

The Daily Mail

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JUG HANDLED LEGISLATION

The amendments to the Railway Act which are being jammed through the legislature are built on the jug-handled plan and in favor of the St. John & Quebec Railway. Besides giving to this company, controlled by Yankee citizens, some seven millions of dollars of the public funds, the government is endeavoring to give them unfair advantages over our own people. A bill is before the House to amend the "New Brunswick Railways Act"; it is introduced for the benefit of the St. John & Quebec Railway Company. By it the whole system of assessing the compensation to be paid to land-owners for the land taken for the railway is being changed.

Under the present law, if the land owner and the railway company are not able to agree on the amount to be paid, the amount is settled by arbitration. The land-owner appoints an arbitrator and the company appoints one and these two arbitrators appoint a third if they are able to agree and if not the third arbitrator is appointed by the judge of the county court.

If either party is dissatisfied with the award of these three men, he may appeal to a judge of the Supreme Court.

If the proper kind of men were appointed on this board, it ought to be fairly satisfactory and it is the method almost universally adopted throughout Canada. At any rate, either party always had the right to appeal if dissatisfied with his award.

As a matter of fact, the company always appointed one of its own employes and this was against the spirit of the act and the results were not what they otherwise might have been. That was the company's fault and not the fault of the law as it stood. In fact, these boards have been assessing the damages in many cases upon wrong principles to the serious loss of the land-owners, until the cases, carried on appeal recently by Mr. Hughes, were decided by Judge Barry and the true principle settled.

Now a bill has been produced into the legislature to change the Railway Act; the only people asking for a change is the St. John & Quebec Railway Company. Under this bill, arbitration is done away with—three men are appointed by the government to assess the damages and there is no appeal from their decision unless the amount of their award is \$600.

IN OTHER WORDS, IF THE LAND OWNER IS AWARDED A FAIR AMOUNT, THE RAILWAY COMPANY MAY APPEAL AGAINST THE DECISION, BUT IF THE LAND-OWNER GETS ONE-THIRD OF WHAT HE IS ENTITLED TO, HE HAS NO REMEDY AND MUST PAY THE COSTS.

That is legislation with a vengeance in favor of the corporation and against the individual.

You have only to consider that provision in the light of the case of Mr. A. G. Turney, one of the cases in which Judge Barry increased the amount on appeal. Mr. Turney was awarded \$218.00 by the arbitrators—he had been offered \$150.00 by the company. That meant, if the award had stood, that he had to pay the costs of the arbitration, which amounted to considerably more than the sum awarded to him. If Mr. Turney had had no appeal and that award had stood, Mr. Turney would have lost two and one-half acres of land, he would have been put to great inconvenience and would have had to pay a large bill of costs besides. If the law had been as it is now proposed to make it, Mr. Turney would have had no appeal because the arbitration gave him less than \$600. But he did appeal and Judge Barry found that on the evidence he was entitled to \$706 compensation, together with the costs of the arbitration and of the appeal. It is therefore, readily seen where the advantage will come to the St. John & Quebec Railway Company in the proposed change.

But take the other side of it. Suppose Mr. Turney had been awarded by the board of arbitrators the sum of \$706—they still have the right reserved to them by the proposed changes to put the land-owner to the expense of an appeal—THE LAND-OWNERS RIGHT TO APPEAL IS DIMINISHED, THE COMPANY'S IS NOT.

THAT IS JUG-HANDLED LEGISLATION IN FAVOR OF THE COMPANY. It is introduced in what were supposed to be the closing hours of the session with the idea that it should be got through before the people were aware of what was taking place.

The bill is one well calculated to show who are looking after the people's interests. The St. John & Quebec Railway Company's interest are being looked after—SHALL THE PEOPLE'S INTEREST BE NEGLECTED?

Mr. Titus J. Carter, who has been very aptly described as the buffoon of the legislature, went out of his way when speaking on the Valley Railway bill to attack men prominent in the Liberal party. He went so far as to say that one of the critics of the Valley Railway policy had been defeated at the polls. If failure to win an election is a cause for reproach, then Mr. Titus Carter should go and bag his head for no man in New Brunswick has experienced the pangs of defeat as often as he has. By the aid of an enormous corruption fund, he got into the legislature two years ago by the skin of his teeth. The auditor's report for last year shows that he drew money from the public treasury for professional services, contrary to the provisions of the election law of the province. Instead of slandering those who do not see eye to eye with him, he ought to get down on his knees and thank them for the consideration they have shown in permitting him to sit and vote in the legislature in violation of the law. The Liberals feel that there must be a clown in every circus and probably this is the reason that Mr. Titus Carter is allowed to remain in the legislature.

Halifax Chronicle: An Ottawa report states that Premier Borden, Colonel Sam Hughes and Hon. Martin Burrell, the Minister of Agriculture, are spending the Easter holidays in New York and Virginia. The problems and cares of government are laid aside while the carefree Ministers have "truck and trade with the Yankees." During their absence a sub-committee of the Cabinet will prepare a brief for the Canadian Northern aid proposals. When parliament re-assembles after Easter, these proposals will be laid before the Conservative caucus for pro forma endorsement. They will be presented to Parliament and probably put through under closure. Thus is the public served and the cause of good government goes on.

Moncton Transcript: The Transcript may tell Mr. Clarke that there are scandals affecting the local administration pertaining to the city of Moncton, and this district, in which the very administration of justice has been prostituted to party political purposes. The disgraceful deal, for example, made between the provincial Tory party in this constituency and the rum sellers, is one alone, which should drive the present administration from power, but it is coming out.

Regina Leader: Now watch the Tory papers which ridiculed 2 1/2 per cent and 5 per cent reductions in the implement duties provided for in the Reciprocity Agreement, shout themselves hoarse in praise of a 5 per cent cut on binders and mowers only and acclaim this insignificant reduction as a great act of statesmanship on the part of the Borden Government.

The first men to raise the standard of revolt against the peculiar business methods of the Flemming government were the York County Conservatives who induced James M. Scott to take the field in the recent by-election against Mr. Percy Guthrie, the candidate of the machine.

It is not so difficult now to understand why the Flemming Government permits certain officials to do about as they please. If they were called down or dismissed, they might squeal on the "higher-ups."

It is reported that the minister who a few months ago was described as "the only honest man in the government" came mighty near resigning in disgust when he first heard of the graft charges.

COURT DELIVERED

(Continued from page eight.)

council from proceeding to deal with the protest at a later date.

In the matter of C. Lionel Hannington, Chief Justice McLeod delivered judgment. The case is entered and dismissed with costs without prejudice to George L. Harris to move again on new notice.

CROWN PAPER.

Ex parte F. Byron Bull, P. A. Guthrie announced that P. J. Hughes and himself, counsel in the case, had arrived at a settlement.

APPEAL PAPER.

In the case of Heleona Hanson vs Robert Ross, P. A. Guthrie, for the defendant, moved to set aside the verdict for the plaintiff and to enter a verdict for the defendant or for a new trial. P. J. Hughes contra in re petition of Kieth Barbour for winding up of May Queen S. S. Co. Ltd., case stands.

GIBSON NEWS

Gibson, April 15—A most successful affair was the Missionary Mock Trial held in the Methodist Church last evening.

The prisoner was the Christian Church who was most ably represented by Miss Grace Peters.

The judge was Mr. John Lipsitt. It was His Lordship's first court, but he performed his duties like an old timer.

The lawyers were Warren Maxwell, Crown Attorney and Ross Flennington Counsel for Defence. Kenneth McKiel was court clerk and the constable Mr. Howard Peters, both of whom did their parts in splendid fashion.

The chief witness was Miss Mildred Matthews and she was followed by others in native costume.

Indian, Natoonka—Miss Nellie Clark.

Japanese, Magoichire Ogawa—Miss Reva Clark.

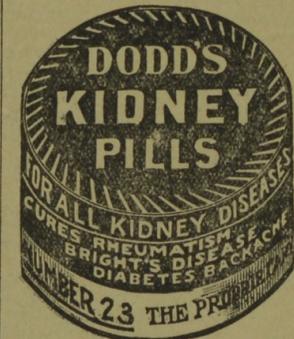
African, Mirambi—Mr. Henry Peters.

Chinese, Ah, Mae Wing—Miss Eunice Peters.

Hindu, Krishna Pañ, Mr. Ewart Peters.

The performers played to a full house and the receipts netted a most substantial sum. The church is much indebted to the Young Men's Class, under the auspices of whose social committee the affair was held and to the young ladies of the church by whose aid the affair was such a marked success.

Otis Skinner will begin his season next October in the new Galsworthy play "The Mob."



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