

# GOV'T DUCKS RESPONSIBILITY BY SLIPPING POWER CO. BILL UP TO THE SUPREME COURT

### Shows Its Inherent Weakness When It Comes to Tackling a Question of Grave Importance—During the Discussion of the Bill Many Government Members Absented Themselves from the Chamber, While One Was Fast Asleep on a Lounge in the Assembly Room—A Sorry Spectacle for a Leaderless Government.

Fredericton, April 18.—In the dying hours of the session, after several extraordinary scenes, with the leader of the government in a state bordering on public, earnestly pleading with the legislature to postpone action on the Carrier bill, the House which has given every evidence of putting through the bill with amendments made by the corporations committee, suddenly changed its mind, threw out the report of the corporations committee, and unanimously adopted an act empowering and requiring the Appeal Division of the Supreme Court to determine whether the rate base fixed in the Carrier report is correct, and if not, to decide what is a correct rate base. The prima Court will have the evidence obtained by the Carrier committee submitted to it, and may, if it considers it necessary, take further evidence. The City of St. John's N. B. Power Company may be represented by counsel before the Supreme Court. The present mode of proceeding is a time till the legislature makes up its mind what to do about the decision of the Supreme Court.

When asked what he thought of the outcome, Mr. Hopper, secretary of the Power Company, said: "What's the use of thinking? Perhaps the next measure will be to refer the matter to the Privy Council." At five o'clock Thursday afternoon the report of the corporations committee, which recommended the adoption of the Carrier base rate, but favored the city's demands for certain payments for the upkeep of streets used by the company, was presented to the committee of the whole House. Mr. Tilley was the first speaker. He said members were evidently being subjected to pressure by constituents who had thought they were fair minded, and anxious to give fair play. He presented in a strong light the various arguments for the city side of the case, laid stress on the apparent fairness of the city's experts and directed attention to the findings of the corporations committee. At 5:25 Mr. Campbell took the floor. He contended that the Carrier committee had not carried out its duty, and had overlooked the moral question involved in the various transfers of stocks. He declared that the findings were based on a scientific system. At 5:42 Hon. Dr. Roberts took the word. He felt incapable of discussing the bill from the view point of high finance, and thought honorable members were far from a sound conclusion. If the ill-considered bill was adopted a precedent would be established which would seriously affect other communities.

At 5:50 Mr. Potts took up the cudgels. He said that the people usually go wrong at the end of the deal. He said he would propose an amendment reducing the interest on the bonds. At 6:00 o'clock the committee took recess. Evening Session. At 8:00 p. m. Mr. Potts continued his presentation of the case for the people. At 8:17 Mr. Baxter took the word. He remarked that the occupancy or rather the vacancy of the chamber had readily judged the case, and that what might be said would be lost. However, he reviewed the arguments for the city in an able manner.

Empty Benches. While the city members were speaking most of the opposition members remained in their seats, but on the government side the opposition members were absent. At one time there were only two ministers and Mr. King and Mr. McGrath in their seats. Mr. Marsereau, who introduced the Carrier bill, was stretched out on the lounge, apparently fast asleep. Hon. Mr. Robinson listened throughout with marked attention. The Premier himself went out, but apparently for the purpose of trying to induce his unruly followers to return and give the city members the courtesy of a hearing.

At 8:40 Mr. Magee, who said he was the only outside member who voted against the bill in the corporations committee, arose and explained his position. He advocated a compromise on a fifty-fifty basis, making the base rate \$2,500,000. At 8:55 Mr. McGrath, leader of the Gingser Group, arose, and remarked that he hadn't intended to say anything, but now, as some happy thoughts had occurred to him, he would make a little. Mr. Sweeney—"You may make a speech without saying anything. It wouldn't be the first time." Mr. McGrath said he did not think it worth while to take notice of the big noise from Westmorland. He thought the only thing to do was to let the report of the corporations committee be accepted. He said he wouldn't do it by guess work; he would accept the report as it is. He noticed that no users of the company's services came to Fredericton to protest. Street railway fares in St. John were cheap as anywhere. Investors had to be protected.

At 9:00 the committee proceeded to take up the bill section by section. At 9:17, Hon. Mr. Robinson said that while the bill affected more particularly the City of St. John it had been dealt with by honorable members from other constituencies, who would have preferred to have had nothing to do with it. It seemed to him that in endeavoring to reconstruct the bill they had evoked a measure satisfactory to nobody. He believed that it was a mistake to attempt to deal finally with the matter during the present session. To his mind it would be better to have the bill go over until next year. The rates now in force would continue until July, 1920. In the meantime the House together with the evidence could be printed and distributed among the members. He felt certain that no injustice would result if a plan of that nature were carried out. Possibly the parties might get together and try to arrange a compromise, and in any case the House would be in a much better condition to deal with the matter the next year. He thought if any parity had been shown by Hon. members so far it had been on the side of the city. Their case had been presented by able lawyers, and they had the benefit of the services on the floors of the House of the Hon. member for St. John County, perhaps the ablest in the province. He was not prepared to say whether or not the Carrier Report embodied the fair and unbiased opinion of experts, but he believed it would be better for the committee to either accept that opinion as a whole or allow the matter to stand for another year. Mr. Robinson explained that he had prepared a resolution in the form of a bill. Mr. Sweeney said Mr. Robinson's amendment was the only solution of the difficulty. The Premier was not in the Chamber. In this case it had heard only part of the evidence. In what particulars was it to reverse the findings of the Commission? He was late for the public to expect the House to do anything but accept the findings or else postpone action until such time as the committee could read and reviewed. The present bill as amended would not be workable or satisfactory. It was a mangled bill. Hon. Mr. Foster was the main point at issue as the rate base adopted in the Carrier Report. Other matters were minor and could be settled by a few people getting together around a table. The other was one of the most important matters which ever had come before him, because it concerned so directly the public interest. He felt if he accepted the Carrier report he might do injustice to the citizens of the city of St. John forever. On the other hand if he accepted the report of the city's experts he might work an injury to the investors who had placed \$1,000,000 in stocks, people who were not only in the United States but also in Canada. He had not considered himself competent to judge between the experts, and he believed the difference was due not to errors in judgment, but to a variation in the methods adopted. The trouble arose because there was no tribunal in the province to which a corporation must go to obtain permission to increase capital. The House had been fortunate in having Mr. Whiting appear before the Committee, but unfortunately he had not heard before the expert who could tell how the rate base of \$2,800,000 had been reached. He did not hesitate to state that the Commission was in error, but he was not prepared to say whether the Hon. leader of the Opposition and himself were competent and expert. The House had been likened to a jury, which was to decide the matter, but it was very different from a jury. The House had before it only the judge's charge, the evidence was lacking. A compromise had been suggested, but he could not reconcile himself to a compromise. Mr. Tilley said he would like to ask the Hon. Premier if he believed the House in a year's time would be in a better position to dispose of the question. Mr. Sweeney—"The City of St. John might be."

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(Continued on Page 3.)

## LEGISLATURE TAKES ACTION RE N. B. BOYS IN LONDON TOWER

### Resolution Urging That Dominion Gov't See That the Boys be Given Every Opportunity to Prepare Their Defence.

Special to The Standard. Fredericton, April 18.—On Thursday the Legislature, on motion of the Premier, seconded by a resolution by a unanimous standing vote urging the Dominion Government to see that the Dominion of New Brunswick soldiers arrested in London during the Rhyd disturbances be delayed until proper and efficient counsel is supplied for their defence, and opportunity made for the adoption of a resolution by witnesses in their defence either before the trial court or by commission. Mr. Foster stated that two New Brunswick soldiers, Everett W. Smith, of Northumberland, and Pie, Allen A. Dickson, of Restigouche, were in the Tower of London, and had been informed by the British Consul that comrades of theirs since arriving in New Brunswick had declared that they had not taken part in the riots. According to the Government, had called to the Agent General in London to take steps to see that the men implicated were given every opportunity to protect their interests. Mr. Baxter said he had received a telegram in reference to a soldier named Poulton. He felt the resolution was broad enough to embrace the case of the soldier, and he would be able to vote on producing their discharge papers, or papers showing that they are still serving.

## MEMBERS BOOST THEIR SALARIES

### Overworked Solons to Receive Increases to Keep up With H. C. L.

Special to The Standard. Fredericton, April 18.—Members of the House are worried about the cost of high living in the gay capital, and also no doubt feel that they are entitled to pay for overtime rendered necessary by the interruptions of the proceedings of the legislature caused by the frequent and prolonged attacks made upon the members by wild men from Northumberland and by that redoubtable filibuster, Dr. McGrath. When the Contingency Committee reported Mr. Marsereau wanted to know if they had increased the seasonal indemnity to members to \$800, and he moved, with Mr. Potts as his seconder, that the committee be sent back and ordered to make provision for the increase. The speaker ruled the motion out of order, but allowed the committee to be sent back to reconsider their report. When they returned they brought a recommendation that the indemnity be raised. "Is that immediately applicable?" shouted Mr. Marsereau. "That is that you be sent back to make it so." Mr. Marsereau, who had been talking a nap on the lounge at the side of the House, while Mr. Potts as his seconder, was speaking on the Carrier bill which he introduced, evidently considered himself underpaid and overworked.

The leader of the government arose and said it was not the intention to grant the increase this year. Whereupon the Premier ruled Mr. Marsereau out of order, and the member for Sunbury subsided wearily in his seat, looking as if he would like to use some unparliamentary language against the government and its signally piggy towards its humble followers. "Is that immediately applicable?" shouted Mr. Marsereau. "That is that you be sent back to make it so." Mr. Marsereau, who had been talking a nap on the lounge at the side of the House, while Mr. Potts as his seconder, was speaking on the Carrier bill which he introduced, evidently considered himself underpaid and overworked.

## RUMANIAN TROOPS TO TRANSYLVANIA

### Go to Protect Inhabitants from Ill-treatment at the Hands of the Hungarians.

Bucharest, Thursday, April 17.—(French wireless service)—The Rumanian government announces that at the request of inhabitants of Transylvania who complained of ill-treatment at the hands of the Hungarians, Rumanian troops in Transylvania have been ordered to advance. The troops, it is said, will occupy the territory allotted to Rumania by the supreme war council in Paris.

## CHARTER FOR C. P. R. AIRCRAFT SERVICE

Ottawa, Ont., April 18.—Notice is given in the Canada Gazette that the Canadian Pacific Railway Company will apply to parliament for an act authorizing it to establish, maintain and operate services by aircraft between such points, within or without Canada, as may be found desirable.

## The New Act Relating To The New Brunswick Power Company Presented By Legislature

WHEREAS an Act was passed at the last session of the Legislative Assembly, under Chapter 45, of the Acts of George V., 1918, entitled "An Act to appoint a Commission in the matter of the New Brunswick Power Company"; AND WHEREAS, pursuant to such Act the Lieutenant-Governor-in-Council duly appointed Commissioners to investigate and inquire into matters relating to the said New Brunswick Power Company; AND WHEREAS the said Commissioners having investigated such matters have presented a report dated the 18th day of February, 1919, relating to the affairs of the said New Brunswick Power Company, by which report the Commissioners found the original cost of the property of the Company, which on January 1st, 1910, was used in the production of railway, gas, electric light, and power service, to have been (two millions, eight hundred thousand dollars, (\$2,800,000)); AND WHEREAS the correctness of such finding has been disputed, and it is desirable to refer same to the Supreme Court Appeal Division of the said Province; BE IT THEREFORE ENACTED by the Lieutenant Governor and Legislative Assembly, as follows: 1. The Supreme Court Appeal Division, is hereby empowered and required to determine whether or not such finding of the said Commissioners is justified by the evidence before them, and if not, then to determine what amount should have been found as such original cost of the said property. All evidence, documents, reports and other material which were before the said Commission, and which are now in their possession, shall be transmitted by the Provincial Secretary Treasurer to the said Court, which may also investigate the said matter by means of such expert testimony as they shall require, the expense of which shall be paid by the Provincial Secretary-Treasurer upon certificate of the Chief Justice. The said Court may also obtain from the said Commissioners any information which they may consider desirable as to the means by which the said Commission arrived at their conclusions. 2. The City of St. John and the New Brunswick Power Company may be represented by counsel before the said Court upon the hearing of the said matter.

## GOV'T GOT ALL TANGLED UP; UNTANGLED BY DR. J. B. M. BAXTER

### Impressive Exhibition of Lack of Leadership Given When Ministers Engaged in a Triangular Scrap Over a Bill Introduced by Mr. Dugal—Hon. Member from St. John Pointed Out Their Absurdities.

Fredericton, April 18.—A characteristic exhibition of the lack of leadership, which the House enjoys under a hyphenated government, was given on Thursday afternoon when the ministers engaged in a triangular scrap over a bill introduced by Mr. Dugal, and which was intended to amend various acts relating to the assessment of rates levied by the town of Edmunston, N. B. Mr. Dugal, who introduced the bill, said that it was a measure to amend the Municipalities Act, and that it was a measure to amend the Municipalities Act, and that it was a measure to amend the Municipalities Act. He said that it was a measure to amend the Municipalities Act, and that it was a measure to amend the Municipalities Act, and that it was a measure to amend the Municipalities Act. He said that it was a measure to amend the Municipalities Act, and that it was a measure to amend the Municipalities Act, and that it was a measure to amend the Municipalities Act.

Mr. Dugal strongly defended the bill which he said, was a compromise arrived at after a long and arduous struggle. He said that the bill could not be entertained until the Municipalities Act was amended. The chairman ruled against the point of order. A long discussion followed, in which Mr. Dugal, Mr. Sweeney, Mr. Baxter, and Mr. Sweeney, who was present, and presently the provincial secretary butted in with the remark that the Municipalities Act was amended between the town council of Edmunston and the company. He favored the six months' term. The Premier, who was present, said that the bill could not be entertained until the Municipalities Act was amended. The chairman ruled against the point of order. A long discussion followed, in which Mr. Dugal, Mr. Sweeney, Mr. Baxter, and Mr. Sweeney, who was present, and presently the provincial secretary butted in with the remark that the Municipalities Act was amended between the town council of Edmunston and the company. He favored the six months' term. The Premier, who was present, said that the bill could not be entertained until the Municipalities Act was amended. The chairman ruled against the point of order.

## NAVAL TERMS CONCERNING KIEL CANAL AND HELIGOLAND REVISED

### Fortifications Are to be Left Intact and the Present Coast Defenses Are to be Continued—Large Basin at Heligoland is Not to be Disturbed—Later Fortifications to be Discontinued.

Paris, April 18.—(By The Associated Press)—The naval terms to be incorporated in the peace treaty, concerning the Kiel Canal and Heligoland, have been revised in several important particulars. It was the original plan to destroy the fortifications of the canal, making it strictly a commercial waterway. The new terms, however, provide that the present fortifications be left intact, and provisions have also been inserted for the maintenance of the canal's defenses, all of which were to have been destroyed, according to the original plan. The terms also provide that the Heligoland basin be left intact and the present large basin, constructed on an extensive scale for the use of submarines during the war, be abandoned. The use of submarines has now been so restricted that the basin no longer constituted a menace, and its continuance was deemed unnecessary. The terms also provide that the Heligoland basin be left intact and the present large basin, constructed on an extensive scale for the use of submarines during the war, be abandoned. The use of submarines has now been so restricted that the basin no longer constituted a menace, and its continuance was deemed unnecessary. The terms also provide that the Heligoland basin be left intact and the present large basin, constructed on an extensive scale for the use of submarines during the war, be abandoned.

## SUBMARINES LOST

Cherbourg, France, April 18.—Seven German submarines on the way from a German port to a base in the English Channel, were lost