POOR DOCUMENT

MC 2033

ST. JOHN WATER BILL FAVORED

Municipalities' Committee Recommended Its Passage Yesterday

ONLY ONE OBJECTOR

Counsel for Mr. Howard Made a Request Which Was Not Considered—Bill Up to Make Conveyances Direct from Husband to Wife Legal—Other News of the House.

Fredericton, April 11—The house met at 3 o'clock.

Mr. Osman read a letter from the president of the Imperial Coal Company objecting to the passage of the bill relating to the Beersville Railway & Coal Company.

Hon. Mr. Tweedie said there was nothing in the bill to justify the statements made in the letter. The road was built for carrying coal and if the railway company was compelled to run the road the coal company should supply it with coal to a reasonable extent. The bill was read a third time.

Mr. Ryan presented the report of the committee on agriculture.

Mr. Hazen read a letter from George Gorham, treasurer of the New Brunswick Military Veterans' Association, asking if their claims for services rendered in 1866 in connection with the Fenian Raid had been recognized by the government.

Fenian Raid Veterans Too Numerous.

Hon. Mr. Tweedie said that some time ago the matter was brought to the attention of the surveyor-general. The veterans asked for 100 acres of land for each man. The difficulty was the large number who claimed land for services very much exceeded any record we had of the number of persons who had served. We thought that if such a grant was given it ought to be confined to persons who had seen active service. We have moved slowly in this matter for in endeavoring to do right we might do a great wrong to the province.

Hon. Mr. Sweeney introduced a bill to amend the game protection act.

Mr. Grimmer presented the petition of the town of St. Stephen to give effect to their agreement with the C. P. R.

The house went into committee on bills, Mr. Osman in the chair.

The bill to authorize a royal commission to consider certain charges against the Restigouche Boom Company was taken up.

Mr. McLatchey moved an amendment providing that the commissioners should have the same power as a judge with regard to granting amendments. He thought that as the object of the bill was to have a thorough investigation those who brought the charges ought to have an opportunity of amending their allegations in case the necessity for it should arise.

Hon. Mr. Tweedie said the only objection he had to this amendment was that the bill in its present form contained the provisions which had been agreed upon by the respective parties and that it would be a breach of faith to make changes in it after the representative of one side, Mr. Mott, had taken his departure.

Mr. Hazen said he was one of the subcommittee who had drafted the bill and it had been done in accordance with the agreement.

Mr. McLatchey thought no injustice should be done by allowing this amendment.

Hon. Mr. LaBillois—I think in view of the great importance of this investigation to the lumbering interests of the Restigouche that the legislature should give the most ample power to the commissioners to make the fullest investigation.

Progress was reported for the purpose of communicating the amendment to Mr. Mott.

Bills Agreed To.

The following bills were agreed to:

To amend the act respecting the licensing of extra provincial corporations. To amend the act to facilitate the opening up to settlement of the lands of the New Brunswick Railway Company. To compensate the Hon. James Steadman for his outlay in connection with the litigation which resulted in the establishment of riparian fishery rights.

Hon. Mr. Tweedie presented the report of the Halifax School for the Blind.

The house took recess.

St John Water Bill Recommended.

The municipalities committee met and heard further argument upon the St. John-Loch Lomond water bill.

Mr. Barnhill appeared for Mr. Howard, who owns land upon the Mispec river.

Mr. Skinner and Mr. Macrae represented the city. It was stated that the city purchased the portion of the river from that part known as the Ellison and Mount Dam down to the point of the Sulphite Company.

Mr. Barnhill wanted the claims for damages left entirely open.

Mr. Skinner represented that the city had undertaken to create a new lake below Loch Lomond for the purpose of holding a supply of water that would be sufficient to give the city the 7,500,000 gallons a day that it wanted, and then in the dry season of the year would give to the persons on the river as much water as if the city had not interfered at all and therefore that some care should be used in allowing persons to make sufficient claims.

After argument the municipalities committee considered and recommended the bill.

Judge Hanington appeared in suport of the bill to amend the act for the prevention of forest fires in Westmorland. The resent act prohibits the kindling of fires from the 15th of April to the 15th of June and from the 1st of September to the 15th of October. The bill permits fires to be kindled for the clearing and improving of lands for agricultural purposes within these periods with the permission of the chief ranger or deputy ranger of the parish. The judge argued at length with regard to the necessity for this change.

Mr. Powell was heard against the bill. The committee took it into consideration.

After recess Hon. Mr. Tweedie recommitted the bill to confirm the charter of the Grand Falls Water Power Company for the purpose of adding a section making any bye-law authorizing the issue, allotment or sale of the unissued stock of the company at a discount valid if confirmed at an annual or general meeting. The bill was reported to the house, read a third time and passed.

Conveyance from Husband to Wife.

Mr. Grimmer introduced a bill to give effect to the agreement between St. Stephen and the Canadian Pacific Railway. Mr. Robertson a bill to amend the act incorporating the Imperial Dry Dock Company. Hon. Mr. Pugsley a bill in amendment of the property act. He explained that it was to make it clear that a conveyance from husband to wife or wife to husband should be as valid as if made through a trustee.

Hon. Mr. Tweedie introduced a bill to ratify and confirm the lease from the crown to the Grand Falls Water Power Company; also a bill relating to the provincial hospital.

Hon. Mr. Pugsley introduced a bill relating to the development of the coal areas in Queens and Sunbury on the ground of urgency.

All these bills were read a second time.

The house adjourned at 11 o'clock.

Amendments to Liquor Law.

The bill introduced by the government last evening to amend the liquor license act contains provisions that no wholesale license shall be granted for the sale of liquors in any place outside a city or town. Provision is also made that license commissioners shall not be owner, mortgagee or agent for the collector of rents for any premises licensed for sale of liquors. Provision is made that under no circumstances shall the license commissioners grant more than one extension of any license. The license inspector shall keep a record which shall be open to the inspection of any person applying to examine the same, and annual reports of the license inspectors shall be available for public distribution. Not more than one retail and not more than one wholesale license shall be granted to any person, firm or corporation. After passing of the present act, brewers and bottlers of ales and beers shall be allowed to sell in quantities of not less than five gallons. The former law was a minimum of ten gallons. Under the present act a license inspector violating the duties of his office is subject to a fine of from $10 to $20. The proposed amendment will impose a fine of $50, and upon a second conviction he shall forthwith be deprived of his office. No licensed person shall employ any minor under the age of eighteen years in any way in connection with his business of handling or selling liquors. In addition to penalties imposed upon the saloon keeper who shall sell liquor to an interdicted person or habitual drunkard, provision is made in the proposed act to fine the interdicted person $10 for purchasing liquor from a licensed saloon. It is understood that opposition to some of these sections will be offered by the temperance people, who claim that the amendments do not go far enough.

The corporation committee this morning had the Inglewood Pulp & Paper Company and bill before them. H. H. McLean and Geo. McAvity were heard on behalf of the bill and W. Watson Allen against it. The company wished to obtain powers of expropriation for the purpose of carrying their sluiceway over a piece of land which the owner will not sell. The committee thought that they could not depart from the principle laid down last year that a private individual or company could not obtain powers of expropriation. The bill stands over until tomorrow.

The bill to extend the powers of the Madawaska Log Driving Company was not recommended.

The auto road company's bill was recommended.

In the municipalities committee the bill to authorize Fredericton to issue debentures to pay off the floating debt caused a long discussion. Mr. Barry and ex-Ald. Farrell were heard against the bill and the mayor, the city clerk and Ald. Chestnut for it. The city treasurer gave a statement of the assets and liabilities of the city at the end of the year, from which it appeared that at the close of the year there was an overdraft of $18,804, to which was to be added $1,344, paid on account of a steam roller. They had in hand in cash $2,094. Since then taxes have been collected to the amount of $7,868, and sewerage and water $2,398. There is due on ground rent $750 and on sewerage and water $300. There are also $11,000 worth of back taxes, of which 75 per cent is good. The committee thought that under these circumstances it was not necessary to issue bonds to the amount of $20,000, but they gave authority to issue bonds for $8,000 to cover the cost of the steam roller and other capital expenditures.

The bill to amend the act incorporating the town of Dalhousie was recommended as amended. It gives power to the commissioners to levy taxes for the repair of the streets and to improve the town hall. It authorizes temporary loans to meet current expenses, gives persons tax on $300 income a vote and enables the ratepayers to exempt the Restigouche Woodworking Company from taxation and to supply it with water.

Fredericton, April 12—The house met at 3 o'clock.

On the third reading of the bill to compensate Judge Steadman for his outlay in establishing the rights of riprarian proprietors to fisheries, Mr. Maxwell read a letter from J. Willard Smith, St. John, stating that Edgar Hanson was equally entitled to compensation.

Hon. Mr. Tweedie—As far as I could ascertain Judge Steadman was the only one who expended any money. Mr. Hanson, who was a clerk in the provincial secretary's office at a salary of $900 a year having become incapacitated for work is now receiving a superannuation allowance of $600.

Mr. Hazen said that similar representations had been made to him with regard to Mr. Hanson, and it was also said that the late Henry Phair had an equal claim with Judge Steadman. Had the government any evidence with regard to the amount that Judge Steadman had actually paid out? The costs of the suits were paid by the government and one claimant should not be paid without considering the claims of the others. The fact that Mr. Hanson was superannuated did not effect the matter.

Hon. Mr. Tweedie said: The government had sufficient evidence before it to fix the amount that Judge Steadman had paid. This was the first he had heard of Mr. Hanson's claim. It was not the duty of the government to go about looking for claims. No application had been made to the government on behalf of Mr. Hanson or the representatives of Mr. Phair.

Mr. Murray said he was in full accord with the leader of the opposition with regard to this matter. A claim had been filed sometime ago by J. Henry Phair and Edgar Hanson, which he would proceed to read. This document which detailed all the circumstances of the case bore no date, but was addressed to the Hon. Robert Duncan Wilmot, who ceased to be gover nor in 1885.

Hon. Mr. Tweedie—I never saw that document.

Mr. Whitehead—I urged Judge Steadman's claim, but at the time did not know that Mr. Hanson had a claim. If he has I will be glad to advocate it.

Wants More Pay for Registrars of Deeds.

Mr. Copp drew the attention of the government to the salaries of the registrars of deeds, some of which were receiving much less than their labors entitled them to. In Westmorland the registrar only received $2,000 out of which he had to pay nearly a thousand in clerk hire. The fees of the office had increased very largely in recent years. He thought there ought to be a revision of these salaries.

Hon. Mr. Tweedie—This matter has been brought to the attention of the government and will be dealt with at the next session of the legislature.

Mr. Osman presented the report of the public accounts committee.

Mr. Morrison said that as one of the committee he had not signed the report, although he agreed with a large portion of it. But he did not think it went far enough. What he found fault with was the absence of proper vouchers, especially with regard to the expenditure on roads.

He would call attention to the accounts of the provincial hospital, which showed a deficit of some $17,000, an increase of $3,000 over last year. He observed that the sum of $2,395 had been paid to the Bank of New Brunswick for interest, which would represent an overdraught of about $40,000 at 6 per cent. He thought we should not be paying this large sum for interest. The amount asked by the government for running the institution was not sufficient.

He also objected to the manner in which the game protection accounts were kept. A balance of $10,000 was shown against this account, which Mr. Flewelling said had been accumulating for years. As a matter of fact it appears that the receipts exceeded the expenditure by about $3,600. He also objected to the unequal manner in which a third revisor was paid. In Northumberland he got six dollars, while in York they received $20 for performing the same duties.

Hon. Mr. Pugsley—The amount paid by the county council to its own revisors determines this.

Supervisors' Account Unsatisfactory.

Mr. Morrison—The vouchers of the supervisors of great roads were in many instances very unsatisfactory. The board of works is responsible for the expenditures and it is idle for them to say they cannot get better accounts. The same thing exists in other departments of the government. There ought to be a statement of days' work and of the rate of wages in every account.

As regards bye-roads no less than 179 bye-roads commissioners representing an expenditure of about $10,000 did not send any returns at all. They treated the government with indifference.

Hon. Mr. Pugsley—Can you tell me how many of these 179 were appointed by the county councils?

Mr. Morrison—Very often the government ignores the men appointed by the councils and appoints other men. Then there is the question of overdraft for roads. While some counties have money to their credit the county of Kings has an overdraft of upwards of $11,000, which is $3,000 more than last year. I think that the head of the department should see that this system does not continue. There was a large expenditure on a bridge in Westmorland county for which there is no proper voucher.

Mr. Leger—With regard to that expenditure it was for an aboideau and the money was paid on account of the work on my recommendation.

179 Have Made No Returns.

Hon. Mr. LaBillois—The work was also examined by the provincial engineer. We have not had a speech this session that is so much in favor of the highway act as that made by my hon. friend from Northumberland. I said last year with 1,300 or 1,400 bye-road commissioners half of them appointed by the municipalities, it was impossible to get full returns or vouchers for expenditures. This year 179 of these people have made no returns, while of the 168 supervisors appointed by the government we have returns from 165. Now there will be about 180 officials charged with the expenditure of road money and full returns will be exacted from each of them. This year we expect to be able to clear up the business of the old road supervisors.

Mr. Flemming—I see in the report of the board of works accounts in the auditor-general's report that the sum of $83,392 was expended on permanent bridges. The chief commissioner in reply to my inqury stated that the total sum at $125,248, the balance over the $83,000 being charged to suspense accounts. Now I complain that there is no detailed statement of these expenditures and that they have not been subjected to any audit. They were not inquired into by the public accounts committee. Now I submit that is a bad system.

Mr. Osman—No mention was made of this item before the committee and it was not inquired into.

Hon. Mr. Hill thought that the government should adopt a more thorough system for the prevention of forest fires such as they have in Maine and British Columbia.

Legislation Objected To.

Hon. Mr. LaBillois introduced a bill to make further provision for permanent bridges. He explained that the amount required would be $300,000 to go over a period of two or three years. On motion to read this bill a second time Mr. Hazen objected.

Hon. Mr. Jones introduced a bill to amend the supreme court act, the county court act and the table of fees act. He explained that it provided that every writ issued out of the supreme court or county court shall be served by the sheriff or a deputy appointed by him. That the fee for traveling shall be 7½ cents a mile and on every execution returned nulla bona fifty cents.

On motion to read this bill a second time Mr. Grimmer objected.

The bill in amendment of the supreme court act was recommitted, Mr. Osman in the chair.

Hon. Mr. Pugsley said he proposed to strike out the references to St. John with regard to the judges appointed to try non-jury cases and to make the act general so that when the chief justice appointed a judge to sit on non-jury cases he would as far as possible appoint a judge who was a resident of the county in which the circuit was held. Another section which he proposed to add was that where a defendant who had been held to bail is rendered by them and the bail discharged he may give a bond to the sheriff conditioned on giving special bail within 20 days.

The bill was agreed to.

The bll amending the highway act was recommitted and the section repealing the special act of the parish of St. Marys was struck out.

St. John Bills Agreed To.

The following bills were agreed to with amendments as reported by the respective committees, Mr. Copp in the chair:

An act in further amendment to the laws relating to civic elections in the city of St. John.

An act to authorize the city of Fredericton to issue debentures to pay off its floating indebtedness.

An act to further empower the city of St. John to furnish water to St. John east.

An act to amend the acts incorporating and relating to the town of Woodstock.

An act to incorporate the Buctouche & Rexton Railway Company.

The Street Railway Bill.

The bill an act regarding the assessment of the property of the Street Railway Company in the city of St. John was taken up for consideration in committee. Hon. Mr. Pugsley moving the amendments of which he had given notice and explained at previous meetings of the committee.

Hon. Mr. Pugsley said: Before this bill passes I will take this opportunity to refer to some observation which have been made by certain newspapers reflecting upon members of this house on the action which members have seen fit to take regarding certain measures up here for consideration. These reflections are entirely unwarranted.

I appeal to every member of the house to bear me out in the statement that no attempt has been made unduly to influence any member in exercising his best judgment in respect to these matters. If such attempts should be made I am sure they would be resented.

Every member of this house, I am sure, feels the responsibility resting upon him as a representative of the people and feels his duty to his constituency and to the province to use his best judgment upon all matters brought to the attention of the house and upon which we are called upon to legislate.

The impression has gone abroad, because of unwarranted statements made in certain portions of the press, that the members of this house have been influenced to a line of action in connection with certain St. John bills that would not have been pursued had not such influences been presented. That is entirely unfounded and misleading and does an injustice to this house.

The question was asked in one of them last night if the money was jingled before the members to influence them to vote a certain way upon this bill now before the committee. If it was not so late in the session and members are desirous of getting away tomorrow, if possible, I would have the editor of that paper brought before the bar of the house and compelled to answer as to why he made such imputations against the representatives of the people and against this legislature.

I do not believe there is a legislature anywhere inspired with higher motives or more sincerely desirous of doing its duty.

Hon. Mr. Hill—From observation both in and about the house I state it as my belief that the statements of the St. John press that efforts were made to unduly influence members in their action on bills before the house were entirely unfounded and entirely a fable.

Mr. Flemming said: I wash to take this, the first opportunity I have had, to place myself on record as opposed to the way in which the bills from St. John have been treated by the committees. I do not think the St. John bills received the consideration due them.

I believe, for instance, that St. John had a right to an exclusive franchise for lighting on the west side, and I believe also that the St. John Street Railway Company should be taxed. St. John sent several bills here for enactment and every one has been so mutilated and cut up that the city will scarcely be able to recognize one of them when it goes back to them.

St. John elects a council to do its business and when that council after deliberation sends to this house bills which they deem in the city's interests I do not think it the right nor fair thing that those bills should be so amended and mutilated that they could not be recognized by the people who sent up the originals.

Hon. Mr. Pugsley—The hon. member from Carleton was not present in committee nor in the house to assist in discussing those bills and in perfecting that legislation and after an absence from the house of many days he comes here today and tells us we did not give those bills consideration. I claim that these measures were very fully discussed. I will always exercise my right to use my best judgment on bills from St. John or Kings county, or from any municipality and shall vote and speak upon those measures as my better judgment dictates. We have a duty to discharge here and every member feels that duty and responsibility resting upon him and surely it is not right that a member who has been absent from the house when these matters were under consideration should come in now and criticize us and say that we have not fairly or fully considered these bills.

Not Enough Information About St. John Bills.

Hon. Mr. Tweedie—My hon. friend from Carleton has been away a great deal of the time this session. I do not think he has been in his place in the house more than a fortnight altogether, and now he comes here and tells us who have given attention to our legislative duties day after day that we have not treated bills fairly because business was not suspended and these bills held over until he returned and pronounced upon them.

My hon. friend has not consulted his leader in this matter or he would have learned that the hon. leader of the opposition and myself stood shoulder to shoulder in regard to many of the amendments proposed to some of the St. John bills.

I repeat in the house what I said the other day in committee that much of the legislation which is sent here from St. John is not in such perfect state that the house can pass it without the fullest possible consideration and we spend days and days in trying to get such information regarding many of these bills as will enable us to form an intelligent opinion upon them.

The members of the common council and the members from St. John city are often lacking in information that is very essential the committees should have. Why up to this moment we do not know what are the length of the streets of the city of St. John nor how certain proposed legislation would have affected the rights of the railway company with regard to these streets.

I take the same ground as does the attorney-general that no newspaper threats or outside talk should influence the members of this house. I have before this expressed my views regarding lobbying. I believe our legislature occupies a most favorable reputation in this respect.

It is true that gentlemen who are particularly interested in certain legislation come here and do inform members regarding the effects of the proposed legislation, but it cannot be truthfully said that undue influences are used to secure the support of votes of any member. There has been nothing to justify the criticisms of the hon. member from Carleton but every desire has been evidenced by the members of this house to give every measure coming before it the fullest possible consideration.

The house took recess until 8 o'clock.

Evening Session.

Upon resuming, Mr. Flemming said: It is not true that I have been absent a large part of the present session. I was present in the municipalities committee when the St. John bills were discussed and I know that the committee took a vote upon the bill to authorize the city of St. John to acquire the lighting plant in Carleton and approved of the bill. But when the bill comes before the committee of the house an amendment is brought in by the attorney-general which takes away the right of an exclusive franchise which was the object sought in the bill and approved by the committee on municipalities. That was one of my reasons for stating that St. John was not treated as generously—to put it mildly—as the interests of the city demanded.

I consider that the amendment now before the committee is not even half a loaf, it is merely a crumb, but even so as it is something in the interests of the city I will have pleasure in supporting it.

Mr. Robertson—I did not agree with all the sections of the bill under consideration as originally drafted and on some of the measures I have not voted as did my colleagues. I believe that the amendment now under consideration is more fair to the city of St. John than was the original section.

Hon. Mr. Pugsley—I believe that if this amendment is adopted it will be the first step in the direction of making a street railway company responsible for the condition and repairs upon the streets ever incorporated in any legislation passed in this dominion.

By this amendment we compel the Street Railway Company to keep in good repair most all the streets in the city for some seven miles over which its tracks run, being responsible for the maintenance and repair of the streets from curb to curb and this is the first time any such far-reaching legislation has ever been enacted in this country.

It is the most effective legislation that could be devised to protect the interests of the city. If the hon. member from Carleton who asserts that due consideration has not been given these matters is opposed to this amendment let him vote against it and place himself on record.

I did not criticize my hon. friend because he was absent from the house but because on his return from such absence he presumes to criticise us and even his own leader when we have done our best to faithfully discharge the duties devolving upon us.

The hon. leader of the opposition has opposed the St. John telephone bill so strenuously that there is little likelihood of its passing this session and does the hon. member for Carleton criticize them for that and say that he is not acting as his best judgment dictates?

The hon. member for Charlotte (Mr. Grimmer) has also expressed himself pretty strongly as opposed to some of the legislation that has come here from the city of St. John and will my hon. friend from Carleton say that he has not as good judgment as himself?

The vote being taken upon the amendment it was adopted without a dissenting voice.

Bye-Law Section.

The section of the bill regarding the bye-laws was then taken up. Hon. Mr. Tweedie said that in his opinion the common council which under this bill is given the right to make bye-laws for the efficient operation of the street railway, should be required to give the company 20 days notice of such bye-laws before sending them to the governor-in-council for approval.

Mr. Hazen did not think it proper to take out of the hands of the company the power to make its own bye-laws and give that power to the common council. He believed the better way would be to have the company make its own bye-laws and submit them to the council for approval and if they could not agree then submit them to the governor-in-council. In this way the council would have a way of making its views known and felt and an injustice would not be done either party.

The section was adopted as amended and the bill reported to the house and passed

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Its effects are exhilarating, vitalizing, purifying. Yet it is a germicide so certain that we publish on every bottle an offer of $1,000 for a disease germ that it cannot kill. The reason is that germs are vegetables, and Liquozone—like an excess of oxygen—is deadly to vegetable matter.

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Germ Diseases.

These are the known germ diseases. All that medicine can do for these troubles is to help Nature overcome the germs, and such results are indirect and uncertain. Liquozone attacks the germs, wherever they are. And when the germs which cause a disease are destroyed, the disease must end, and forever. That is inevitable.

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Consumption	Piles—Pneumonia
Colic—Croup	Pleurisy—Quinsy
Constipation	Rheumatism
Catarrh—Cancer	Scrofula—Syphilis
Dysentery—Diarrhea	Skin Diseases
Dandruff—Dropsy	Stomach Troubles
Dyspepsia	Throat Troubles
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