

INTERESTING CASE NOW BEING TRIED AT NEW CARLISLE

Big Price Asked for Small Piece of Land Wanted by Atlantic Quebec And Western Railway.

BEFORE ARBITRATION COURT

A most interesting case and one which is causing considerable excitement is now being carried on at New Carlisle.

The parties in the case are the Atlantic, Quebec and Western Railway Company who are building their line from New Carlisle to Gaspe Basin, and on the other the Roman Catholic Church of Port Daniel.

The case arose as follows:—The railway company has purchased the right of way along the Port Daniel barachois leading over the tunnel which they are opening at Cap L'Enfer. This tunnel is a solid rock and is from seven to eight hundred feet long.

In order to connect from the Port Daniel river to the tunnel the company is obliged to take a small portion of the Roman Catholic Church property at Port Daniel.

The company offered the Church the sum of fifteen hundred dollars for this portion of land which comprises only one-tenth of an acre.

The Church has stood out for the sum of thirty thousand dollars, stating that although only one-tenth of an acre of its property is taken still the railway compels the Church to remove all its buildings and to build elsewhere.

A few months ago John Hall Kelly tried to have the question settled up between them amicably, but failing in this, he notified the Church that unless the offer of fifteen hundred dollars was accepted he would have the case arbitrated.

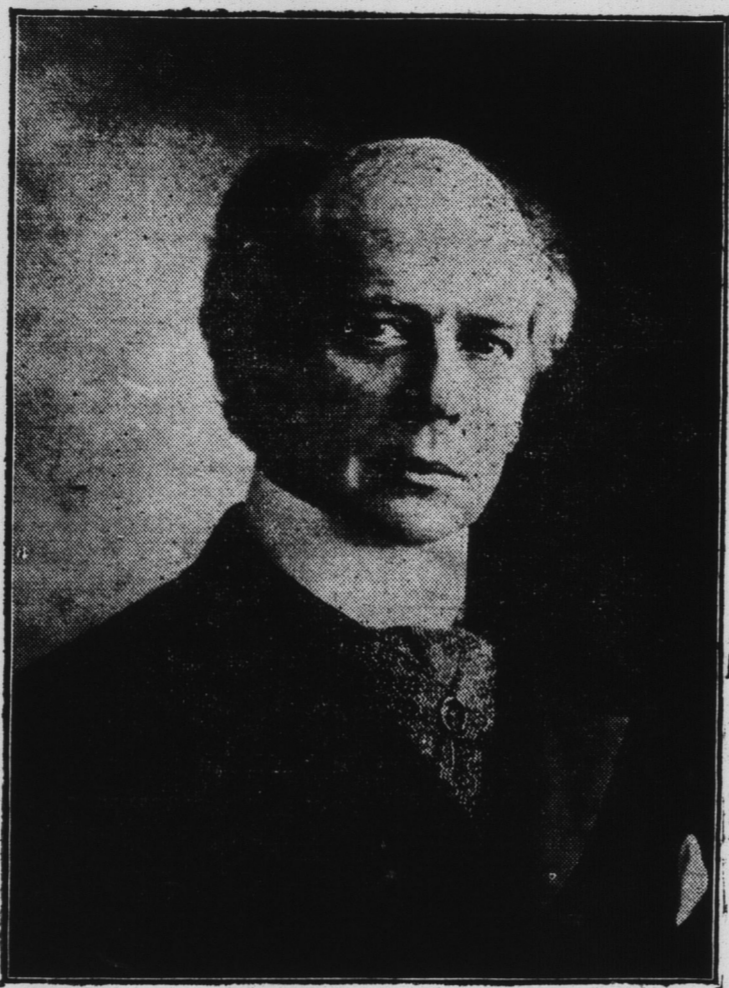
He therefore afterwards had the ordinary notice of expropriation served on the Church Fabrique, and also obtained the warrant for the immediate possession of the land. This warrant

for immediate possession was opposed by the Church. He then moved to have three arbitrators appointed, and the Arbitration Court now consists of Mr. Wm. Maguire of New Carlisle, representing the Railway Company, Rev. Father Duret, Parish Priest, of Port Daniel, representing the Church and Mr. David Mill, provincial Land Surveyor of Maria, appointed by the Court.

On Tuesday and Wednesday last the arbitrators met at Port Daniel where they fully examined the property and went into the details thereof.

Yesterday morning, that is to say Thursday the case opened in New Carlisle at the Court House, the Railway Company proceeding with its prof. Mr. L. J. Riopel, advocate, of New Carlisle, is representing the Church.

Mr. W. Lyon Browne, Chief Engineer in Canada of the Railway Company occupied the stand all day Thursday. The main point in his evidence consisted in obtaining the location of the line and all the circumstances connected therewith. He also explained the reason why the Railway Company offered fifteen hundred dollars was owing to the fact that the Company required the immediate possession of the land in question in order to utilize the rock which they were excavating from the Port Daniel tunnel in order to fill up the trestle around Port Daniel barachois. The Church property was the connecting link between these two points and if the Company were held up as they were by not having possession of this land it meant very heavy loss to the Company. In order therefore, to avoid this loss which amounted to several thousand dollars, he offered fifteen hundred dollars,



SIR WILFRID WOULD FINISH HIS WORK.

Not many years now remain to me. The snows of winter have taken place of spring; but, however, I may show the ravages of time, my heart still remains young, and I feel that I have as much strength as ever for the service of my country. In spite of my sixty years, of which so much has been spent in the service of the Dominion, I am sure that some time remains to me yet to oppose those who have I a tooth for the unholy alliance sinister combinations, and especially between the Castors and the Conservatives. . . . Our greatest work for the advancement of Canada is the construction of the Grand Trunk Pacific, which means so much for our countries future, and with which I hope my name will be chiefly associated.

which was a very high figure, but he did so in order to avoid delay and to save additional costs.

He then went on to establish that the value of the land in question was simply the sum of ten dollars. He admitted that the railway was rather close to the Church Presbytery and stated that owing to the fact the Church intended building a new Pres-

bytery immediately that the Company were willing to offer a sum of two hundred and twenty dollars to enable them to build a little further to the rear of the property. The grounds in the rear of the property is more difficult to build on than in the front, and the sum of two hundred and twenty dollars would fully meet the difference. He therefore concluded that the sum of two hundred and thirty dollars was the full compensation of the land as damage to be sustained therefrom.

He also cited many cases where the railway passes very closely to buildings and where no special compensation is paid.

He also referred to a case exactly at Cape Cove where the railway passes within fifty feet of the English Church and for which no special compensation was paid but simply the ordinary price of forty dollars per acre.

The case will continue this morning with Mr. Browne still on the stand.

There are a large number of witnesses called on each side including surveyors, land experts, etc.

Mr. G. F. Maguire of New Carlisle is the official stenographer of Montreal, as Official Stenographer.

MARK TWAIN ON PROHIBITION

"Crossing the Atlantic with Mark Twain last summer," said a W. C. T. U. woman. "I asked his opinion of the prohibition law."

"I am a friend of temperance, and want it to succeed, he said, but I don't think prohibition is practical. The Germans, you see, prevent it. Look at them. I am sorry to learn that they have just invented a method of making brandy out of sawdust. Now what chance will prohibition have when a man can take a rip-saw and go out and get drunk with a fence rail? What is the good of prohibition if a man is able to make brandy mash out of the shingles on his roof, or if he can get delirium tremens by drinking the legs of the kitchen chairs."

A man has about as much use for his poor relatives as his rich relatives have for him.

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