

SUNDAY LAWS.

How They Are Violated in St. John.

The Evidence Submitted Friday Before Commissioner Tweedie.

Startling Testimony Given by an ex-Police Officer and by Dr. Smith, License Commissioner—What Other Witnesses Had to Tell—Close of the Case for the Lord's Day Alliance.

It was 10.15 yesterday morning when Premier Tweedie, who had been travelling all night on the I. C. R., entered the government room in the Pugsley building and took the chair as Commissioner to continue the investigation asked for by the memorial of the Lord's Day Alliance with regard to the non-enforcement of the Sabbath day laws. There were present Rev. Dr. Petheringham, Rev. Dr. Wilson, Rev. J. A. Richardson, Rev. George Steel, Rev. J. C. B. Appel, Rev. G. A. Sellar, Judge Forbes, H. C. Tiley, and W. J. Parks, G. E. Williams, Commissioner J. M. Skinner, License Inspector J. B. Jones, Hon. A. T. Dunn, Hon. L. P. Farris, Hon. H. A. McKewen, Hon. George F. Hill, and others.

Dr. Silas Alward, who appeared for the Alliance in the absence of Dr. Stockton, said he regretted he was not as familiar with the brief as the learned counsel whose place he had taken on short notice. The Alliance were to be congratulated on having such a fair-minded man as Hon. Mr. Tweedie to conduct this investigation. It was eminently fitting that the government, which was responsible for the enforcement of the laws and the conduct of its officers, had chosen the preliminary evidence to be presented at this inquiry. On behalf of the memorialists he repudiated the rumor that the investigation was aimed at the chief of police. There was nothing of a personal character in the memorial. As good citizens the members of the Lord's Day Alliance were endeavoring to hold up the hands of the government in administering the laws of the land. They had no power to enforce the Sabbath laws and could only give the authorities their moral support in bringing to justice all violators of the statute. Dr. Alward then quoted briefly from the Liquor License Act, to show what officers were called upon to carry out that law. Ever since the times of Charles the First, laws had been made to stay the hand of the laborer on the Sabbath.

Mr. Skinner—You might go back to the ten commandments. Hon. Mr. Tweedie—Yes, or, in fact, since the creation of man, all this. It would take the learned counsel a long time to get back to the laws under investigation. Dr. Alward said the memorialists were prepared to prove that not only had the Sabbath law been broken, but that the Liquor License Act of 1886 had been violated by sales after hours, in beer shops, etc. If ordinary citizens could see these things, why not the paid police?

Mr. Skinner objected to any general statements reflecting on the police. REV. THOMAS F. PETHERINGHAM the first witness called, was examined by Dr. Alward. He said he had resided in St. John over 19 years, and had been a member of the Lord's Day Alliance for the same time. The Lord's Day Alliance was formed January 1st, 1900. It had a threefold object, which witness explained. He was president of the Alliance. It appointed a committee with authority to call on the chief of police whenever it heard that any violation of the Sabbath law had occurred. Rev. R. Wilson and Rev. J. A. Richardson, with himself, waited on the chief of police. Thought one of the first interviews was about April a year ago. He could speak definitely since June 1st. The first interview was with Capt. Jenkins, which called the attention of the witness to a paragraph in the Daily Telegraph of June 3rd that on advice of counsel the druggists would thereafter sell soda water on Sundays, but would not sell cigars. Called upon Capt. Jenkins, who said he was not aware of any violation but one, that of M. V. Paddock, who had been reported by an officer. There were minor cases of women selling milk as meat in the market. We asked him how he accounted for the fact that other violations had not been reported. Mr. Jenkins replied that in that event the officers had been remiss in their duty. We went immediately up stairs and saw the police magistrate in his private room. He was of opinion the Alliance was responsible for this compromise re Sunday soda sellers. We assured him we had no intention of receding from our position in regard to enforcing the Sunday laws, and the magistrate said he was glad we had so informed him. He would govern himself accordingly. Subsequently, on June 22 or thereabouts, information reached witness that on Sunday (the day before) some of the druggists had sold soda. We called on the chief, who expressed himself entirely incredulous as to violations on the preceding Sunday. We brought up the Yacht Club excursion and called his attention to the advertisement of another Sunday excursion. The chief said he would look carefully into that and stop all Sunday violations that reached his ears.

Two Sunday evenings, out of curiosity, he walked along Charlotte and Union streets. Saw soda, drug and Allan's and Paddock's stores. That was the last of August. Saw the same thing the following Sunday, except that nobody was drinking in Allan's. This was about 8.30 Sunday evening. Cross-examined by Mr. Skinner. Had not given himself up very much to observe whether the law was violated or not. Did not know the police saw the Sunday selling of soda, which he had described. The excursion to which he drove the chief's attention was, by the advertisement, beyond the city of St. John. Was not aware that since the passing of the Sunday law Sunday driving for pleasure had largely increased. Did not know that driving for pleasure on Sunday had been forbidden by any law.

Do you think drinking soda on Sunday is worse than driving? Objected to and ruled out. Did not personally laid information against Sunday offenders. Took no steps to have the people he saw selling soda on Sundays prosecuted. Was not near enough for him to see what was in the glasses, soda water or something stronger. Re-examined by Dr. Alward—The fountain and the surroundings led him to think it was soda water the people were drinking. REV. ROBERT WILSON, sworn and examined by Dr. Alward. Had resided in St. John 14 years continuously. Was in charge of Zion Church. Was a member of the Lord's Day Alliance since its formation. Was present at the interview with Capt. Jenkins and the chief of police, as related by Dr. Petheringham. First time they saw Mr. Jenkins, who said the only reason he could give for non-report of the offences against the Sunday law they had named was neglect of the officers. Then saw the police magistrate, who expressed considerable surprise at what he called our back-up, as reported by the Telegraph. We told him we had no intention of backing down. Mr. Ritchie said he would adjourn Paddock's case and would see that the officers reported all other cases. Was with Dr. Petheringham at subsequent interview with Chief Clark, who said he could not be persuaded that his officers were so remiss in their duty. Witness recalled using a street phrase, "O, chief, that's too thin." What had been seen by hundreds of citizens could have been seen by your officers. The chief said that in reply to the message sent to him by the Alliance, in circulation, there was no way by which he (the chief) could overlook a sale of soda water on Sunday. As witness was driving in from Millville on Sunday, August 18th, he saw two stores on Moore street open, with persons going in and coming out. Knew they were grocery stores. Did not know who kept them. On Sunday, Sept. 2, saw the store near to Fort Howe open. The other was not. Persons were going in and coming out. Cross-examined by Mr. Skinner. In the interview with Capt. Jenkins, the officer said if what we stated was correct, then his men were remiss in their duty. There are more residences along Moore street than stores. In these two instances the people might have lived in connection with their stores. He did not know whether they did or not. He could not give the names of the proprietors. Did not report these cases to the police. REV. GEORGE STEEL, sworn and examined by Dr. Alward. Was a resident of St. John this time a little over four years, as pastor of the Portland Methodist church. Was a member of the Lord's Day Alliance. Did not attend the interview with the police. Resided on Adelaide street, within a block of Main street. His attention was directed to the beer shops on the passing of the act, but before it was declared unconstitutional. What he would say was with regard to violations of the liquor act, not the Lord's Day Act. About one year ago he had applied to Inspector Jones for a list of licensed beer saloons. After that he complained to Inspector Jones about several, including Cunningham, head of Adelaide street, Henderson, on Main street; Coyne's, on Main street, and a house on Douglas avenue, then a licensed beer saloon. Asked him if he could not go round and see that they kept closed on Sundays. Did this from what he heard from young men coming to his church and from what he had seen. Believed Inspector Jones acted on his complaint. Coming out of his church on Sunday, he was opposite Cunningham's. Saw several young men coming out with cigars. Complained to Officer Baxter, who suggested they were after milk. After that he complained Cunningham's had been strictly closed. Henderson keeps a restaurant and has a beer license. Since then he has moved his business being served. This summer he has been very quiet on Sunday. Going over to city to preach on Sunday, he would see 2 and 3 young men come out of Coyne's and as many go in. Could not say they had been drinking. Thought they were not doing anything at all for the last 10 or 12 weeks in going to preach in Fairville this year and last year had seen 8 or 10 young men open out of the place on Douglas avenue, with many go in. It has been quiet this summer. Sunday, August 18th, this year, about 10.15, on Pond street, Nos. 30 and 34 were both open, with blinds up, and in each case there was a person behind the counter. No. 30 is Connolly's beer saloon, the other place is a grocery store. At No. 30 a girl was coming out with several parcels under her arm. Another person was being served. Saw persons being served in each place. When he came back, two hours later, the doors were still open and persons were being served. Did not see any policeman on that street. Saw an officer on Mill street, but did not mention it. Had mentioned such matters to policeman before. Same day he went up Moore street, noticed No. 78, a licensed beer saloon, open. This was about 12.30. On door one blind was half way down. Saw a little girl being served. No. 88, a grocery, was also open. Saw somebody come out with a few parcels. On the same day, between 3 and 4 p. m., he came up Sheriff street and saw No. 101, a beer saloon, open. One person came out with parcels; another person was being served. Blind was half way down. Another place was open. Business quietly. Walked that way intentionally to see for himself. On Sunday, Sept. 8th inst., got Rev. Mr. Long, Free Baptist, to accompany him. At Indiantown, saw two men's blinds partly down. Two men were in front of the counter and a woman behind handling glasses. This was after our memorial to the government, under which the present investigation is being held.

On Sept. 15th Mr. Long went with him again. Several complaints had been made to him about Jeffrey's place, near Connor's open walk. Saw a sign "Tonic and ginger beer for sale." Place was unlicensed. Saw one or two coming out. Place was lighted up and had all appearance of being in running order. Complaints had been made to him about Black's place on Main street. People spoke to him confidentially as a clergyman in the interest of their boys. On Sunday, Sept. 15 inst., between 9 and 10 p. m., saw several young men go into Jeffrey's place. Lighted up. On Sept. 8th he saw the licensed beer saloon of Mrs. Pierce lighted up about 9.30 p. m., one person going in and one coming out. Last Sunday evening saw at No. 48 Moore street beer saloon kept by Amos, persons coming out and one by the counter. On July 15th, 1901, witness and Dr. Petheringham interviewed the license commissioner by appointment. Present: Chairman Col. Dr. Smith, Mr. Clinch and Secretary Jones. Had been appointed a committee by the Evangelical Alliance relative to the commission giving permission to two restaurants to keep open during prohibited hours. As stated, they met the commissioners. Called their attention to this. One Clark on Prince William street and one Harding on Main street had been given permission to keep their liquor licenses, to keep their restaurants open at prohibited hours. Witness said this was contrary to the law. He then put it in the hands of Mr. Clinch and the other two respected men, who would not violate the law. Harding's was the only place on Main street where the genuine P. E. I. Clark's was the best restaurant in the city. We said we would see that Clark's was not given the license. On the following Monday Mr. Clark went up to the police court and admitted a violation of the law. He then put it in the hands of Mr. Skinner and the other two respected men, who would not violate the law. 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