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NO. 43

TOWN COUNCIL MEETING HELD FRIDAY EVENING LAST

Petition Re Taxes From Thos. McMaster Read—
Resolutions Were Passed for Council to Accept
Deeds for New Sixty-foot Street.

Town Council met on the 16th instant, Aldermen present—Belyea, Falconer, Ritchie and Stuart. Ald. Falconer was chosen chairman, and Council adjourned to meet the next night, when the Mayor and Ald. Miller should be home from the Union of N. B. Municipalities Convention in Moncton.

Council met again on the 17th, Mayor Morrissey in the chair. Aldermen present—Belyea, McGrath, Ritchie, Stuart and Sargeant.

The following was received and referred to Petitions Committee:

Newcastle, Oct. 11, 1913

To the Town Council of Newcastle, N. B.

Dear Sirs,—While I have paid the tax for last year I have refused to pay for the year previous as the Tax on my Personal Property was collected at the Parish of Hardwicke where the farm is. Would it be fair if one living in the County of Northumberland to pay a personal property tax in two parishes besides not having any property in Newcastle. The amount is out of all reason. Will you kindly look into this matter as I only ask fair dealing. Yours truly,
THOS MACMASTER.

On recommendation of Finance Committee the Miramichi Pub. Co.'s bill of \$27.63 for advertising and printing was ordered paid.

On recommendation Public Works Committee following bills passed: Harold A. Russell, \$5.05; George Stables, \$3.02.

Ald. McGrath reported, concerning new street leading from King's Highway past the rink to the L. R. C. station, that deeds from Miss Dalton, Mr. Gjerz, A. A. Davidson and Mrs. Watt had all been signed and were now in A. A. Davidson's hands, waiting to be executed. The terms demanded were \$100 for each deed and the land to be fenced and used for a street. This would give a 60 foot street from the McCullum property to the station except past Mrs. Graham's house where the width would be only 30 feet. John McCullum refused to give anything off his land to extend the 60 foot width. The wireless people were willing to give 15 feet off their land to widen Mitchell Lane, and the Presbyterian Church would give the same. George Watt wanted to give 15 feet off the land on the other side of the lane, which would make it 60 feet wide all the way from the railway track down to the Adams House on corner of Kings Highway. The wireless people were anxious for the Town to decide at once, so that they would know where to place their hydrants about to be put down.

The Board all agreed that the lands should be accepted and the new streets opened at once.

MUNICIPALITIES MEETING OVER

Convention Adjourned at Noon
---Officers Elected---Meet
Next at St. John

Moncton, Oct. 16.—The annual convention of Union of New Brunswick Municipalities closed here at noon today, after a busy morning session devoted to several excellent papers. St. John was chosen as the next place of meeting.

Officers were elected as follows: President, Parker Grimmer, St. Stephen; Vice-President, J. King Kelley, K. C., St. John; Secretary Treasurer, J. W. McCready, Fredericton.

Utility of Municipal Farm for Delinquents was the title of a paper read by J. King Kelley, St. John.

The following resolution was unanimously adopted: Resolved, that the Act of Assembly, 33 Victoria, chapter 46, "An act to exempt property of railway companies from taxation," should be repealed and that property of railway companies should be liable to taxation, as such property is taxed in other Provinces of Canada and in the United States.

Mr. Kelley in his address said:—"New Brunswick as a new country, the attention of its legislature is chiefly devoted to material questions involving largely the expansion of its natural resources. Its members, as you are well aware, are all of the

It was moved by Ald. Belyea, seconded by Ald. Sargeant, that this Council accept the deeds offered by the Universal Radio Syndicate, George Watt, and the Presbyterian church which would enable it to widen Mitchell Lane into a street 60 feet wide and that the Public Works Committee be empowered to at once lay out and fence said street. Carried.

It was moved by Ald. Belyea, seconded by Ald. Sargeant, that this Council accept the deeds offered by Jane Dalton, Mrs. W. Watt, Fulton Gjerz and A. A. Davidson, which would enable it to widen street to a width of 60 feet, and that the Public Works Committee be empowered to lay out and fence said street. Carried.

On recommendation of Police Committee following bills passed, Russell & Morrison, clothing for policemen, \$82.00; J. & A. McMillan, Registry book, \$6.60.

Ald. McGrath brought up the matter of enlarging the police office, making two new cells and changing location of the Town office to the front of the building.

The plans for the above work, which had been obtained by the Police Committee, were submitted to the Council, and on motion of Ald. Stuart and McGrath, it was resolved that the matter of proposed changes in the Police and Town Clerk's offices be referred to Public Works Committee to have the work done, expenditure not to exceed \$500.

On recommendation of the Water & Light Committee, the following bills passed:—
Garlock Packing Co., \$30.60
John Morrissey 5.75
Harold A. Russell 7.10
Maritime Foundry 11.52
I. C. Coal Mining Co., 35.88
I. C. Coal Mining Co., 35.75
Can. Gen. Elec. Co., 13.20
Can. Gen. Elec. Co., 14.84
T. McAvity & Sons 6.89
T. McAvity & Sons 3.60

The following Scott Act report was received and, on motion of Ald. Belyea filed:—

Newcastle, N. B., Oct. 16, 1913

To His Worship the Mayor and Aldermen.

Gentlemen I beg to submit to you my report on C. T. A. for this month. I have laid six informations. Three cases were dismissed, as I could not obtain counsel at that time. Three were convicted and fined fifty dollars and costs. The names of those convicted are as follows: Wm. Durick, Edward Dalton and Matthew Daley.

I am your obedient servant

A. DICKISON, Inspector.

The Town Clerk reported the result of the plebiscite on the hospital grant: 189 for, 12 against, and report was received and ordered placed on the minutes.

Adjourned.

common people, and have their welfare deeply at heart. It is true that they are imperfect in the art of law making, but what they lack in this is made up on generous sentiments for those who are in need.

"No one can deny the humane treatment by this Province of its mentally defective. The Government of New Brunswick provides an education at the joint expense of the counties and the Province of the blind, deaf and dumb; it also assists the several hospitals. The Province can afford to be noble and provide in a sufficient and acceptable manner for its undeveloped moral cripples."

Peter Clinch, St. John, read a paper on "Municipal Fire Protection and Insurance."

Mr. Clinch concluded his address with the following:

"There is an improvement in the fire fighting apparatus of the different towns in this province and in fact all over the continent and the new buildings are of a better character than the older ones, but the fire losses are steadily on the increase. I think in a great measure to the lack of municipal regulations as to fire prevention. Let us hope that before long there will be a marked improvement in this regard."

The following resolution passed:—"Resolved, that this convention is strongly in favor of making, by or in conjunction with the Governments concerned, of an inter-provincial highway of good standard construction across Canada."

Votes of thanks were tendered Hon. John Morrissey for attending the convention, and to press for reports of proceedings.

EVIDENCE AT PRELIMINARY HEARING OF ATTEMPTED TRAIN WRECK CASE

Joseph Collins Case Came up First—Conductor Stephenson
and Driver Thompson Gave Evidence on Saturday—Miss
Johnson's Evidence This Morning.

EVIDENCE IS BEING CONTINUED THIS AFTERNOON

The preliminary examination of Joseph and James Collins and Warren Preston, arrested last week on a charge of having tried to wreck a train at Jones' Crossing, was heard before Magistrate Malby Saturday morning.

R. A. Lawlor for the prosecution, and L. J. Tweedie for the defence.

John Stephenson, sworn, said he resided in Moncton, his occupation, conductor on specials. Was on duty on night of accident Oct. 7th; got at Chatham Jct. about 24.00 o'clock on morning of 8th inst; crossed A'Hearn's special at Chatham Jct. Train left Chatham Jct for Newcastle at 1.20; stopped at Jones' crossing on account of the brakes going on suddenly. I went ahead to find out the trouble; I met driver David Thompson and brakeman Litalier coming towards me. I found the air line was broken. I found part of a sleeper two feet long underneath the train about twelve cars back from the engine. The sudden application of the brakes started the driver on one of the cars. I found only one piece of sleeper two feet long, and it was cut partly through by the wheels of the train and partly split. It was a piece of an ordinary sleeper. The accident occurred about 1.30 at Jones' Crossing. There is no curve there, the track runs in a straight line from the bridge up. The accident caused a delay of over an hour. I sent rear man back to protect my train. My orders were to Newcastle. Did not see any strangers around at time of accident. Found the piece of tie on the Newcastle or west side of the crossing. Did not make any search for the other part of tie. I went back to the van on the same side as I went up. The piece of sleeper was lying in between the rails.

Here Mr. Tweedie made objection to the evidence, claiming that witness assumed there was another part of a sleeper there, which, he claimed, was not shown in the evidence of the witness.

Witness said he assumed there was another part because Driver Thompson told him there was. He said he found no other part of a sleeper. This concluded his evidence.

David Thompson, driver, sworn, said he lived in Moncton; he was an L. C. R. engineer; on the night of Oct. 7th and the morning of the 8th inst. he was running from Moncton to Campbellton with special train of about twenty-five or thirty cars. Between Chatham Jct and Newcastle the train was approaching Jones' crossing he saw a tie on the track about 30 yards ahead of train. The train was running about thirty or thirty-five miles an hour at the time. The grade is very slight near crossing. The accident was at the foot of the grade coming to Newcastle. Sleeper was lying across both rails. I put on brakes and stopped the train as soon as possible. The train ran over the sleeper or part of it. I went to the pilot of engine when stopped and found nearby had a sleeper wedged under the pilot, on top of the rail against the pony truck. With assistance of fireman and brakeman we got the piece out and I put it on the pilot and brought it to Newcastle station. The piece we found was about three feet long. It did not injure engine nor I did not feel the impact when we struck it. We ran about twenty car lengths before train was stopped. Found air pipes on the car next the engine broken off, the break was caused by something striking on the pipes. I had no further power over the brakes. Drawbar was started on one of the other cars about five back. I saw Driver Stephenson with a piece of wood that looked like another part of a newly broken sleeper. We crossed a train at Chatham Jct., going towards Moncton. We left Chatham Jct. as soon as we made our cross. The distance from where the accident occurred to Chatham Jct. is about three miles. It took about six or seven minutes from the time we left Chatham Jct. to where we struck sleeper. I do not know who the conductor or driver was on the train we crossed. No persons came around us while delayed. We did not make any unusual noise after accident occurred by blowing whistle or otherwise. Was delayed about one hour or more. We only took part of train to Newcastle, that part of train up to the one with broken drawbar. We left them at Newcastle and went back for

the rest. Could not take whole train at once. We chained broken car up and took it in first and then went back for the rest. It is about two or three miles from accident to Newcastle station. It was about 1.30 on 8th inst. when accident occurred. The accident did not hurt engine, only hurt cars so far as it put the air brakes out of order.

To Mr. Tweedie—I do not know what time we arrived at Chatham Jct. We left Chatham Jct. at 1.20 o'clock. Cannot say how long we were there; we arrived before the train we crossed. I do not know how long we were there before the train arrived. I moved out just after her arrival. I did not hear of any obstruction being placed on track from the train hands of train going east. The train we crossed would pass Jones' Crossing about one o'clock going towards Chatham Jct.

To Mr. Lawlor—How long after you struck the sleeper did you leave for Newcastle?—About half an hour. Not sure that we did any work at Chatham Jct. The night was a little foggy.

To Mr. Tweedie—Did you observe any painted marks on sleepers?—Did not see any particular marks. None of the cars were loaded with sleepers so far as known. Often carry sleepers on special trains. This concluded Driver Thompson's evidence.

Wm. Young, sworn, said he lived in Newcastle, that he was a trackman on the L. C. R. on section No. 54, McLean's section from Chap. Island road crossing to about six miles towards Chatham Jct. An overhead bridge at Derby Jct. was being repaired when this accident occurred. I was on duty at Derby Jct at time of accident working at night. Am working under section foreman McLean. I was watching temporary crossing during progress of the repairs to bridge at Derby Jct. Work took about nine days; was just watching crossing by night. Went on duty about 5 and 5.30 in evening until 7 in the morning. It is usual for foot passengers to cross the bridges. The first I heard of the accident was on the night of the 8th inst. I do not know the Collins boys; I do know Preston and saw him there one evening but could not swear it was on the 7th or 8th. I saw him before I heard of accident. I saw him at end of bridge before the 8th inst. He was in company with two other fellows. I did not take particular notice of their appearance. I think one wore a cap and the other a hat. I did not notice color or style. Could not say what color coat was of man who wore light cap. It was long coat, light in weight and light color. The other had a soft light hat and ordinary coat. I did not notice particularly how they were dressed. It was after 12 o'clock at night when they came along where I was. No. 33 train had passed up to Newcastle before they came along. This train is due at Derby Jct. about three minutes to twelve when on time. They stood at a little fire I had in the open and we had a conversation. They remained about twenty minutes; they all came together. So far as I know they did not have any liquor nor can't remember whether they offered me any or not; they appeared not appear to be drunk but appeared to have been drinking. After they left they went across the St. West bridge. Cannot say what time 39 passes Derby Jct, but think it passes about three o'clock. I warned them to look out for train 39 while they were crossing the bridge.

Adjourned till one o'clock.

Afternoon Session

At 1.30 o'clock court again opened and Wm. Young's evidence was concluded. He said this was the only time he saw prisoner. On being questioned about there being any sleepers along the track near the place of the accident, he said there was a pile near the place of accident and about 100 feet from the highway and about forty feet from the track; are on the north side of the track and Jones' Cove. Have known Preston since he was a little boy about eight or nine years in all. I can't say that it was the day after the boys crossed the bridge.

Here Mr. Tweedie put a complicated question to the witness in an endeavor to make him fix an exact date on which the three boys were talking to him, when Mr. Lawlor told the witness not to answer. After a very heated argument on the part of the

lawyer for the defence, the magistrate ruled against him. A short question on the part of Mr. Tweedie, however, brought from the witness an answer which apparently suited him. The witness would not say that it was the day after he saw them that he heard of the accident. They talked about twenty minutes at the fire. I have not been talking to anyone about the evidence I should give on this case. The accident happened on the morning of the 8th. I had no conversation with Thos. Yve about the accident. I cannot say how long before the accident that these boys were there. I do not remember the day of the week. I can't remember whether it was Monday or Tuesday or what day they were there. I did not tell anyone it was the day the accident took place. This was the first time I met him that day. I don't think I saw him before that for ten days, until I saw him in court today. I was watchman at the crossing for nine nights. I began to watch on the second. I watched that night. I cannot say that there was any other persons passing on the night of the 7th after 12 o'clock.

To Mr. Tweedie—I would not swear it was not Monday night that these boys were talking to me at the fire. They were there only one night at the fire with me. They were going across the bridge, they were going in the opposite direction from Jones' Crossing. They were friendly and quiet. Could not say they offered to treat me to a drink. They were going in the direction of their home. To the best of my recollection it was after one o'clock when they left. They stayed with me twenty minutes, perhaps more and perhaps less. About an hour after a train came from Chatham Jct. to Newcastle. Not sure whether it was between the passing of the express and the arrival of the special that the boys came to me. My memory is not very good. I cannot remember of a train going from Newcastle to Chatham Jct. I never knew of anything wrong with Preston. I do not know Joseph Collins at all. I would not swear that either of them were there that night with Preston or that I saw either of them while I was watching at Derby Jct.

To Mr. Lawlor—It was after the express passed that they came to me at the fire. I do not remember about a train going to Chatham Jct. but remember the special following express. I know that I warned them about train No. 39, when they were going on the bridge. I would not swear these men in court were the men with Preston, but they were about his age.

To the Court—I do not know whether Preston was on his way home or not when he crossed the bridge.

Court adjourned until Tuesday at 10 o'clock and further adjourned on Tuesday morning to this morning at 10 o'clock.

Wednesday Morning

Court opened this morning at 10.10. The first witness called was Sadie Johnson, who sworn, said her full name was Sarah May Johnson. She lived at Jones' Crossing. Her father's name was Wm. Johnson. She remembered the night of the 7th Oct. inst. I was over to Mr. John Jones' a neighbor of ours. I went to Jones' between 7 and 8 o'clock; did not stay very long; I took the milk over; on my way back I saw three boys near the track, two of them were sitting down, and one was standing in the middle of the track. The one on the track was Joseph Collins; he had a grey cap on; the two were sitting on a side of track near the cattle guard. I was coming across track, quite close to them. I am not acquainted with Collins but know him when I see him. Do not know the other two. Only know Collins. I was not handy to the others. Collins spoke and said "Good night" to me and I said "good night". They were not near a pile of sleepers that were there. They were on the railway crossing. Our house is quite close to the crossing; about half past eleven I heard people talking near the sleeper pile but do not know who they were; did not know their voices; we keep a dog; he barked all night until after the train was wrecked.

Lawyer for defence objected to this answer and asked that it be ruled out.

SURVIVORS REACH NEW YORK; SHIP CARPENTER SAVES CHILD.

Many Are the Sad Tales Told by the Survivors—
The Rappahannock Brings to St. John Survivors
of the Volturno.

The first survivors of the steamship Volturno, which was burned at sea, were brought to New York by the Grosser Kurfuerst, the North German-Lloyd liner that sent the first rescue boat careening across the heavy seas to aid the sufferers.

There were 405 in number and many are the sad tales told by these survivors. According to the third officer of the Volturno, the explosion of a drum containing chemicals was the cause of the disaster. He gives a graphic description of how the flames spread and told of his experience during the eighteen hours he was aboard the fire swept vessel.

"I was just going to the bridge," he said, "when the first explosion occurred. The Volturno trembled as if she had been struck by a heavy shell. Almost immediately other drums began to explode. There was a rapid fire of explosion that sounded like cannonading."

Capt. Inch was on the bridge at the time and gave the order to man the lifeboats. This was promptly obeyed, but the panic-stricken passengers crowded to the rail and made the work very difficult.

There are many sad features about this disaster, the horror of the whole affair can only be realized by those acquainted with the dangers of the high seas. The plight of those eighty or ninety steerage passengers, in No. 1 compartment who, cut off from escape by the flames, cannot any more than be imagined.

Capt. Inch, of the ill-fated ship, with eyes burned so badly that he could not read the wireless messages; so worried was he over his passengers, who were first in his troubled mind, worked as only a hero would work. The officers and crew as a whole showed by their heroic work that they were men without fear or favor at such a time when human life was so dear.

Among the many stories told as to how the fire caught, the most likely of all is the one of an emigrant throwing a lighted cigarette down a grating when he saw a sailor approaching. It was in that part of the ship where smoking is strictly prohibited by any one, and his act was done in his fear of being caught and fined. It is supposed that it fell among baggage or cases of oil and chemicals which caused the explosion.

The court allowed the answer to stand. After the train got started my brother got up and called the dog in; the train was there quite a while. After the train pulled out I went to bed; I did not hear any voices before the train stopped or while the train was there. I heard some persons handling sleepers and heard voices at the same time; it was quite a little while before the train stopped. I do not know whose voices they were. I did not see these boys there that evening on any other occasion; do not know what time dog began to bark; it was about half an hour before I heard noise with sleepers. This is all I know about it.

To Mr. Tweedie—I am 19 years old; do not go to bed very early; was up nearly all night. James Howe was with me. I went to bed near day light; do not stay up every night, was with my beau and stayed up a little late. I told the story to Mr. Trenholm about persons being at the sleepers, and to the other man that wears the blue suit; they came to see me. They asked me about it. I did not tell them that these boys did not tell me that they were there; it is not that they did not try to get me to see me; that the boys did it. They came to see me on Wednesday afternoon, the 8th. I could not tell them that; I did not see the boys; saw them usual to see boys around the crossing; I often go to that crossing; nothing singular to see boys around the crossing at that time of night; boys were quiet and not doing any harm. I did not see them after that; I heard voices but I could not say that they were voices. I did not know about sleeper being put on the track; only what I was told. The dog often barks, but not as fierce as he did that night. It was 3 o'clock by our clock when train stopped; do not know how many trains passed; saw the express pass; was at front door; heard train going toward Chatham Jct. about 3 o'clock. Mr. Jones' Crossing, but owing to the lateness of the hearing we were unable to get their evidence.

Court will open again this afternoon at 2 o'clock.

The rescue ship Rappahannock arrived at St. John Saturday at midnight, after a most eventful trans-Atlantic voyage, during which the commander, Captain Harnden, Chief Officer Davies and the crew of the Furness liner upheld the traditions of British seamanship by distinguishing themselves in the work of saving passengers of the burning liner Volturno.

Full speed was the order given by Captain Harnden on the report of the wireless operator that distress signals from the Volturno had been intercepted, and with every man on duty the Rappahannock was forced ahead at a sixteen knot clip.

When the Furness liner arrived near the scene of the conflagration, so quickly had Captain Harnden and his men prepared for the rescue work that a lifeboat from the Rappahannock was first to the side of the Volturno, although the Furness liner was preceded to the scene by six other steamers. The lifeboat from the Rappahannock, in charge of Chief Officer Davies, rescued fifteen women and four children, and Mr. Davies and his crew were given great credit for the skilful manner in which they manoeuvred their craft to the burning liner.

A second lifeboat was ready on the Rappahannock, but it was not needed, as boats from the other liners followed the lead of Officer Davies, and all the passengers who remained on the Volturno were taken off.

Captain Harnden speaks in the highest terms of the willingness of his men to risk their lives in the rescue work, and he said that volunteers responded immediately to the call for seamen to man the boats.

The women saved by the Rappahannock's lifeboat and crew had to climb down a rope from the ship's deck, being sent down by the captain and officers of the Volturno, and eager hands of the gallant lifesavers were outstretched to catch them as they came down the life line. The carpenter of the Rappahannock, Olverson, climbed up the rope on board the burning ship and brought down into the boat a ten months old child.

Capt. Inch, on account of his bravery and gallant work will be put in command of another of the company's vessels.

COUNTY COURT POSTPONED

One Case Came up Then
Court was Postponed Until
Tuesday Nov. 18th

County Court opened here yesterday morning before Judge McLatchey, but only one case came up, that of a young lad named McLean, of Chatham, who was charged with stealing a watch, and was given four years in the Boys' Industrial Home, St. John. Court was then adjourned till the November sitting, Tuesday, the 18th.

There twice, they came on Wednesday, the second time they came on Thursday; they talked about the train wreck. They asked me what I would swear to and I told them I would swear to what I knew and nothing else; I saw Mr. Trenholm at Millerton at McFarlane's where I stop; Mr. Irving was with him. They came to see me; they wanted to know if I was coming down today. Mr. Irving drove me down. He came up this morning. I just saw Trenholm once since Saturday last. I am not acquainted with Joe Collins, but know him to see him; have never spoken to him. I knew him by his clothes. I am not mistaken, it was him I saw that night.

To Mr. Lawlor—I saw Collins at Curtis' the Monday before; Preston and Collins' brother were with him. It was half past two in the afternoon; they went up towards Sinclair's mill. The next time I saw Collins was on Tuesday evening as stated before. I did not see Collins at Jones' Crossing on any other occasion.

Two other witnesses were heard, Miss Bertha Johnson, a sister of the witness, and Montgomery Jones, of Jones' Crossing, but owing to the lateness of the hearing we were unable to get their evidence.

Court will open again this afternoon at 2 o'clock.