and that he submitted this manual to the common council, and also to Commissioner McLellan, but no action has been taken by the common council.

There are two detectives on the St. John police force who are on duty during the day and evening in plain clothes. A fair amount of work seems to be done by these detectives in some directions but there does not seem to be very much supervision over their movements and the daily reports they make to the chief of police are not very valuable. I think the services of these detectives would be much more valuable to the City of St. John if their work were more carefully supervised and their duties better defined than at present. There seems to be some complaint in the City of St. John as to the work of the police in the detection of criminals, and so far as stealing and burglaries by boys and young men and the settling of incendiary fires is concerned the police certainly do not seem to have accomplished very much.

Too Much Time to Clerical Work.

The lack of efficiency which the police have displayed in these directions is largely due in my opinion to the want of active supervision and direction by the superior officers. I again refer to the fact that too much time is devoted by the chief of police and his deputy to mere clerical work in the office and not enough time to outside supervision of the force.

Many of the sergeants have been members of the force for a long time and in many instances the efficiency of the force would be very much increased if more active and younger men were appointed as sergeants. There is no superannuation system in force in the City of St. John as far as the police are concerned and this is, I presume, a very strong reason for retaining men on the force after they have ceased to be really useful.

The police force of St. John is no larger now than it was when the present chief of police was appointed in 1890. Since that time the population of the city has increased and there is greater necessity now for efficient police protection than there was twenty-five years ago. The chief of police has repeatedly requested the common council to increase the force but without result, and it seems that the reason why the force has not been increased is the increased expense which this would entail. The chief of police is not to be blamed in any way for the smallness of the force.

A good deal of testimony was given with a view of showing that the chief of police had retained men on the force after somewhat serious charges had been made against them. Some of the men against whom these charges were made have since retired and one of them was dismissed by the Chief of Police himself. In my judgment the efficiency of the force would have been considerably promoted by the dismissal of the men against whom these charges were made at the time when they were made and proved instead of retaining them on the force.

The Street Railway Strike

There is one matter to which I must refer, and that is the riot during the strike of the Street Railway employees which took place in St. John a few weeks ago, in the course of which a good deal of property was destroyed and injury done. A large number of men rioters and disorderly persons seem to have had control of some parts of the city for some hours without interference, and so far as the police were concerned they wholly failed to deal with the situation or to do anything to restrain the rioters. The riot broke out between seven and eight o'clock in the evening and continued for several hours, but during all that time the Chief of Police never left his office at the central station.

He claimed he had to remain in his office owing to the absence from the city of the deputy chief. He made no real effort to call out the members of the force or get them on the scene of the riot, and the result was that during the whole of the time when the riot was going on there were only about half a dozen policemen on Market Square, where most of the rioting took place and they were apparently absolutely helpless and did nothing whatever to stop the riot. It seems to me that if an organized and determined effort with a sufficient number of men had been made at the outset of the riot the situation could have been controlled, but nothing of this kind was attempted and the rioters really had charge of the city for the greater part of the evening.

What efforts the police did make to stop the riot were rendered ineffectual by the number of spectators on the streets, but no attempt was made by the police to induce these spectators to move on or leave the streets. The chief of police seems to have been absolutely helpless in this emergency and did nothing whatever to deal with the situation beyond trying to communicate by telephone with some of the officers of the militia and with two or three policemen.

In my judgment it was the clear duty of the chief of police to have gone to the scene of the riot and to have done something to get the policemen together and to endeavor to stop the rioting, but apparently it never occurred to him to do anything of this kind.

There seems unfortunately to be a great deal of friction between the present Commissioner of Public Safety and the Chief of Police and I have not been able to discover just why this state of affairs exists. That there is friction between these persons is undeniable and that this interferes greatly with the efficient discharge of his duties by the Chief of Police is also true, but just why there should be this feeling between these gentlemen I am unable to say and the evidence given did not throw very much light on the subject or disclose any real reason for this unfortunate state of affairs.

In my judgment the Chief of Police of the City of St. John is and has been inefficient in the discharge of the duties of his office. This inefficiency is due partly to the age of the chief of police, he being now a man of seventy five years of age and naturally not so active as formerly. The friction between the chief of police and the commissioner of public safety also contributes a good deal to the inefficiency of the chief of police and makes it impossible for him to discharge his duties satisfactory, but as I have said I cannot tell who is really responsible for this state of feeling between persons named. Without doubt the chief of police has given a great many of the best years of his life to the duties of his office he has in many ways discharged the duties of his office very well indeed and with a great deal of satisfaction to the people of the city of St. John. He has introduced a very good system of books and records in his office and has devoted a great deal of time and some money in the perfecting of this system and carrying of it on, but this alone is not enough.

Reorganization of Force Necessary

He does not seem to have sufficient control over the men composing the police force, and in my judgment he does not devote enough time or work to the active supervision of the force.

While the keeping of books and records is a very good thing in itself this could be done quite as well by a clerk and the time of the chief of police and of his deputy should be devoted more to the active supervision of the police force and to acquainting themselves with the way in which each man performs his duties than to anything else. This active supervision is in my judgment lacking and the situation demands a very drastic reorganization of the police force. The work of reorganization will require a great deal of hard work and considerable executive ability. The force has fallen into a rut and the members of it seem to have got into the way of discharging their duties almost mechanically and considerable effort will be necessary in order to bring about the desired change.

Recommends Superannuation for Members of Force.

It is a matter for regret that there is no superannuation system in force in the City of St. John for the benefit of the members of the police force. The chief of police himself and many of his men have devoted the best years of their lives to the service of the city and have in many ways discharged their duty efficiently, and I trust I am not going beyond the bounds of my authority in expressing the hope that some arrangements may be made by the City of St. John for providing a superannuation allowance for those who have faithfully served the city in the past. I include in this number the present chief of police. The wages paid to the members of the police force are not very large and it is, I presume, impossible for the members of it to make much provision for old age and retirement out of the wages which they receive. It is altogether likely that the members of the police force would discharge their duties all the better if they knew that there was some provision made for their declining years by some system of superannuation.

What is wanted in the City of St. John at the present time in my judgment is a larger police force, stricter discipline and greater energy and activity on the part of those at the head of the force.

All of which is respectfully submitted.

Dated this first day of October A. D., 1914.

(Signed) WM. S. CHANDLER,
Commissioner, etc.

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Another lot of ELEGANT BLACK VELVET HATS —from an overstocked hat manufacturer —that should be sold at $3.00 each, are offered, While They Last, at 98 cents each.

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OBITUARY.

Ida K. Pearson.

The death of Ida K., daughter of John M., and Ella Pearson, occurred on Monday, Nov. 9, at the home of her parents, Highfield, N. B. The little one was seven years of age, a bright child and a general favorite and the sympathy of the community is extended to the parents in their bereavement.

DEATH OF MRS. McDONALD AT THE AGE OF 105 YEARS

The death took place last night of Mrs. Mary McDonald at the residence of her daughter, Mrs. Akerley, 288 Brussels street. The death of Mrs. McDonald removes the oldest resident of this city, she being at the age of 105 years. She resided in this city all her lifetime.

DIED.

MALONY—In this city, on the 17th inst., George Malony, leaving one daughter and two sons to mourn. Funeral from his late residence, 51 City Road, Thursday at 2.30 p. m. Friends invited to attend.

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WEDDINGS.

Hoyt-Perkins.

Gaspereaux Station, November 12.—A quiet wedding took place at the home of Charles Perkins, Gaspereaux, when his daughter, Vestina A., was united in marriage to John A. Hoyt, of Gaspereaux Station on Nov. 12th at 3 p. m. The ceremony was performed by Rev. C. A. Bell in the presence of the relatives of the bride and groom. Mr. and Mrs. Hoyt left on the evening train to visit places of interest throughout the province. On their return they will reside in Gaspereaux Station where Mr. Hoyt is in business.

The condition of Col. J. J. Tucker was reported to be unimproved late last night. Little hope was held out for his recovery.

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