

CITY MAY COLLECT FOR CARELESS FIRES

If Due to Neglect, Property Owners Must Pay Cost of Putting Out Flames

NEW RULE ANNOUNCED

Decision in Test Case Provides Basis For Injured Firemen to Recover Damages—Important Matter Decided in New York Court

(New York Times) Fire Commissioner Robert Adams announced yesterday that penalties of willful negligence in disobeying the fire laws, or the special orders of the department, in relation to fire prevention measures, will hereafter be compelled to pay to the Fire Department the cost of extinguishing fires which occur in their premises.

The decision is based on a test case by Commissioner Adams against the owner of the factory buildings at 212 to 214 East Ninety-ninth street on Jan. 28, 1913, where more than fifty firemen were overcome in fighting a fire that necessitated the aid of a large part of the Fire Department. Fire Chief Kenyon estimated the cost of extinguishing this fire to be \$1,500.

In an investigation made the day following the Commissioner learned that in November, 1913, the Fire Prevention Bureau had ordered the owner of the property, the Greenwood Cemetery, at 170 Broadway, to install an automatic sprinkler, but the order had been ignored.

Albert de Koode, special assistant Corporation Counsel, began suit at the request of Commissioner Adams, to recover the cost of extinguishing the fire, the first of this nature ever brought in the history of the city. It was based upon two sections of the City Charter, a law existing since 1872 and incorporated in the revised charter.

This provision is contained in Section 773, as follows: "That any person, persons or corporation, for the violation of or non-compliance with any of the several provisions of the several sections of this title, where the penalty is not therein specially provided, shall severally forfeit and pay a fine or penalty in the sum of \$50 for each and every offense, and shall forfeit and pay the penalties respectively imposed under any of said sections, and shall also be severally liable for any costs or expenses that may be incurred by any violation of or non-compliance with any requirements under any of the several provisions of the several sections of this title, and for any violation of or non-compliance with any regulation or order of the Fire Department issued by the Fire Commissioner."

Section 761 provides for the recovery of damages for persons injured or damaged by members of the Fire Department, "and any and all persons for any fire resulting from his or their willful or culpable negligence or criminal intent or design, shall in addition to the present provision of law for the punishment of persons convicted of arson, be liable in a civil action for the payment of any and all damages to the persons or property, the result of such fire, and also for the payment of all costs and expenses of the Fire Department incurred in and about the use of employees, apparatus, and materials in the extinguishment of any fire resulting from such causes, the amount of such costs and expenses to be fixed by the said Commissioner, and when collected shall be paid into the relief fund of such department herein created."

able neighbor and an unworthy citizen. But the fact remains that a fire there sidom amounts to much because of these precautions of personal responsibility.

The estimated cost of calling out a engine company to put out a fire is \$100. Over in the state of New York the Appellate Division of the Supreme Court has just handed down one of the most remarkable and far reaching decisions as to responsibility for fire that we have ever noted. In brief, it says that the cost of putting out fires can be assessed on owners of buildings who have been guilty of negligence.

According to the New York newspapers, this decision orders the payment to the fire department of \$1500 by the Greenwood Cemetery Corporation. The amount is the estimate by Mr. Adams of the cost to the department of extinguishing a fire which imperilled the lives of many firemen in a factory building owned by the cemetery corporation in East Ninety-ninth street last January.

The decision was announced on the contention that the corporation was to blame for the spread of the fire beyond the basement of the building because it had ignored an order of the Bureau of Fire Prevention to install automatic sprinklers. The decision was unanimous.

That is now good law in New York; most people will agree that it is also common sense anywhere. If owners decline to obey fire prevention instructions they should pay for the cost of handling the results of their own neglect. And this money penalty will make them more traffic wary of refusing to obey orders.

As this seems to be a matter of common law, how about trying it on here in Boston? There is opportunity enough.

BOARD OF TRADE MATTERS There are trade enquiries for railway ties, paper, wood pulleys, etc. The enquiries may be obtained at the St. John Board of Trade office.

The Cuban consul at St. John, Senor Cesar H. Barzanes, has forwarded to the board of trade statistics bearing upon commercial and other conditions in Cuba.

PERSONALS

Col and Mrs. G. W. Mesereau, of Doaktown, who were guests of their daughter, Mrs. H. F. McLeod, Fredericton, this week, have gone to Montreal, where Mrs. Mesereau will undergo treatment with her son Doctor Mesereau, who is at present practicing there.

Dr. and Mrs. W. L. Turner of Meductic, have issued invitations for their silver wedding, which will be celebrated at their home on our King Day, Dec. 12, 1914. Dr. Turner, formerly of Fredericton, and now a member of the legal firm of Burns & Mavor in Besano, Alberta, is a son of Mrs. John Mavor, of Fredericton, and is a former student at the U. N. B. and Dalhousie University. After practicing law in Fredericton for a short time he went to Besano.

Mrs. Groat, wife of J. G. Groat, superintendent of the Atlantic division of the C. P. R., returned to the city today after a visit to Montreal. J. O. Apps, general baggage agent for the C. P. R. at Montreal, is in the city on matters preliminary to the winter port.

Mrs. Wm. Edwards, of Annapolis, N. S., who has been visiting her cousin, Mrs. Rippey of West St. John for a few days, has returned home. S. L. Wilkinson, of the American consular service, returned to the city yesterday after a six weeks' vacation spent at his home in Danville, Pa.

HYMN FOR WAR TIME (From "Church Life") Lord God of Hosts look down we pray Upon our soldiers far away, On ocean's dark cold waves, All through the night, whilst cannons roar, O God protect them more and more Our country's honor save.

Lord God of Hosts, look down we pray Upon our soldiers far away, Now fighting on the battle field, In trouble, sorrow, and distress, Lord give them strength to bear the test, And victory to them bring.

Lord God of Hosts, hear now our prayer, Our soldiers and our soldiers spare, And bid this conflict cease; The saddened home once more restore To receiving Mr. C. T. Nevis and Mrs. B. J. Dowling presided over the tea table. The following young ladies assisted with the refreshments: Miss Fowler, Edna Leonard, Alice Lockhart, Clara Smalley, Dorothy Tapley, Elsie Nevis and Madeline Barbour. Mrs. H. A. Doherty, Jr., was chief ushering the guests to the dining room. Little Louise Tapley, cousin of Mrs. Nevis, tied the floor. The color scheme of the tea table was pink and yellow. A large cut glass centerpiece with pink carnations centered the table under a dome shaded in rainbow colors.

THE HEWSON MILLS The shareholders of the Hewson woolen mill met in Amherst yesterday to discuss the advisability of re-organizing the industry, and commence operations on certain government military orders which are guaranteed to be forthcoming.

LOCAL NEWS

Home made peppermint chews 15c. lb. today and Saturday, Phillips' Stores.

Building trade delegates will meet Oddfellows building Thursday evening at 8 o'clock.

Fluffy puffs 15c. lb. today and Saturday, Phillips' Stores.

ALL OYSTERS—No Water... Fresh opened oysters, 60c. a quart... Phillips, corner Main and Douglas Ave. Tel. Telephone 2386.

Best Self-Feeder Hard Coal \$8 one ton; \$15.80 two tons.—Gibson & Co. Ltd. Telephone 2386.

At Congregational Church Sunday evening, "Ben-Hur," illustrated with splendid colored views.

Molasses cream chewing taffy 12c. lb. today and Saturday, Phillips' Stores.

WORKED FOR FIRM HERE The Bangor Commercial says that Kate Michaud, chief witness in the Mildred Sullivan case, said on the stand that she had never been a nurse; she had done housework in Patten and Presque Isle and had solicited for a paper company in St. John.

DOLL CARTS!

Three of The Twenty Different Designs to Choose From!



Flat folder, heavy wood body, art leather hood, rubber tired wheels, extra large size... \$3.90

See Our Complete Range of Folders, Perambulators and Reed Pullmans from 60c to \$7

We have a large stock of Children's Xmas Gifts, but they are going fast. Place your order now to avoid disappointments.

J. MARCUS 30 Dock Street



Kitchen Furnishings for the Xmas Cooking

Our line is most complete, everything from a Nutmeg Grater to a GLENWOOD Range. We have just opened a large case of Aluminum, in Tea Kettles, Tea Pots, Coffee Pots, Preserving Kettles, Sauce Pans, Double Boilers, Etc., and fully guarantee their wearing qualities.

In Enamelware we have everything in the form of kitchen utensils, Enamel Roasting Pans, Bake Pans, Tea Kettles, Mixing Bowls, Scallop Dishes, Pie Plates, Etc.

When Shopping, Come and Inspect Our Line of Kitchen Furnishings.

D. J. BARRETT, - ST. JOHN, N. B. 155 Union Street - Successor to McLean, Holt & Co.

Levine's Shoe Store 8 1/2 Brussels Street (Near Corner Union)

RECENT DEATHS

Abner Mitchell of Sussex is dead, aged 28 years.

The death of Miss Genevieve, only daughter of Mr. and Mrs. James Doherty, of Passakeag, Kings Co., occurred recently. Miss Doherty was twenty years of age. She leaves her parents and six brothers—William, Frances, Leo, Frederick, Bernard and Harold, all at home.

John Brown of Collins, aged 78 years, passed away at his home on Sunday, Dec. 5.

Jas. Charlton, of Greer Settlement, passed away recently. He leaves besides his wife, one son, Henry, at home, and one daughter, Mrs. John McManus, of Hampton; also one sister, Mrs. Sarah Cleveland, of Toronto. He was 67 years of age.

Stephen A. O'Blennes of Fairfield, Westmorland county, died on Wednesday aged forty-six years. He is survived by a widow, one daughter, Mrs. Robert Milton, of Dorchester; his father, four brothers and four sisters. The brothers are William of Dorchester, Henry and Joshua of Fairfield, and John P. of Sackville. The sisters are Mrs. Harry Wry and Mrs. Lewis Esaurocks, of Sackville; Mrs. Thomas Lewis and Mrs. Stephen Lewis, of Dorchester.

The death of John Adams occurred at his home in Mapleburg, near Sackville, on Wednesday. He was eighty-two years of age and is survived by a widow, one son and four daughters.

SUBURBAN

New Summer House 20 x 20, resting on concrete post, 10 foot veranda, large lot 75x245, only about 200 yards from Fair Vale Station. Must be sold immediately.

For further information apply to Allison & Thomas 147 Prince Wm. St. Phone M 1202.

A Fine Christmas Diamond for \$25 A genuine, brilliant, perfectly cut Diamond is as fine a Christmas as you can give to anyone.

Such a present is not beyond your means. We have an excellent assortment of such stones in Rings, Staff Pins, La-Vallieres and other ornaments, priced at \$25.00.

Rings containing Diamonds with Pearls, Sapphires, Emeralds, Rubies and other jewels are on sale at \$12.00 to \$50.00.

CHOICE MEAT, LOW PRICES. Round steak 18c. lb., best pork 16c., roast beef 10c. and 12c., mutton chops 15c., veal chops 15c., pig's hocks 5c. lb., corned beef 8c., spare ribs 8c., rabbits 20c. per—Doyles' Cash Meat Market, 209 Brussels street (near Haymarket Square); Phone Main 137-31. Store open evenings.

Men's Slippers... From 50c to \$1.50 Women's Slippers... From 35c to \$1.35 Children's Slippers... From 25c. to 85c.

Men's Heavy or Light Boots, \$1.98 to \$5.00 Women's Gun Metal, Patent or Tan Boots, \$1.98 to \$3.85 Boys' School Boots, \$1.28 to \$2.85 Girls' School Boots, \$1.00 to \$2.25

Useful Christmas Presents For the Father, Mother, Son and Daughter in Fancy and Leather Slippers, tan and black leathers, and Fanny Felt and Carpets.

DR. A. W. CHASE'S CATARRH POWDER 25c.

is sent direct to the diseased part by the Improved Method. It passes through the urethra, cleanses the bladder, and relieves the irritation. It is a powerful antiseptic and disinfectant. It is a powerful astringent and contracts the inflamed membrane. It is a powerful sedative and relieves the pain. It is a powerful tonic and restores the system to its normal state.

Making the Store Pay

Every foot of available floor space that does not have a customer in it is dead expense. There are many ways a retailer can assist in keeping his store busy.

FOR THE RED CROSS.

Mrs. Plumbe, general superintendent of Red Cross supplies, is holding a public meeting in Halifax tonight and will be in St. John on Monday. A public meeting will be held at eight o'clock in the Stone church school room.

IN TWO SECTIONS The Atlantic express was brought to the city today in two sections, the first on time, the second ten minutes later. The first was the regular local, while the second was composed chiefly of dead-end equipment to meet the steamer Missonable, besides some extra baggage.

BURIED TODAY The funeral of W. Manson was held this afternoon from his late residence, Mecklenburg street, to Fernhill. Rev. J. A. MacKelgan officiated.

BIRTHS

ELSWORTH—To Mr. and Mrs. Jas. Elsworth, 96 Queen street, a daughter.

MARRIAGES

DODGE-WHITTAKER—At 61 Paradise Row, on Dec. 9, by Rev. B. H. Nobles, Miss Eleanor Etta Whittaker and William C. Dodge, both of this city.

TOO LATE FOR CLASSIFICATION

CHRISTMAS SALE of Fancy Wool, Fruit and other Cakes, Doughnuts, Mince and Lemon Pies. Orders taken.—Women's Exchange, Tea and Lunch Room, 155 Union street.

COAL! COAL! Scotch and American Anthracite, Minnie, Broad Cove, and Sydney soft coal by the ton, load, barrel or sack.

FORD H. LOGAN 98-98 City Road. Tel. Main 2175-41

WANTED—General maid, must be able to do plain cooking. Apply Mrs. Gillis, 109 Union. 1914-12-13

BOY WANTED—For Soda Fountain. Apply Ross Drug Co. 1914-12-13

FLAT TO LET, No. 231 Chesley street, immediate occupancy. Apply Penton Land & Building Co., Ltd. Apply Phone 1694. 1914-12-13

LOST—Gold Bracelet, between Bell's Drug Store and Lyric Theatre, Charlotte street. Finder please leave at 305 Charlotte. 1914-12-14

F. J. PATTERSON HONORED. The Canadian Royal Humane Society medal for life-saving has been presented to F. J. Patterson, principal of the Deseronto school of the Protestant board of school commissioners, Montreal. He saved a boy from drowning.

The presentation was made by Recorder Weir, representing the society, and addresses were given by Rev. Dr. Symonds, chairman of the board, Principal Scrimger of the Presbyterian Theological College and Aid. Weidon, associated with Dr. Symonds on the Board. Mr. Patterson also spoke. Mr. Patterson taught in the Sussex Grammar school some five or six years ago. He is a native of Queens County, N. B.

THE FOX BUSINESS Charlottetown, P. E. I., Dec. 11.—At the annual meeting of the Island Fox Breeders' Association the arrangements were made for a convention in Charlottetown to draw up legislation to promote and safeguard the interests of the fox industry.

Sarnia City Hall Burned. Sarnia, Ont., Dec. 11.—Fire, starting on the second floor about three o'clock this morning, gutted the city hall, destroying the second floor and roof, and damaging the first floor and basement. The building was erected in 1880, and was one of the landmarks. The loss is heavy.

The building was covered by \$15,000 insurance.

NATIVE OF ST. JOHN Moncton Transcript.—Harry Scott, a famous hockey player and sporting writer, was born in St. John, N. B. His father was a boiler maker and removed to Moncton when Harry was only a boy. The family resided here for years.

Railway Man Shot Whitty, Ont., Dec. 11.—Telegraph operator, William P. Stone, night clerk at the Grand Trunk station at Whitty, was shot through the heart about one o'clock this morning by some unknown man.

Carleton Street Project A street improvement which would be welcomed by residents of West St. John is being considered by Commissioner Potts. He is investigating a proposal to excavate the rock at the head of Rodney street and connect it with Charlotte by way of Lancaster street, which is at present impassable. If this were done, a temporary stone crusher would be placed on the spot and the broken stone used to repair the Carleton streets.

WEBBER I am instructed to sell, on Market Square, Saturday morning, Dec. 12, at 11 o'clock, one young horse, one young horse, one sled, one set of harness. I. WEBBER, Auctioneer. 12-12.