

182 50 PER ANNUM IN ADVANCE

Vol 37

NOTICE.

persons having any claims against the estate of Mary McCulloch, late of St. Andrew County of Charlotte, spouse, are requested to hand the same to their duly attested, for payment; and all indebted to the said estate, will make payment to

GEORGE McCULLOCH,
Executor, Dec. 29, 1893.

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IN VARIIS SUMMUM EST OPTIMUM.—Cic

1250 PER ANNUM IN ADVANCE

No 11

SAINT ANDREWS NEW BRUNSWICK, MARCH 16, 1870.

Vol 37

THE MONARCH—Secretary Robeson, Vice Admiral Porter and others, who visited the Monarch at Annapolis, have returned much pleased with their trip. Admiral Porter says the Monarch is the greatest naval vessel afloat that she can easily conquer any vessel belonging to our navy and can run down our iron-clad and monitors at sea. A fight with her in harbor might be equally contestable, for then she could not readily use the 31 foot iron ram placed in her some fifteen feet under water. He declares she is the greatest piece of naval architecture he has ever looked upon.—[Portland Adv.]

HOUSE OF ASSEMBLY

DEBATE ON THE HOULTON BRANCH RAILROAD.

The House went into Committee of the Whole on a Bill to authorize the Justices of the Peace in Charlotte County to lease land for certain purposes on the lower district of the Parish of St. Stephen's, in said County.

MR. BUTLER in the Chair.

MR. McADAM said the object of this Bill was to facilitate the building of a branch railway at Houlton. In the first place it was to give 20,000 dollars, and Calais 15,000 dollars, provided St. Stephen gave 15,000 dollars more. This Bill is to authorize the town of St. Stephen to raise that sum, and there were petitions for and against it. The Bill provides that a meeting shall be called, and if two-thirds of those present at the meeting do not vote for it, it becomes null and void. If a majority of the people conclude to take it, they should have it. He had always been governed by that principle and hoped he always would.

MR. GOUIN—Is this intended to be a continuation of something already commenced? You had authority before to tax them.

HON. MR. McADAM—Not for this. The job is under contract and people are working on it. The people of Calais and Houlton have agreed to do their part and this Bill is only to bind St. Stephen to theirs.

MR. GOUIN—They had this authority before.

HON. MR. McADAM—They have just commenced the work, but it is to continue a piece of time to let the American Bankers see if they attempted to force the Bill through by a bare majority he would oppose it himself, but when it is carried by a two-thirds vote the case is different. The whole length of the line on the English side does not exceed five miles. The whole length into Houlton is about seven miles.

THE CHAIRMAN then read the first section. MR. HIBBARD said he was placed in rather a delicate situation in opposing this Bill. If he were to consider his own interest and let that rule his better judgment he would go for it, but he believed that when the constitution of the County of Charlotte sent him here to represent them they expect he would sacrifice his own interests, when their rights were likely to be invaded. That was the reason he had given this Bill his whole opposition. The principle of the Bill seemed reasonable, and when asking to assess a certain District it should be submitted to a two-thirds vote, and there were cases where 99 men in a majority have no right to bind a single man in the minority and mortgage his property for what was a private speculation. Again in a place that was already burdened as much as it could bear, a majority had no right to impose additional burdens.

On that petition the names of 117 men are asked for \$15,000 to build a branch railway. Not to endorse the powers of that railroad, but a bonus that shall be redeemable in 20 years thereafter. He would ask them to go into the history of the road. In 1864 the St. Stephen Branch Railway Bill came before the House asking them to pass an Act whereby the Cash District of St. Stephen shall endorse the bonds of the road to the amount of \$100,000. The St. Stephen people responded to that call and they have endorsed the Bonds of the St. Stephen Branch Railway for \$100,000 at 8 percent. In 1867 an Act was passed to tax St. Stephen \$10,000 payable in 10 years to repair streets and sidewalks. The whole real estate in the Cash District is \$450,000, on which stands today a mortgage of \$110,000 that they are pledged to meet in case of the failure of the St. Stephen Branch Railway. We know that railroads are not paying, and although not called upon the first year to pay the interest there was no knowing when they might pay it down. There was a public meeting called, of which they would not have an account, and of which they would not have an account, and there were 50 persons present, and only twenty-five voted for taxing the Town. That petition there were twenty-one names that now

appear on the petition against it. His hon. colleague and himself had taken the trouble to write to those men, and to men who did not sign it at all, and the answer had been in every letter that they were deceived, that the real spirit of the matter was not laid before them, and that the true intention and meaning of the whole thing is that the St. Stephen Branch Railway is to make application to the Dominion Parliament to authorize and give them the right of putting a Bridge across to Calais, and the people of Calais are to ask the Legislature of Maine to pass the same thing, and that instead of St. Stephen being the terminus it will be Calais. That public meeting was not a fair expression of the feelings and minds of people on this matter.

Here were two petitions, one with 120 names in favor of the Bill, and one with 174 names against it. Who were those against it? After running over a large number of male signatures we find a large number of female signatures. Whose? He (Mr. Hibbard) had heard the Attorney General's opinion on the rights of the widows and fatherless, and he had honored him for it. He would now say that on that petition were the names of the widow and the fatherless. Who would not sacrifice their political interests for the sake of such appeals as these. If his political career was to be damned let it be damned in the defence of the fatherless and widow. The whole nature of this matter was a private speculation. The Town of St. Stephen is asked to subscribe the amount of \$15,000 to build a branch railway about a hundred miles from St. Stephen for a feeder for the St. Stephen Branch Railway. Would there be a five cent piece a day added to the town of St. Stephen in consequence of it. It was his opinion that it would be a much greater feeder to the Western Extension than to the St. Stephen Branch. It would seem reasonable and fair to submit the Bill to a two-thirds vote of the town of St. Stephen, but what was the fact? The Bank comes in with \$200,000, and the Railway itself comes in, and these two things together sweep the rights and privileges of 174 men. Was it right for this House to grant any body of men the right to tax a certain community about a mile square in addition to their already heavy taxation? It was the duty of hon. members to watch carefully any measures that proposed direct taxation on the people. It was no wonder these 174 working men and widows feared the cash influence, for money would carry a weight, and if they legislate they should legislate for the poor, for money carries a fearful influence, and it was no wonder these men of small means feared the result of that two-thirds vote. He (Mr. Hibbard) felt it, for when he wanted money he had to go to the men he opposed and they never refused him on that ground; he was placed this morning in a delicate position. For that influence of money a man would vote for a measure he did not want. If they would put the Bank capital and the Railroad out of the matter there would be no fear in its going back to the people. The opponents of the measure would not then be afraid to put the question.

MR. GOUIN—Would the advantage of the Railway be for the Bank and not for the people?

MR. HIBBARD—The advantage from the Railway will go directly into the pockets of the St. Stephen Railway Company, the indirect advantage will go around the terminus of the Railroad which is largely owned by the Railway Company. But suppose it goes to Calais? A large number of the promoters of this measure are concerned in large milling operations on this side and they would gladly transport their lumber into U. S. territory. He (Mr. Hibbard) knew something about the fears of the poor laboring man in regard to taxation, he had passed through life's rugged battle fields, and had worked by the day, month and year, to support his wife and children, and he knew the fears they had that taxation would reach their small pittance.

That Bill goes further; it asks for an assessment on property and income, that the hired man shall be directly taxed upon his income. If hon. men felt what the right way to deal with it would be to postpone it for 3 months; with a promise of a right and justice, when a place is already burdened as much as it can bear, any larger burdens should not be added. This is what this House is concerned for; it was their duty and the people expected them to exercise it properly and justly in defence of their rights. If they thought that little plot of ground was not taxed enough, let them tax it more. If they thought that Bill was not a private speculation, expressly for a feeder for the St. Stephen Branch Railway, then let them tax the people. If they thought these 174 men and women of small means were going to be directly benefited by this Bill, more than the tax, then give it to them. But he did not believe any such thing, he was influenced by no improper motives, but only by a principle of right. He would not occupy any more time at present but as the House was in Committee he could speak as often as he chose in reply to any arguments advanced.

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He would now leave the matter in the hands of the Committee with no fear of unfair legislation being done.

HON. MR. McADAM said his hon. colleague had made a very excellent speech, but he must remember that they were not going to coerce the people there, for all the people against that Bill have a right to come and vote, and if they had not a fair change of deciding upon it, he would not go for it. Did they suppose he would stop the people from deciding for themselves on such a matter, that he would prevent a man from taxing himself if he choose? If it gives the poor man work he would be very to prevent him getting the work. The St. Stephen Branch, Western Extension, and the St. Andrews Railway all get the benefit of it, the trade will regulate itself.

MR. HIBBARD—St. Andrews and St. John then ought to pay the tax.

HON. MR. McADAM—If it was to be carried by a bare majority he (Mr. McAdam) would go as far to oppose it as any one. He had no doubt the people would pay every attention to the vote they gave on that question. As regards the Bonds they have signed for \$100,000 the mortgage that interest falls the road belongs to the people of St. Stephen, and nothing else can touch it. Look at what the County of York and Carleton have done. His hon. colleague had said that St. Stephen was heavily burdened, but Mr. McAdam was going to move against him, and he would share their fate.

MR. STEVENSON said that in rising to oppose this Bill he thought he would be able to show why it should not be passed by the House. At one time he was quite prepared to submit this measure to the people affected by it on the present terms, and he had arrived at that conclusion in consequence of misrepresentations which were made to him. The Bill before the Committee now was a misrepresentation of the prayer of the petitioners in favor of it. It was stated in that petition that the \$15,000 to be raised by the people of St. Stephen was to be a charge upon the real and personal property of the District. The Bill before the House asks that this amount may become a tax not only upon real and personal property but upon the incomes of persons residing in the district. In that respect he thought the Bill asked more than any of the petitioners have asked for, and upon that ground if upon no other he should oppose the Bill. It was not necessary that he should take up the legislation had in reference to the St. Stephen Branch Railway as it was familiar to every member of the House, but he would say the town of St. Stephen was induced to endorse the Bonds of that Railway Company under the impression that that undertaking would secure to them certain advantages which they believed they would get by the connection with the St. Andrews and Quebec line of Railway, and the petitioners who signed this petition did so under the impression that St. Stephen would be the terminus of that Railway. At that time they were not aware there was a contract and agreement between the Directors of the St. Stephen Branch Railway Company and certain people in Calais, that the condition upon which the people of Calais would give \$15,000 in aid of the Houlton Branch Railway was that a Bridge should be constructed to bring the line of Railway into Calais. That such an agreement was made is shown by the following circular signed by the Directors of the St. Stephen Branch Railway Company.

Whereas the people of Calais are making an effort to raise either by subscription or by aid from the City of Calais, the sum of Fifteen Thousand Dollars, to aid in the construction of a branch Railroad from the St. Andrews Railway to the Town of Houlton, in Aroostook County, they hesitate in the matter for fear that they may lose the benefit they expect to gain by getting a Railroad bridge from Calais to St. Stephen, over which they expect to get their share of the Aroostook trade the designated, therefore, to quiet any such fears, hereby pledge themselves that they will, in good faith, use all their influence in every way in favor of building said Railroad bridge; that they will obtain the necessary legislation in the Province of New Brunswick, to enable the St. Stephen Branch Railway Company to land the said bridge on the St. Stephen side of the River free of any land damages to the people of Calais, and further guarantee that as soon as said bridge is built and made ready for service, that the St. Stephen Branch Railway Company shall furnish iron at their own expense, and extend their line to the city of Calais, over said bridge, to a satisfactory terminus in the city Calais, all freight and passengers bound to the said city of Calais, the said city of Calais or its inhabitants first procuring the necessary legislation to allow of the extension of said road to Calais.

F. H. TODD, Director of the St. Stephen Branch Railway Co.
J. M. TODD, do.
JAS. MURCHIE, do.

He would ask the House if that agreement

was not a direct violation of the understanding which induced the people of St. Stephen to endorse the Bonds of the St. Stephen Branch Railway? Would they have endorsed them if they had known the terminus was to be at Calais? He had never known of this agreement until the 8th of last September when he was told it appeared by accident in a newspaper. It was not until then that a petition was got up to oppose this grant to the Houlton Branch Railway, and it was signed because people believed that those who were looking for Railway interests were deceiving them in this matter. When the people of St. Stephen entered into a contract to mortgage their property to the extent of \$100,000, their real estate was only \$400,000 and their personal property about \$500,000. This then was a heavy mortgage, when we come to consider the history of other Railways and their paying qualities. The people of Calais mortgaged their town for \$150,000 to facilitate the construction of the Louis Island Railway; then there was a further mortgage for about \$50,000, and then another mortgage upon the road for nearly the same sum. Within two years the first two mortgages are sunk and become a total loss, and the town of Calais having a security upon the road were obliged to take possession of it, and sell it at a sacrifice of \$10,000. Apply the position of Calais to the town of St. Stephen, and see how little possibility there is of enjoying the benefit from this Railway, which they thought to enjoy when they endorsed the Bonds of the Company for so large an amount. The House should pause before passing this Bill. The House has given \$10,000 as a bonus for the construction of a line of Railway and we are going to permit the benefits which New Brunswick expects to obtain from it, to be enjoyed by those who have not taken any part of the burden of it? These were the reasons why he would vigorously oppose the Bill. His hon. colleague (Hon. Mr. McAdam) had made the statement that in the section of Bill just read was similar to what he (Mr. Stevenson) had assented to at the last session of the Legislature. That was not so. He has not compared them or he would not have made the statement. The Section now read provides that Companies shall be represented by their President or Manager, and no provision is made for representation by proxy, and that was the difference between this Bill and the one he had prepared last year. According to this Bill the poor man who from illness or absence may not be able to attend the meeting, has not the beneficial voting by proxy. In regard to the amount of property owned by those signing the petitions for and against this Bill, which would be subject to this tax, he had prepared an abstract. The petitions for the Bill represented \$118,000 of real estate against \$134,000 but the estates of those who signed the first petition against the Bill should be added to that against the Bill which would make nearly \$150,000 of real estate against the Bill. With regard to personal property there was \$310,000 for the Bill and \$79,000 against it. \$202,000 of this personal property for the Bill is the assessed value of the St. Stephen Branch and should be thrown out of the account. It is not provided in the Bill that two-thirds of the property shall determine whether or not this burden shall be imposed upon the people, but it is two-thirds of the property of those who shall attend the meeting, and this makes a great difference in the vote, because Banks and corporations are represented by their President or manager, who vote without consulting the shareholders, while a large portion of the property is owned by persons not living in the district. He could not go for the Bill because it would impose a burden upon the people of St. Stephen, without a corresponding advantage, and because it was not in accordance with the prayer of the petitioners.

HON. MR. McADAM replied that with regard to that Bridge he had heard it said they would never get a charter to land it on the English side, and there was no doubt but that it was correct, because there would be a unanimous voice against it. It had been mentioned that Calais had lost by the Louis Island Railroad. They said it for \$142,000, and having received a subsidy to the amount of \$8,000 they lost nothing. In regard to taking that Railroad across the river he did not think there was one individual in St. Stephen who would be willing to do so. His hon. colleague had said that some who signed that petition were sorry for it; he would say give them the chance to go to the polls and then vote for or against it, as they choose. He had no objection to voting by proxy, and as he expected to spend his days in that place he would be very sorry to do any thing to injure it.

MR. HIBBARD said he believed his hon. friend was deceived in regard to that bridge; he was willing to do with that, it is transferred to Ottawa, and it is there the charter will be asked for. The member for Charlotte (Mr. Bolton) is one of the men who have agreed to construct the road.

MR. THOMAS said with some of his hon. friends from Charlotte, who seemed to think they have no right to pay anything towards this branch line into Houlton. They know it will be built,

and they expect to reap a benefit from it whether they pay or not. He did not believe the terminus would be at Calais. All the Calais people want the track brought there for is to enable them to bring their goods to Houlton without breaking bulk. Even if this bridge is built, it will be more benefit to the people of St. Stephen than this \$15,000 they are called upon to give.

MR. STEVENSON said that in connection with the statement made in regard to an application being made to the Dominion Parliament, for aid to construct a railway to Calais, he would read a notice published in the "Calais Advertiser":

NOTICE is hereby given that Benjamin F. Kelly and others will apply to the Legislature, at its next session, for a charter to build a bridge across the river St. Croix, and to put rails on the same, and to build a Railroad along the banks of the river between Upper and Lower St. John's Wharves in connection therewith, and connect with the Calais and Baring Railroad by means of a third rail, and also to authorize the City of Calais to expend money or issue bonds for the construction of said bridge.

Calais, Nov. 30, 1869.

It would seem how, step by step the measure is gaining ground, and that it is intended to have railway connection across the river. Why should Calais give fifteen thousand dollars to this Branch Railway to Houlton unless they get the benefit from their trade. Here we have Mr. Kelly, a large railway operator now about to erect a large mill on Western Extension, applying for a bridge across the river, of course in conjunction with the Directors of the St. Stephen Branch Railway Co., who are to do all in their power to facilitate that undertaking. The people St. Stephen, in giving aid to their Branch Railway, thought St. Stephen was the terminus, and now to deprive them of the benefits they sought to obtain would be doing them a great injustice. The Railway Company got more for their bonds from the fact that the people of St. Stephen have given them a value by endorsing them. They are now held at 90, and does not this show from whence they derive their value? In regard to these Petitions many signed the Petition for this Bill not knowing the terminus was to be in Calais, and others signed it because it was presented to them that the district to be taxed not only included the cash district but the fire district, which includes a much larger section.

HON. MR. McADAM said he did not think our present member for Ottawa from the County of Charlotte (Mr. Bolton) would ever consent to build that bridge across the river, for it was against his interest. The people of Calais had tried several times to get a charter to build a bridge across that river, but could not get it because so many men worked against it. He had always saved the majority of the people, and although his own friends were opposed to it, if the majority wanted it he would put it through. He did not think it would injure vessels if it had a draw bridge, and he thought the people should have a fair right to decide for themselves on the question.

MR. HIBBARD said that those who petitioned for this Bill were entirely deceived. He had already spoken in regard to why the petitioners had petitioned against it and he would now speak in regard to the petitioners who wished the Bill to pass. Calais has agreed to give \$15,000 towards this Railway, on the understanding that certain men will use their influence to get a bridge built across the river in order that that place may be the terminus of the Railway. Houlton has offered to give \$30,000 towards this road, in order that she may transport her exports from Houlton down across that bridge. St. Stephen has petitioned for the Bill because she has been promised that the bridge shall not be built at all. The people in the town of Calais are now petitioning their own Legislature, and an act may pass to enable them to get this bridge built. That is the reason all these parties are willing to aid this Branch Railway. New Brunswick had given a subsidy of \$10,000 a mile for railways, but it was not right to take the revenues of the country to build a railroad into the town of Calais, to the detriment and loss of St. Stephen. The hon. member of the Government (hon. Mr. McAdam) had said he had intended to move to St. Stephen, and was willing to pay his share of the tax to build this road. He might have gone farther and told the House that he had a large property at St. John's River, where he manufactures four or five million feet of lumber every year, and wishes to transport it across the river to Calais. In this bill there is an unfair provision made, in regard to the way vote shall be given by Corporations to accept or reject the Bill. On the petition against the Bill are the names of persons who have stock in the St. Stephen Bank, and yet the President of that Bank can come forward and on the stock of those stockholders can vote their down. Is that doctrine right, or is it law? If it is law, it is a one-sided law. The same provision is made in regard to Railway Corporations. A Corporation can come forward and vote against the wishes of the bona fide owners of its stock. The same reason that prompted Calais to give \$15,000 and Houlton \$30,000 would prevent St. Stephen from giving anything. If Saint

