

**SPECIAL MEETING
OF THE
COUNTY COUNCIL**

A special meeting of the County Council was held on Tuesday last, at 10 o'clock.

There were present: The Warden, and Clrs. C. Dwyer, (1), D. Fraser, (2), Jas. Kitchin, (3), C. McLennan, (4), A.J. McKay, (5) J.R. McDonald, (6), H.S. Fraser, (8), Colin Fraser, (9), R. Maxwell, (10), G.M. McKay, (11), J. McColl, (12), John Weir, (13), J.R. McPherson, (15), D. McDonald, (16), James McKay, (17), Alex Grant, (17), Alex Fraser (18), D.G. McDonald, (19), R. Dewar, (20), J.D. Fraser, (21), R. McDougall, (22), J. McDougald, (23).

After the council had been called to order, the Warden gave a brief explanation of the object of the meeting. He said that there was no law authorizing the Council to grant a right of way. Rights of way were formerly taken under Chap. 70 of R. S. 3rd series. Eastern Extension and the old Pictou Railway were thus taken. The Short Line was taken under a special Act. That Act made the Council's consent necessary. The Dominion, under the Act of 1879 has power to take a right of way. The Revised Statutes of Nova Scotia 5th series make similar provision. Council has no power to grant a way; or to appraise damages for the same. He did not think the Council could properly vote a sum for the purpose.

He then read the following papers:

NEWCASTLE N.B.

24th August

"I am informed that the Pictou Council is about to meet upon the subject of the right of way for the Short Line Railway from Stellarton into Pictou Town, to be built by the Government, and I have to inform you that no expenditure will be made upon the branch until the right of way is furnished free of charge by the Municipality. Under the conditions of the appropriation I mention this because it is the desire to push the work forward this season as rapidly as possible."

C. SCHRIEBER

"Robert McNeil, Esq. Warden of the County of Pictou.

Sir – As you have requested information respecting the status of the Short Line Railway Company in order that you may have all the facts possible before you in assisting you to arrive at a proper conclusion respecting the right of way asked for the extension of the Intercolonial Railway from a point at or near Stellarton to Pictou, we beg to submit the following:

The line and right of way of this Company as located between Pictou and New Glasgow runs up Chapel Brook 4 miles where is its Westville Station, thence along the Drummond coal railway to Granton, 5 miles, thence across the foot of Green Hill to Loch Broom bridge, six mile thence following the shore of West River to Pictou, about 7 miles, a total of 22 miles.

The portion between Pictou and Loch Broom road bridge has been located, stake out and under contract, but the plans have never been filed because the Company were in hopes that an additional subsidy would be given to build a bridge from Loch Broom Point to Brown's Point.

Our present position is simply this. The Company are and have been ready to resume work under the financial arrangements made with Martin & Co., in London a year ago, but these were conditional on the recognition of a contract executed between the Government and the Company on May 9th, 1884. The acting Minister of Railways declining to give full force and effect to the contract and arrangements, has prevented the Company from making any other financial negotiations in the money market of London and New York.

But under the promise of a new contract made by the Minister, a Syndicate of Parisian bankers have agreed to advance all the money required to finish the road from Oxford to Louisburg, and sent their agent, Mr. Kamper, to New York two weeks ago with the agreement subject to the countersigning by Mr. Charlier, C.E. their engineer who sailed Saturday last and arrives at New York 31st August. They will at once come to Nova Scotia and inspect the line, and if satisfactory arrangements can be made with the Government, work will be resumed immediately.

As the Council have not the power to grant a free right of way without legislative authority, and have been petitioned not to do so until it is determined where the Short Line will be located, and the Company being desirous that no blame can rest on them or that it should be said that they are standing in the way of the Government building a line into Pictou; and further as under a clause in the contract of May 9th, 1884, the Government were to have the right to run over the Company's tracks into Pictou, and one therefore have no objection to building a common line, especially as its location coincides with that of the Company. We are authorized to say to you that this Company is willing to give the Government the right to build on its right of way on terms which shall be mutually agreed upon between the Company and the Government.

Hoping this fair proposal would enable the Government to begin work immediately, and meet the just demands of the people of the County for further and better railway accommodation.

We are your ob'dt servants,

FRASER & JENNISON

Solicitors of the M & E Short Line Railway Company."

New Glasgow August 24th, 1885

TO THE WORSHIPFUL MUNICIPAL COUNCIL OF THE CO. OF PICTOU NOW
CONVERNED.

"The petition of the undersigned rate payers of the Railway Landing and vicinity Humbly showeth:

That your petitioners are informed that your honorable body will be asked to grant a right of way for a railway from Pictou to Stellarton and also that your sanction and approval will be asked for the removal of the Steam Ferry across Pictou Harbour. Your petitioners would humbly protest against this serious interference with our rights and privileges and pray your honourable body not to grant the right of way or give your sanction to the removal of the Steam Ferry.

First – because a right of way has been already granted to the Short Line Co., that this right of way was sought for by the citizens of Pictou and was intended to give them sufficient and satisfactory Railway accommodation and will no doubt do so when completed.

Second – The removal of the boat will cut off this place from regular railway accommodation now enjoyed. It will depreciate the value of all our property and render a great deal of it worthless. During the past fifteen years a large amount of money (upwards of twenty thousand dollars) has been invested in property and buildings in cause of the Government locating the railroad and Station here. The removal of the Ferry Service will of necessity result in discontinuance of the running of the regular trains. The station houses and wharf will fall into decay, the workshops and employees will also be removed and our loss will be a disastrous and irreparable one.

When the railway was first located here our farms were very much cut up and we were shot of from the Harbour and our lands taken for a small valuation, and now it is proposed virtually to render all this useless. If the project referred to is carried out we will have a large claim to

submit to your consideration for damages for depreciation of our property as well as deprivation of our rights.

We pray your worships to take our petition into your serious consideration and order that no interference will be allowed with our existing rights and privileges and as in duty bound will every pray.

Fisher's Grant, August 25th, 1885. Petition signed with 72 names.

He then read the resolutions passed at the New Glasgow Meeting which appeared in the last issue of the STANDARD.

C. Dwyer presented the following resolutions which were passed by the Town Council of Pictou, Aug. 24th.

TOWN CLERK'S OFFICE, AUG. 24TH, 1881

"At a meeting of the Town Council held this evening, the following resolution was passed unanimously:

"Whereas the Parliament of Canada at its last Session in (1885) granted \$250,000 to extend the Intercolonial Railway from a point at or near Stellarton to the Town of Pictou.

And Whereas, the right of way and Station grounds are required to be furnished free of charge to the Intercolonial Railway before said Railway extension is commenced.

And Whereas the early completion and operation of the proposal extension of the Intercolonial Railway to the Town of Pictou will confer a benefit on the Town.

And Whereas a meeting of the County Council has been called to be held on the 25th day of August instant, to provide for the said right of way and Station grounds.

Therefore Resolved that in the event of the County Council agreeing to provide for said right of way and Station grounds, the Town of Pictou will pay the amount of cost of said right of way and Station grounds which may be apportioned on the Town by the said Municipal Council and will in addition thereto pay the amount (if any) which the land damages within the Town limits shall exceed Six Thousand Dollars.

And further Resolved that the Town Council will take the necessary steps to carry the foregoing resolutions into effect."

A. Grant said he did not see many difficulties in the way. There were two conditions annexed to the Grant of \$250,000 for the railway. The Town Council had met any difficulty about the ferry. It should be a good investment. He moved:

"Whereas the Parliament of Canada at its last Session (in 1885) granted \$250,000 to extend the InterColonial Railway from a point at or near Stellarton to the Town of Pictou, And

"Whereas the right of way and Station grounds are required to be furnished free of charge to the Intercolonial Railway before the said extension is commenced. And

Whereas the early completion and operation of the proposed extension of the Intercolonial Railway to the Town of Pictou will confer a benefit on the County of Pictou.

Therefore

"Resolved that the Municipality of Pictou County will provide for the right of way and Station grounds required for the said extension of the Intercolonial Railway from a point at or near Stellarton to its terminus in the Town of Pictou, and will pay the amount necessary to acquire the lands for the Railway extension above mentioned with interest at six per cent per annum from the time such lands are acquired for the purpose aforesaid until payment is made.

"Further Resolved that the Warden and Clerk make application on behalf of this Council to the Legislature of Nova Scotia at its next Session, for authority to enable the Municipality of

Pictou County to issue Debentures extending over a term not exceeding ten years, and bearing interest at a rate not exceeding six per cent per annum for the payment of the land damages for the right of way and Station grounds aforesaid; and for authority to enable the Council of the said Municipality to apportion the damages aforesaid amongst the townships, districts, and places in the County in proportion to the relative benefits, which in the opinion of the said Municipal Council are likely to be derived by the said several Sections from the railway; with full power to assess, levy and collect the said damages.”

D. Fraser seconded the motion. He said it was evident the town and this side of the county are very much in need of railway accommodation. When railways were built on the other side, west Pictou never put any obstacles in the way. The west now asks to be put on even terms with the other part. The ferry puts Pictou on uneven terms with New Glasgow and other towns in the East. There is not much inducement here for persons to do anything; to go into enterprise. A right of way was granted to an alien company. How much more ready should we be to grant this one to the government, and ask for legislation to ratify it. He thought the council should not throw any obstacles in the way lest the same opportunity be not offered again.

C. Dwyer said that two subjects were introduced here with which we have nothing to do. We are not called upon to discuss the Short Line, or the ferry. Called to discuss the giving a way to this branch. There is a great noise about the damages in town. It is said there will be over thirty or forty thousand dollars. The town will pay any excess over \$6,000, and its proportion as well. If it is well to do that, he thought it a hard case to take the road out of the town's grasp. It is within our grasp now; we will never get the chance again. The west paid for every foot of railway in Pictou County, and never got a foot. If it is willing to shoulder the burden there is no common justice or honesty in depriving it of the line. He referred to the crossing in winter, and dwelt upon the difficulties experienced by passengers; and the trouble of getting coal and other freight over. As Christians who desire to do to others as they would like others to do to them, councilors should vote for the resolutions Fishers Grant had sent in a petition and threatened him. He had told them they could not bind him with a six inch hawser. He had Pictou Island at his back. He could go over to Fishers Grant to-morrow and get the petition revisited.

John D. Fraser said he had come with reluctance to discuss the question, and defend eastern sections. He thought the meeting altogether premature. He felt like moving an adjournment. He moved in amendment: -

Whereas, The proposed railway between Stellarton and Pictou will likely traverse the Short Line from Oxford to New Glasgow.

And Whereas, this municipality has already made itself liable for a right of way for the said Short Line.

And Whereas, A large amount of money has been expended on said Short Line and there is a prospect of its completion at an early date.

And Whereas, One of the conditions of the construction of the Stellarton and Pictou branch is the removal of the ferry on Pictou Harbour which would be unjust to the eastern part of Pictou Co. depriving them of the most direct communication with Pictou town.

And Whereas, The liability already incurred by this municipality for the right of way of the Short Line is not discharged.

Therefore Resolved That, The first duty of the Council is to provide for the settlement of the damages already incurred for the Short Line Railway, and that it would be ably inadvisable to vote a second right of way between Loch Broom and New Glasgow until the route of the said proposed Short Line has been first located.

It is well, he said to be generous, but we must not neglect ourselves while we look to others – that is the way he read the Book. He did not agree with Mr. Dwyer about the ferry and the Short Line. Does Pictou want communication with the other side? If so, keep the ferry; if not abolish it. Stoppage of the ferry will keep trade away.

By all means give Pictou a railway. He had voted, for that already. Is not that sufficient, provided the Short Line be built? New Glasgow and the east will suffer by this. It is not right to pull down one part to build up another. We should not cripple the industries near New Glasgow which are quite a boom to the country, to farmers especially. By deferring this, and letting railway matters take their course, both towns will get what they want. The grant of \$250,000 is generous, but will it be enough? Where will the rest come from?

R. McDougall thought the ferry and Short Line should be considered. The east clung to the ferry as a vest right. Pictou has great part of benefits of the railway; greater than New Glasgow. Flour is landed at better rates.

He would not stand in the way of Pictou getting a railway, but he wondered that the benefit is asked for at the expense of parts.

He understood the Council's action would be of no value. Parliament may not grant legislation. Will Council's guarantee satisfy the Government? If we get no legislation will Government go on and build?

After the vote passed for the Short Line may hitch after hitch took place. There is no guarantee that there will not be hitches in this too. He would like to see the Short Line located first.

C. Dwyer explained that if three cars of flour come to Pictou Landing, the Mayflower can only handle a car a day. The third consignee must wait till the third day before he can get his flour. Is that good accommodation?

He did not think Pictou people are silly enough to do without a ferry. It is all fiction this talk of doing away with the ferry, and the stoppage of the line to Pictou Landing.

He presented the following resolution also adopted by the Town Council of Pictou, 24th August: -

TOWN CLERK'S OFFICE, Aug, 24, 1885

“At a meeting of the Town Council held this evening, the following resolution was unanimously passed.

Whereas, The present Ferry Service across the Harbour of Pictou will be discontinued by the Intercolonial Railway upon the completion of the Intercolonial Branch from a point at or near Stellarton to Pictou.

And whereas, The interests of Pictou Town require a suitable steam ferry service to be maintained between the Town of Pictou to secure such steam ferry service and to have the southern side of Pictou Harbour.

Therefore Resolved That, the necessary steps be taken by the Town Council of Pictou to secure such steam ferry service and to have the same kept in operation.”

J. Rod McDonald supposed that because employees of the ferry had been notified that their services would not be needed after this season, the road will be built this fall.

The Warden asked if there was anything before the Pictou Town Council to show that it had power to pass a resolution relieving Government of the ferry.

C. Dwyer said that there not. The Town Council had no power; neither had the County Council.

J. McColl said we were not here to discuss the ferry. We have already given the right of way. He was in favor of giving the Government the way, as far as we can. He did not think this Council had power to assess Pictou and New Glasgow. He thought the resolution should say that the right of way for the Short Line and this branch ought to be common.

The Company, however, seems to be done. It had until August 1st. Now we begin afresh, and Government will have to renew the agreement if the Company is to get the subsidies. He thought we have a vested right in the line to the landing, and the ferry. Government will not be allowed to stop it. We should not throw anything in the way of the road. He would sooner see it in the hands of the Government than in those of a company. The branch will open up in an important section of country.

J. McDougald said that he was here as councilor representing section 23.

The right of way for the Eastern Extension was obtained under a special act; so was the Short Line. The way for Government railways was taken under a Statute of the Dominion. Any action taken today must be ratified.

The official communication from Schreiber says that the road that is to be built is the Short Line. We are under no obligations to the company, so Gov't can control proceedings and see that no double liability be imposed.

In 1882, a contract was made with the company. They failed to fulfill it. In 1883 and 1884 large increases were made to the subsidies. All supposed those additional aids would carry the road to completion. They did not, but not through any fault of Government. No barrier was thrown in the way. When additional subsidies were voted the representatives of this county filed a memo, with the Government asking that payment of their liabilities to contractors and laborers be required of the company before they be given any new contract. Nothing has prevented the company from getting the contract except the non-payment of \$150,000 for their debts. The Company filed a protest when the estimate was brought down in Parliament; they filed a protest when Judge Clark began paying claims. They have spent probably \$50,000 in trying to promote their own interests since their failure; it would have been better if they had devoted the money to paying the men they owed labor.

In May 1884 an agreement was prepared, but it was never perfected. The company had never done its part.

The location of the line is subject to Government approval. The Government stipulated in the agreement of 1884 for running powers over the line from the Intercolonial into Pictou.

The subsidy contract of '84 has been available to the company for two years. Seeing that likely there would be long delay, Government took alternative of building this branch, just as company would have done to Gov't. It is improbable that two ways will be taken.

Plans have been filed, but far any way past Granton, or into the town of Pictou.

The statement in the letter of the Short Line Company's solicitors that they expected additional aid for a line at Brown's Point is extraordinary. They had located their line to West River, and across it below Durham. Their plans showed that were they going to bridge the river in two places? The statement was palpably misleading.

The statement that the Company were hindered by the Government is untrue. He had never seen any hesitation on the part of the Government, to assist them, where the interest of the country would not suffer.

D.W. Matheson, Mun. Clerk

In the spring Eastern members had asked an extension of ten days for the Company. The latter said they could put up the money in that time. It was given but they failed. After the ten days Norvin Green telegraphed candidly admitting that they could not raise the money.

Then French brokers intervened, and asked if they could get a contract if the money was raised. That was in June 1885. They asked until 1st August to make a deposit. The time was given them, but they too have failed.

Government at present is not under obligation to give a contract to any one; so any agreement that is made can be modified in the light of occurring events.

He thought the filing of plans was a breach of faith on the start of the Short Line Company. The location of the road has been approved from the Colchester line to the crossing of Big Cariboo River. Before leaving Ottawa last spring, he had enquired, and learned that a line beyond that point had been approved.

R. Dewar was not very clear. He would like honestly, to assist a railway to Pictou. Two years ago he did all in his power for that. Now the feeling seems to be different. He did not believe in sectionalism. Pictou has a right to a railway if it can get it without hurting others. He believed the present line will hinder the completion of the Short Line. And if the ferry is abolished the Line to Pictou Landing will go. He could not understand why the Government should ask to stop the ferry if they intend to keep the line open. He thought Mr. Dwyer's position in disregarding the wishes of his constituents was a peculiar one. He could not see clearly to vote for the line at present. If the ferry were to be kept open he might think differently.

A. Grant said some councilors did not want to understand. The Pictou Council has pledged itself to see to a ferry.

R. MacDougall said we have assurance of that. The Pictou Council may repudiate.

R. Dewar said it was no assurance. Government intends to abolish the ferry, and in doing so that they will effect New Glasgow and the East. It may suit Coun. Grant to have the terminus at Stellarton but it will not suit persons who have invested their moneys in industries near New Glasgow. He thought it is a blind matter to bring this matter before the Council at all. It should be left to the Government and the members for the County.

J.D. Fraser said he was still stronger of the opinion that his amendment was best. The matter is resting in the Short Line Company and the Government if the Company chooses to go on. He thought Government should take hold of the Short Line and put it through the whole County. He had no faith in public men and public companies. Let men of Pictou put up \$30,000 and thus show they would go into such an enterprise as a ferry. The fact is the whole thing is fooling the people.

The Warden said the County is liable for the Short Line damages if the Company goes on. Some desultory discussion took place here about the ferry.

J.R. McDonald said the town of Pictou has nothing to do with the ferry. He would be perfectly willing if the matter is cleared up to vote for the right of way; otherwise he could not.

C. Dwyer explained that the town's action only amounted to a declaration that it was willing to do without the services of the *Mayflower*.

The Warden said there had been an understanding with the Short Line ploy. That the county should not pay for a right of way through Pictou Town.

J. McColl thought the resolution simply showed the council's good intention, if it is worth nothing all right.

C. Dwyer said council was not brought together for the purpose of the Short Line. Council had met to discuss the right of way for the branch from Stellarton to Pictou. We know we have no law. We want an expression, and then we will go where we can get law.

J.D. Fraser said we have law, and we have an agreement between parties – what more is wanted?

A. Grant said some persons thought the Gov't were not sincere. He proposed to test them.

On re-assembling the vote on Fraser's amendment was taken: For – Dewar, J.D. Fraser, R. McDougall, T. McDonald, and Weir; against all the other councilors present.

R. Dewar moved, seconded by J.D. Fraser.

“Whereas it is proposed to build a branch Railway from Stellarton to Pictou, and whereas it is a condition stipulated that the Government Ferry be dispensed with and the right of way granted by this county.

Resolved that this right of way be granted over the right of way already granted by this council to the Short Line Railway Company upon the condition that the present arrangements of the Intercolonial Railway and Ferry across Pictou Harbour be not interred with.”

D. Fraser thought this was intended to destroy the whole thing. It will put us just where we were. The resolution does not take another right of way, or put us in for two lines. C. Dwyer did not think the amendment could bear discussion. It asked the gentlemen who had just voted to turn about and take back all they had said. He did not think Mr. Dewar could be sincere.

R. Dewar said he meant just what is in the amendment. He thought Mr. Dwyer understood it; and so do the people of Fisher's Grant. It means are we going to vote for or against maintenance of the ferry and the good connecting with it. There are some people down east who will be heard from if this thing is put over their heads.

A. Grant thought Mr. Dewar was sincere, but his amendment is bad.

J.D. Fraser could not understand the discussion. The amendment will give you all you ask; the answer is we will have all we want at your or any cost. If the amendment should be lost he would move for a division of the county, and ask to have the public buildings appraised.

J. McColl did not think the amendment would do any good.

The amendment was put and lost. For – Dewar, J.D. Fraser, R. McDougall, T. McDonald, Weir, D.G. McDonald; against – all the others.

The Warden said that to his mind there is no law for carrying the resolutions. There is nothing for it. It is quite unconstitutional; it mentions no date – nothing. Council did not know if it will even be required. The do not know that they are making themselves liable for.

The motion was put and carried on the following vote, names being called for by clrs. Dewar and Fraser.

For – Councilors McColl; McLennan; Dwyer; Kitchen; G.M. McKay, J.R. McDonald, A.J. McKay, D. Fraser; H.S. Fraser; John McDougald; D.G. McDonald; James McKay, (17); Colin Fraser; A. Grant; J. McPherson; Alex Fraser; Maxwell, (17);

Against; - Councilors John Weir; Robt. McNeil, (2)

The Warden then declared the original resolutions moved by Clr. Grant to be carried.

It was then moved by Geo. M. McKay seconded by D.G. McDonald and carried.

“That a certified copy of the resolutions passed by the Council this day for the right of way and Station grounds for the Pictou Town Branch Railway signed by the Warden and Clerk under the seal of the municipality (in duplicate) be sent to the Department of Railways and Canals of Canada.”

The Council then adjourned.

Note. Clrs. Fraser, Dewar, McDougall, and T. McDonald, left the Court House as the clerk was about to take the vote on the resolution for the purpose, apparently of catching the train which was just about to leave.

Robert McNeil, *Warden*
D.W. Matheson, *Mun. Clerk*

25th August 1885