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TWENTY-SECOND YEAR — EIGHT PAGES—WEDNESDAY MORNING APRIL 3—EIGHT PAGES — ONE CENT

MILLIONS OF ACRES FOR A SIX-MILLION RAILWAY WITH POWER OF PURCHASE WITHIN FIFTEEN YEARS

Premier Ross Brings Down the North Shore and Manitoulin Island Line Bill.

START OF A TRANSCONTINENTAL

Company Must Bring in 1000 Settlers Yearly for Ten Years—Other Progressive Conditions.

Premier Ross placed a six million dollar railway project before the Legislature last night, and again gave endorsement, by an optional purchase clause, to The World's policy of Government ownership. This great undertaking is the construction of the North Shore and Manitoulin Island Railway, the route of which and objects to be attained were fully reported at the time of the recent interview between the deputation and the Government. The Speaker's gallery was thronged with spectators, and the Premier was in excellent voice. So recent was the completion of the agreement between the railway company and the Government that the bill embodying it was presented in proof form.

Under Government Control.

The bill, Premier Ross said, dealt with the great transportation question which has forced itself on this country. Its solution was of importance to all and vital to the farmers. The North Shore and Manitoulin Island Railway would shorten the route from the Northwest and cheapen rates. In the Dominion Parliament a movement was developing for a railway commission. In the meantime, anything this House can do should be done. Rates were largely dependent on competition. This would give further competition and the rates would be "under Government control."

Subsidized With Land.

The Government proposed to subsidize the railway in a somewhat substantial manner, but entirely with land. The company would sooner have land than money. The grant would be under very stringent conditions. The acreage in Northern Ontario, north of the Canadian Pacific, is some 113,000,000, of which less than 3,000,000 are occupied.

How it Will Be Parcelled.

The Government expects a substantial revenue from the region to be opened up. While all the land is not good for agricultural purposes, considerable of it is. The first 130 miles will have 10,000 acres a mile, and the balance 7400 acres. The land subsidy is to be given in alternate township-sized blocks on each side of the line, so that a Government block will face a railway company township on the checkerboard principle.

No land will be granted until after a stretch of 26 miles from Sudbury west, so that the Government will retain the famous V shaped mining stretch north of the nickel deposits.

Another Trans-Continental Railway

This line would lay the foundation for another great transcontinental railway, of which the Temiscaming Railway, "which we hope and intend to build," will form a part. It is no mythical route, but a direct road by way of the Rainy River district to the west. It will be not only of great advantage to Ontario, but also to Eastern Canada, and of especial benefit to Montreal and Quebec.

Only the terminal points of the railway have so far been located, but the location must be subject to the approval of the Commissioner of Crown Lands. The cost of the survey, not only of the railway but also of the lands to be granted as bonuses, must be defrayed by the company.

The Government reserves all the pine, both red and white. The settler will be under the same regulations as to his proportion of the pine as on Government lands. The railway will have to take the lands as they come, good and bad alike, unless they can be proven to be "absolutely worthless."

1000 Settlers a Year.

In addition to building the railway the company must bring in 1000 settlers a year for 10 years.

There is to be no monopoly of the runing rights over the road. It is to be open for both G.T.R., C.P.R. and other companies to use at rates subject to Government assent.

The Government is practically selling free grant lands, which, without transportation facilities, are valueless, for $2 an acre, getting for them the construction of a six million dollar railway.

The company agrees, as incorporated in the bill, to sell the railway to the province any time within 15 years at an advance of 6 per cent. interest on the capital invested. They will in that case apply half the subsidy from the Dominion Government to the purchase, and, if denied, sell back the land at 50 cents an acre.

Must Build a Smelter.

In addition to building the railway the company must, within six months, commence the construction of a smelter, on the line of the railway, to have a capacity of 300 tons, and establish a steel ferry service at Little Current at a cost of not less than $30,000.

The railway will reduce the cost of coal in the Sudbury district from $1.50 to $2 a ton.

Considerable progress will be made this summer, and before many months farm produce will have profitable access to the heart of the mining district.

"We should be derelict in our present duty if we missed this great opportunity. It is presented with the confident hope that the House will approve of it." [Applause.]

Apparent Advantages Great.

Mr. Whitney asked a few questions to make definite some of the foregoing conditions. The leader of the Opposition then said that the apparent advantages of the proposal were so great that they overshadowed all similar enterprises to which the Premier had likened them. He would defer any criticism until the second reading.

Cook's Turkian & steam baths, 204 King W., cures colds, coughs and rheumatism

Easter Flowers.
Choice flower plants in good, healthy varieties, roses and carnations in many shades, and all beautiful. Send for cut flower price list. Dunlop's, 5 King-street West and 445 Yonge-street.

Cook's Turkish Baths, 204 King W.

TO CURE THE GRIP IN TWO DAYS. Lavative Bromo-Quinine removes the cause

...ROL IDEA GROWING.

Senate Reading Room
Feb 01

The main fea... Shore and Manitoulin Island Railway bill presented to the Legis... night are:

A six million dollar railway constructed for two and a half million acres of at present commercially valueless free grant lands.

Government control of the rates.

Power of the province to purchase within 15 years.

No monopoly of the running rights, the road to be available for Grand Trunk, Canadian Pacific and other trains.

The construction of a smelter with a 300-ton capacity.

The company to place one thousand settlers a year on the lands.

The land grants to alternate, in squares of township size, with Government land.

The Company to throw in half the Dominion cash subsidy in case of Ontario buying the road.

The lands to be purchasable by the province at 50 cents an acre.

The railway to be obtainable by the province at a 6 per cent. annual interest advance on the construction cost.

A $30,000 ferry service to be established from Little Current.

The company to pay the cost of both railway and land grant surveys.

The province to retain the whole of the pine.

THE TAXATION OF C.P.R. LANDS VEXED QUESTION IN NORTHWEST

Mr. Davis of Saskatchewan Moved an Amendment to Have the Date of Application of Patents Settled by a Test Case—After Debate the Motion Carried.

Ottawa, April 2.—(Special.)—In the House to-day, on motion to go into supply, Mr. Davis of Saskatchewan, moved in amendment, that a test case be brought before the courts to obtain an interpretation of the contracts with the C.P.R., under which the land grant of the company is exempt from taxation, and that the Government issue patents to the C.P.R. and other companies forthwith. He explained that in the Northwest, settlers had been looking forward to March 15 last as being the date from which the railway lands would become liable to taxation. But the C.P.R. pretended that the exemption extended to 20 years from the time they took out patents on the land.

Mr. Sifton Explained.

Mr. Sifton explained that the reason why the patents for the railway lands had not been issued was on account of the accumulation of work on the Department of Interior. He expected that before the close of the session all the patents for the lands along the main line would be issued, and that within eight or nine months all the railway lands would have been covered. As to a test case, to decide about the taxation of the C.P.R. lands, as soon as any municipality was in a position to enter suit the Government would come to the financial assistance of such municipality to press the suit.

Mr. Maclean held that Parliament, not the courts, was the body to settle this question.

As to a Test Case.

Mr. Borden asked if it was intended to proceed with a test case between a particular municipality and the C.P.R.

Mr. Sifton replied that the method which had been found most satisfactory in the Northwest was this: Where the question of taxation was at issue, the municipality was told to go ahead and levy taxes upon the railway company's lands, advertise the lands for sale, and put the railway in a position of either bringing a bill to set aside an action for sale, or pay the money under protest and sue to get their money back. Either way the case would come before the courts on the direct question of the liability of the land to taxation. The Government would tell the municipality that as soon as it was ready to proceed the Government would appoint a counsel to take charge of the case.

Mr. Borden pointed out that this might work and it might not. If the last court was not reached the object desired would not be obtained. It might not be carried beyond the first court, and in that case such a decision would not be an estoppel as between the C.P.R. and any other municipality. Unless both parties agreed to make a test case and carry it to the highest court it would not settle the question at all.

The amendment was carried.

A SLAP AT QUEBEC JUDGES

Law Passed by the Provincial Legislature Has Made Matters Somewhat Inconvenient.

JUDGES CANNOT SIT IN CASES

Wherein Any of the Lawyers Employed Are Related to Them by Partnership.

Montreal, April 2.—(Special.)—At the last session of the Legislature a bill was passed preventing judges from sitting in cases in which they are related to the attorneys, or partners of the attorneys. This new law will cause any amount of inconvenience.

The first instance of the difficulties that will arise occurred yesterday in the Court of Review. A case already commenced last week was resumed. Mr. Beaudin appeared as counse. for one of the parties, and Mr. Justice Loranger was one of the three judges composing the court. Now, it happens that Mr. Justice Loranger's son is one of the partners of Mr. Beaudin, and for that reason, the hon. judge had to excuse himself yesterday morning under the new law. Another judge had to be sent for, and the whole argument was commenced over again.

Referring to this law The Pionnier says: In adopting that measure by an almost unanimous vote, the House simply declared that it had no faith in the impartiality of our judges, and has supplied human malevolence with a new element for unjust and disloyal suspicion. To assert by a law that a judge is unable to rise above such indirect influence as those mentioned in the bill is to teach contempt for authority, and sap the very foundation of the prestige of the judicial bench.

SMALLPOX AT CLINTON.

Miss McRoberts, a Visitor to the Town, is the Unfortunate Victim—Everybody Scared.

Clinton, April 2.—(Special.)—Quite a stir was created here yesterday when it became known that a case of smallpox was in town. Miss McRoberts of London Township, and a visitor at the residence of Mr. Peter Canteloon, merchant, is the victim. The health officer, Dr. Shaw, assisted by Dr. Graham, are, however, taking the greatest precautions to prevent further alarm. The schools are closed until after Easter, and it is expected a big business will be done in the vaccinating line for a few days.

RECOUNT CALLED OFF.

Mr. Halliday, Conservative, Gets Certificate of Election in North Bruce.

Walkerton, Ont., April 2.—A recount in the North Bruce election was to have been held here to-day before Judge Barrett, but was withdrawn at the last moment, and Mr. Halliday was granted his certificate.

The cut of our new lightweight over coats for spring wear is the delight of every careful man dresser. There is a style about them that catches everybody. Hobberlin Bros. & Co., 153 Yonge St., Toronto.

GOLDWIN SMITH SAYS:

A debate is going on as to the status of the captured Aguinaldo. Is he a rebel, or a prisoner of war? According to the principle of modern morality, he is neither, but simply a man who has fallen into the hands of robbers. If ever the Filipinos break the foreign yoke, Aguinaldo's status will rise; nor will he be without his crown in history.

Cure a Cold in a Few Hours.
Dr. Evans' Laxative Grip Capsules; no buzzing, no griping; money refunded if they fail. 25c. Bingham's Pharmacy. 135

Smoke Alive Bollard's Cool Mixtures Patent Capsorl Pipe, always clean, 50c.

MANITOBA'S CREDIT HURT

Financial Agent in Winnipeg Declares That He Could Not Get a Bit for Manitoba Securities

OWING TO RAILWAY LEGISLATION.

Over 9,000,000 Bushels of Grain Inspected and Sent Out in the Past Six Months.

Winnipeg, April 2.—(Special.)—A prominent financial agent of this city, who for business reasons is compelled to keep his name from the public, submitted certain municipal securities to one of the strongest financial institutions in the east. He received a rather alarming reply. This financial firm said that in view of the recent railway legislation, they did not consider any Manitoba securities desirable investments at the present time. Following is an excerpt from the letter: "Since this railroad matter came up, people are talking about the province in a way which precludes the sale of any Manitoba bonds. If there is a doubt about Government bonds, certainly Winnipeg and other municipalities will go to a lower plane."

Grain Inspected and Shipped.

Grain Inspector Horne has compiled a statement of the number of cars of wheat shipped thru Winnipeg and inspected by him from Sept. 1, 1900, to March 31, 1901. He shows that 11,234 cars, or 9,324,220 bushels of wheat, were sent thru of last season's crop during that time.

Nepean Man Found Dying.

A. Scott, whose parents live at Nepean, Ont., was found on the C.P.R. near Melbourne on Sunday in a dying condition. He had evidently fallen from the train and his head was badly injured. He died without being able to give any account of how he had met with his mishap. It is evident he fell from the train.

Todd Jury Could Not Agree.

The jury in the Todd murder case has so far failed to agree and the jurors have been locked up for the night.

AUSTRALIA HAS A TANGLE.

Free Trade Senate and Protectionist House the Result of the Elections.

Melbourne, April 2.—The elections held yesterday thruout the entire commonwealth resulted in the return of a Senate with a free trade majority and a House of Representatives that is largely protectionist.

Under these circumstances the strongest advocates of a federated Australia are somewhat discouraged, and are disposed to wonder just how some very important and necessary commercial legislation will be got thru Congress.

The fairer half of creation will sally forth next Saturday in search of Easter offerings for the other half. They should bear in mind that the highest compliment they can pay to their sterner friends is a gift of one of the new Easter ties that Quinn of 93 Yonge-street is showing for the first time to-day.

Turkish Baths at Pember's. 75c.

TO-DAY IN TORONTO.

Queen's Own Rifles parade at Armouries, 8 p.m.

King Solomon Chapter, 44th anniversary, Masonic Hall, 8 p.m.

Dufferin School Old Boys' meet at Queen's, 8.15 p.m.

Sunday School Committee, Presbyterian Church, 10 a.m.

Benefit for Jack Webster at Princess Theatre, 2 p.m.

Princess Theatre, "The Little Red Schoolhouse," 8 p.m.

Grand Opera House, "Foxy Quiller," 8 p.m.

Toronto Opera House, "Superba," 8 p.m.

Shea's Theatre, vaudeville, 2 and 8 p.m.

Patents.—Fetherstonhaugh & Co., King-street West, Toronto, also Montreal, Ottawa and Washington.

THE INTERESTS OF THE PEOPLE VERSUS THOSE OF CORPORATIONS

Vigorous Speech in the Commons by the Member for East York in Defence of the Rights of Northwest Settlers—C.P.R. Exemption the Theme.

Ottawa, April 2.—(Special.)—On the House resuming, after recess this evening, Mr. Maclean arose and said: A very unusual thing happened in the House to-day in connection with the proposals to go into Committee of Supply. An amendment to that motion was submitted to the House and it carried and, while I intended myself to offer an amendment to that motion, I failed to catch the eye of the Speaker, and, the amendment carrying, the Minister of Finance had to make his motion again to go into Committee of Supply. Therefore, I am now in order in moving an amendment, which I intend to, and which deals with the question of the exemption of the lands of the C.P.R. To put myself straight before the country I wish to say that, while I claim no privilege, I have been the first to put a notice on the paper, of an amendment dealing with this question, but an hon. gentleman from the Northwest Territories saw fit, after I had given notice, to put in a similar notice.

Mr. Davis said that he gave a verbal notice before Mr. Maclean's notice appeared on the order paper.

Would Not Be Jockeyed.

Mr. Maclean: Mr. Speaker, I filed my notice early in the morning, long before the House met, and it appears on the journals of the House, but he thought it was a clever thing this afternoon to do as he did in the endeavor to forestal me. Well, they are welcome to think so. But I am before the House, and I am going to argue this question, which I think will command some attention in this House, and will certainly receive a good deal of attention from the people of the Northwest Territories, who have a grievance in connection with this matter.

The Duty of Parliament.

Mr. Maclean, continuing, said he proposed to show that what Parliament should do was to pass an act determining the period at which it was intended the exemption should end. All the courts could do was to interpret and enforce the bare letter of the law, while Parliament was seized of the equities ad the facts of the case, and could do justice between the settlers and the company. Parliament has frequently interpreted its own act in connection with this very C.P.R. contract. It was so in 1882, when an act was passed interpreting the contract in regard to drawbacks. In the same year an act passed allowed the company to use a pass other than the Yellowhead pass. In 1884 an act was passed in definition of the mortgage bonds; and again in 1888 to remove the contract as regards the construction of competing lines.

In 1894 a statute was passed "to construe the act" in regard to drawbacks on iron bridges.

Mr. Fielding: Was that at the request of the country?

Were not the People Come In.

Mr. Maclean: Exactly and now I want to deal with a request for a construction of the contract, which request is made by the other party to the contract, namely, the people of the Northwest.

Continuing, Mr. Maclean showed that land and the subsidies were treated exactly alike in the contract as to the term of granting one any paying the other. As the money wasearned, so was the land, and **if not then granted it was not the fault of the people, and the people should not be made to suffer.**

In 1894, the late Mr. McCarthy held that both were payable to the company simultaneously, and the land should have been handed over to the company at the same time. The C.P.R. took the stand that the date of exemption was 20 years from the issue of the patents to the company. Now, the House was told to-day that the patents were being issued as fast as possible, adn would probably be all issued in about a year. Simultaneously with this announcement came the statement that the Government intended to encourage the question being relegated to the courts. What would be the result? Why, that the courts, upon the very evidence as to the date of the issue of the patents furnished by the Interior Department itself, would declare that the lands were exempted from taxation for 20 years after the year 1901. What Parliament should do was to pass an act declaring that the exemptions expired 20 years from the date of the earning of the grant by the construction of the road.

Dr. Sproule, as well as the Premier, asked if this act were passed would the C.P.R. not contest its validity.

Mr. Maclean replied that it was the duty of the Government and Attorney-General to protect the rights of the people, and Parliament was paramount.

Ontario Furnishes an Instance.

"What is happening in the Province of Ontario to-day? The Attorney-General and the Premier of that province are every day allowing the municipal rights of the people of Ontario to be raided, and are not fulfilling theid duty as guardians of the rights of the people. The City of Toronto was threatened the other day with having the control of its streets taken away from it by the corporation raiders in the Queen's Park. My doctrine is—and I am applying it to the Government here, as I will apply it to my friends on this side if they are ever in power—that **Parliament is here to justice to everybody; and if a wrong has been committed or a right has been denied; if somebody has been negligent and the public interest suffers, it is the duty of Parliament to rectify the wrong.** I do not know whether that is legal doctrine or not, whether it is a Tory doctrine or not; but I hope it is a doctrine based on English constitutional practice, and I believe it is the only doctrine by which progress in Government can be achieved. It is a well-known dictum that for every grievance, for every wrong, a legal right, or parliamentary right, may be found.

The People Have a Grievance.

Now, these people in the Northwest have a grievance: They say that the company have not patented their lands. They should have patented them 15 years ago, but having failed to patent them, there is no reason why Parliament should not say: You should have patented your lands in 1885, and if you claim exemption from taxation, that exemption must date from 1885. It is well within the power of Parliament to say that, and if there is an issue as to whose rights are concerned, as between the poor settler and the rich corporation, which side is Parliament going to take? It is always going to take the side of the rich corporation, and give it the benefit of the law, and never give the poor settler the benefit of it? If there are conflicting interests why not adjust them? We are told: "Oh, you are going to do an injustice to the C.P.R." But even the doing of an injustice is not so bad as the continuing of an injustice.

Instances of Confiscation.

Mr. Maclean went on: Sir Wilfrid Laurier took a strong stand, when this question was up previously, in favor of vested rights and sanctity of the contracts. The fact was that there had been no British constitutional progress not based on confiscation, and abrogation of vested rights. [Oh, oh.] Yes, there were Gladstone's Irish land laws; there were in Canada the secularization of clergy reserves and the abolition of seigneorsal tenure. Why should the settlers be obliged to pay all the taxes in the Northwest, while the railway company went scot free. The settlers could get but a bare interpretation of the law in the courts; it was to Parliament they must look for equity and liberal justice. If we wished to settle the country rapidly, Parliament should settle first this question of exemption from taxation of railway lands.

Mr. Maclean appealed for support from Liberals and Conservatives, regardless of whether the blame for the unfortunate condition of affairs rests upon Government, and concluded by moving the following amendment:

"That in the opinion of the House the 20-year exemption provided for the land subsidy in clause 16 of the C.P.R. contract, 1881, begins as of a date even with the payment of the money subsidy."

Mr. Sifton Agrees.

Mr. Sifton said there was nothing in the unfortunate situation existing, as described by Mr. Maclean, with which he did not agree. Members were not in the House to pass academic resolutions, but to follow up its expressed will by legislative enactments. He would not say a solution of the difficulty would not be found; indeed, he hoped it would. But to pass a resolution declaring this to be the will of Parliament would not influence the courts. No attack upon vested rights under British law had ever been legislated without compensation. It was true, Sir John Macdonald in 1885 secured an amendment of the C.P.R. contract; but he did so with the consent of the company and paid handsomely for it. He held that the amendment to the drawback clause referred to by Mr. McCarthy in 1894 was in no sense an amendment of the C.P.R. contract; and Parliament had no power to alter a contract, as suggested by the mover of the amendment.

Dr. Sproule agreed that the passage of the resolution could in no way settle the date of the commencement of the period of exemption from taxation. In any event that would have to be settled by the courts.

Mr. Oliver Approves.

Mr. Oliver expressed approval of the amendment, altho holding that the exemption had already expired. This Parliament should be seized of the situation.

Mr. Borden's Contention.

Mr. Borden considered that this was a question upon which the Government should have a policy. They might pass an act declaring that the period of exemption had expired, together with a clause stating that if, in consequence of so doing, the C.P.R. suffered loss, the company should be indemnified.

Sir Wilfrid argued that this was not logic, inasmuch as the courts might decide that the period of exemption had already expired.

Mr. Borden replied that, of course, if the courts decided the period of exemption had expired, there would be no damage to make good.

Mr. Monk pointed out that the Premier had misunderstood the suggestion of the leader of the Opposition. The proposal