

# THE GLEANER:

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*Nec aranearum sane textus idso melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.*

[COMPRISED 13 VOLUMES]

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MONDAY EVENING, MARCH 15, 1852.

No. 21.

## Provincial Parliament.

### A BILL

To make provision for the construction of a Great Trunk Line of Railway from Halifax to Quebec.

Whereas the formation of a Great Trunk Line of Railway, from Halifax to Quebec, through British Territory, would consolidate and strengthen the Provinces of British North America, develop their resources, settle their waste lands, multiply their social and commercial relations, and afford increased facilities for rapid inter-communication with the British Islands, and with all parts of this Continent; And whereas it is anticipated that Her Majesty's Government will advance or guarantee the funds required to construct this work on certain conditions;

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:

1. Whenever the funds necessary for the purpose shall be raised by loan or guarantee under the authority of the Parliament of the United Kingdom, or advanced as a loan to the Provinces of Canada, Nova Scotia, and New Brunswick, under such authority, or subscribed or loaned by Corporations or individuals, as hereinafter provided, either wholly or in part, it shall be lawful for the Lieutenant Governor in Council to enter into such arrangements as may be deemed conducive to the interests of this Province, with the Government of the United Kingdom, and with the Governments of Canada and Nova Scotia, for the construction of a Great Trunk Line of Railway from the Harbour of Halifax, in Nova Scotia, to some point opposite the City of Quebec, to be located on a line commencing at or near Point Levi, opposite Quebec; thence down the St. Lawrence to or near to the *Liver du Loup* or *Trois Pistoles*; and thence, traversing in its main course territory watered by the tributaries of the River St. John to the City of St. John; thence following on or near the proposed route of the European and North American line of Railway to the northern boundary of Nova Scotia, on the Isthmus between the Bay of Fundy and the Gulf of St. Lawrence; and thence through Nova Scotia to Halifax, on any line that may be found most eligible.

2. The said Great Trunk Line of Railway shall be constructed by this Province, in conjunction with the Provinces of Canada and Nova Scotia, in the following proportions, that is to say:—The Province of Nova Scotia to make provision for and to contribute to the construction of the whole line three twelfths; Canada four twelfths; and this Province five twelfths; each Province bearing the hazard and sharing the profits of the whole enterprise in like proportions.

3. For facilitating the arrangements, all the right and title of Her Majesty in this Province in the ungranted lands within this Province, lying within five miles of each side of the said Great Trunk Railway, are hereby placed at the disposal of the Lieutenant Governor in Council, to be appropriated, pledged, or otherwise dealt with as may be thought best for the general interest of the undertaking; it being understood and hereby declared that the Legislature of this Province will confirm, carry out, and give effect to such further enactments as may be necessary, any arrangements or agreements which may be made by the Lieutenant Governor in Council in the spirit and for the purpose of this Act.

4. Whenever the Governments of Canada, Nova Scotia and this Province, shall have determined on and provided for the construction of the work contemplated by this Act, it shall be lawful for the Lieutenant Governor in Council to appoint so many Commissioners as may fairly represent the interest of this Province in such work, with full powers to construct and manage such work, in conjunction with Commissioners to be appointed by the Governments of Canada and Nova Scotia.

5. It shall be lawful for the Lieutenant Governor, by Warrants on the Provincial Treasurer, to pay out of the funds to be raised or advanced for the purpose, such sums as may from time to time be required to defray the proportion of expenses of making the said Railway to be incurred by this Province under any arrangement as aforesaid, or any other expenses which under such arrangement are to be borne by this Province.

6. The Commissioners are authorized to enter upon and take possession of any land required for the tract of the Railway, or for Stations, and they shall lay off the same by metes and bounds, and record a description and plan thereof in the Registry of Deeds for the County in which the lands are situated; and the same shall operate as a dedication to the public of such lands; but the lands so taken shall not be less than four nor more than eight rods in breadth for the tract, nor more than five acres in extent for any station.

7. The Commissioners may enter with

workmen, carts, carriages and horses, upon any lands; and therefrom, for the making of such Railroad, dig up and carry away stones and gravel, and cut down and carry away trees, bushes, logs, poles and brushwood.

The Commissioners may make an agreement in writing with the proprietors of the land so taken, for damager, and fencing, where such fencing shall be considered requisite by the Commissioners, and also for materials for the road taken from any lands; and the same shall be laid before any General Sessions of the Peace for the County where the lands lie, and if approved of, shall be confirmed.

9. Where no agreement shall be made, or the same shall not be confirmed, one appraiser shall be appointed by the said Sessions, a second by the persons interested in the lands, and on their default, after three days notice by the Clerk of the Peace, such two shall choose a third appraiser; and the appraisers shall be sworn by any Clerk to the faithful discharge of their duty; and they or any two of them shall make a valuation as to damages for lands, and for fencing when requisite, or materials taken from any land, which valuation shall be final.

10. In making such arrangement or appraisal, the benefit likely to be derived by the proprietor from the Railway running through his land shall be taken into consideration, and the damage thereby reduced or extinguished.

11. The Commissioners, with the consent of the Lieutenant Governor in Council, shall have power to treat and agree with any Corporation or Railroad Company for the purchase or use of the whole or any part of their respective Railroads, rights and properties, which it may be found expedient to adopt as part of the said Main Trunk Line of Railway, and to pay such sum as may be agreed upon to either of the said Companies as compensation for any such Railroad or portion thereof, rights or property, out of any moneys which might be applied to making part of the said Main Trunk Line of Railroad at the same place; and the Directors of the said Companies respectively shall have full power and authority to treat and agree with the said Companies for any of the purposes aforesaid; and to receive the compensation that may be agreed upon; and to give a valid discharge for the same; and to surrender and convey to Her Majesty, for the public uses of the Province, such Railroad, or part thereof, rights or property as aforesaid, which shall hereafter be vested in Her Majesty for the uses aforesaid; provided always, that nothing herein contained shall be construed to affect or impair any right now vested in Her Majesty to take the said Railroads, or either of them, or any of the rights or property of the said Companies, or either of them, under any Act incorporating such Company, or amending the Act incorporating it.

12. If any Corporation or individual shall desire to invest moneys in the Railway fund applicable to the construction of this work, at their own risk, sharing with the Government the hazard and the profit of the enterprise, it shall be lawful for the Provincial Treasurer to issue Scrip in sums not less than twenty five pounds, bearing no interest, but entitling the holder to a share proportioned to his investment in the tolls and revenues of the road.

13. Any person desiring to invest on the credit of the Province, moneys in the Railway fund applicable to the construction of this work, may pay any amount to the Provincial Treasurer under the same guards and regulations as now secure the moneys invested in the Savings Banks; provided that the rate of interest to be paid on such instalments shall be the same as the Province pays for the loans advanced by Her Majesty's Government.

14. Whenever the Railway shall be completed from Halifax to Quebec, it shall be lawful for the Lieutenant Governor in Council to make, in conjunction with the Governments of Canada and Nova Scotia, such arrangements as may be suitable for working the Railway as one line by a common management; such arrangement to be submitted to both branches of the Legislature at the Session then next ensuing.

15. The total sum to be raised for the purposes of this Act upon the credit of the Revenues of this Province shall never exceed in the whole the sum of pounds sterling.

From the Head Quarters.

HOUSE OF ASSEMBLY, February 20.

RAILWAY DEBATE.

On motion of the Hon. Attorney General, the House resolved into committee of the whole on the Railway resolutions submitted to them some days previous—Mr Earle in the chair.

The Hon. ATTORNEY GENERAL said the present measure required calm deliberation, since it was of the utmost importance, not only to the present constituency of the Province, but to future generations. The Legislature had for years held out the promise of aid towards building a railroad that shall unite these Colonies, but when they did so it was understood that the line would traverse the northern section of the Province. The Government acted in good faith, and had done all they could for the northern line up to a very late period, believing that the money could be procured to build the European and North American line on the same terms. At the meeting of the Executive in December last, they were fully in that belief, and acted upon it. They determined to make it a Government question, and prepared the Bills they intended to submit to the House of Assembly, and they called an early Session for the purpose of settling the affair as early as possible. Shortly after that the letter of Earl Grey was received, in which His Lordship says Mr Howe has misconstrued Mr Hawes's letter, and which contains a flat refusal on the part of Her Majesty's Government to recommend to Parliament to advance, or guarantee the money to build the European and North American line. Government were taken aback at this announcement, and when the Legislature met they had not agreed upon any definite plan; they were waiting to see what effect Mr Howe's remonstrance would produce. It must be evident to every one that New Brunswick is not in a position to build her share of the trunk line to Quebec, and then construct the European and North American line on her own resources, without the Imperial guarantee. We have not the means. Therefore, had the Government and the Legislature still agreed to carry out the plan in reference to the northern line, the construction of the southern line would have been impracticable, as the resources of the Province were insufficient to guarantee the interest on the guarantee required. Neither were we in a position to act without the co-operation of Canada and Nova Scotia. Thus matters stood until the arrival of the Canadian delegates. He would here observe that since he had been a member of the government he had never been so much annoyed at any thing that took place, as he was at the announcement contained in Earl Grey's despatch. He had always, up to that moment, entertained the hope that the northern line would be built at some time or other. This despatch frustrated all his hopes. He felt much for the disappointment of that country where he had so many warm friends, and where he had spent so many happy days. His hon. colleagues at once said "we must abandon the northern route." They came to the conclusion that the Legislature would never consent to pledge the whole resources of the Province to construct a line to Halifax and Quebec, and leave the first part in this Province untouched. He still combated for the north. He was not at liberty to disclose what took place at the Council Board, but he might say this, that he stood alone there and argued for the north. A minute of Council was signed by his hon. colleagues, and the hon. Mr Chandler, then in Halifax, was instructed to join in the scheme proposed by the Canadian Delegation. He was then placed in that position that he must either support the scheme or resign his situation in the Government. He reviewed the whole matter, and knowing that his hon. colleagues were actuated by the consideration that they must embrace this scheme or have no railway, he could not in his heart blame them for what they had done; he could not say they had done wrong. Then if they had not done wrong, why should he resign? Had he concluded that the act was wrong, nothing should have prevented him from immediately tendering his resignation. When this scheme was first broached in Nova Scotia, the Hon. Mr Howe, who was a sagacious statesman, at once said it would cut off Nova Scotia from the benefits she had expected to receive, and confer those benefits upon New Brunswick. Notwithstanding this, after the matter had been fairly discussed, the Nova Scotia House of Assembly, considering how important it was to have a railway, overlooked the altered state of things, and were patriotic enough to resolve in favor of it. The road once made, it would unite the Colonies together, and cause them ultimately to become a great nation. The hon. Mr Chandler, after having executed the duty assigned to him in Nova Scotia to the satisfaction of his colleagues in the government, returned and gave a very able exposition of the railway policy of the government during the past year, in the Legislative Council. Hon. members of this House, generally, were there listening to him; the speech had also been printed, and a large number of copies had been distributed through the country, so that the people in every county in the Province had

an opportunity of reading it. It then devolved upon him (Hon. Attorney General) to bring the measure before the House. He had thought proper to do so by introducing these resolutions, rather than by introducing the Bills, as he considered that was the best way to test the opinion of the House. It now remained for the House to say whether they would reject or accept the resolutions, as Nova Scotia and Canada had both agreed to the scheme, and if this Legislature agrees to it we shall have the railway, but if they reject it, there would be an end of the matter. (The hon. member here read the first resolution, which is as follows):

*Resolved*, As the opinion of this committee, that the connecting the Provinces of Nova Scotia, New Brunswick, and Canada, by a Great Trunk Railway, is of vital importance to the future interests and prosperity of this Province, inasmuch as the accomplishment of such an undertaking must tend not only greatly to increase its population, but advance its commerce, agriculture, and all other industrial pursuits.

That resolution was in favor of the principle of railways in general. Let them look at Europe. It was not a great many years since the first railway went into operation, and now England was intersected by railways, and they were extending them rapidly over the Continent. So necessary were they considered, that a country without railways was looked upon as scarcely emerged from a state of barbarism. (The hon. Attorney General then read some extracts from Dr. Lardner's work on railways, showing their vast importance to a country.) Let honorable members compare a country where railways exist, with a country where there were none; they would find one in a prosperous state, the other at a stand still. Let them look at some of the American States, and contrast their present condition with the state they were in prior to the construction of railways. Wherever there was a commercial people, they wanted facilities for the interchange of goods with other countries, and nothing had given such an impetus to commerce as railways. Providence had so ordered that plants indigenous in one country were not so in another, and by exchanging commodities the comforts of life were increased; then, certainly every country should do all in their power to increase the facilities for an interchange. The argument may be equally applied to agriculture. Railways annihilated distance, and wherever a railway was carried, it immediately brought the remote farmer within a few hours of market. Again, previous to the construction of railways in England, the butchers found great difficulty in getting their fat cattle to the large cities; they would tire by the way, and the owners were obliged to sell them where they dropped. But now they transport them by rail without fatiguing them. Railways were also of the highest importance in aiding the cause of civilization, by bringing men of different countries in contact with each other. He was aware that hon. members generally agreed with him as to the importance of railways, and therefore it was unnecessary to say more upon that subject. (The hon. gentleman then read the second resolution, as follows):

*Resolved*, As the opinion of this committee, that the proposition for constructing a railway from Halifax to Quebec, through this Province, in accordance with the plan and in the proportions lately suggested by the Delegates from the Canadian Government at Halifax, and agreed to by the Governments of Nova Scotia and New Brunswick, should be accepted by the Legislature of this Province as being the only line on the joint account of the three Provinces now left for consideration.

That resolution was based on the letter from the Canadian Delegation to the Government of Nova Scotia, which he would read, that hon. members might understand fully what was meant. (The Hon. Attorney General then read the letter he referred to, which contained the proposals to which the Executive Governments of the three Colonies have given their adhesion.) The second resolution was to the effect that the plan laid down in that letter should be adopted. It was his belief that if the Legislature adopts this plan, that the British Government would advance the money to carry it out; he had no doubt of it. There might be some negotiation required, but the money would be ultimately got. It was stipulated that this line should go south as far as St. John, at least, but the course from St. John to the Grand Falls had not yet been decided upon; probably the line presenting the least engineering difficulties would be chosen. At the same time Her Majesty's Government must approve of the line before advancing the money, as they wished to secure a line fit for military purposes. In reference to the cost, hon.