Westmorland Historical Society

Newsletter

Volume 54 Issue # 2 June, 2019 ISBN320813

President's Message

Thanks to the hard work of our Board Committees, and Donald Alward and his staff, the 2019 season promises to be outstanding. (See *Calendar of Events 2019* enclosed)

Event Highlights

Two exciting workshops are scheduled for the season: The "Needle and Thread for the Bed' (1:00 to 4:00 weekdays) invites visitors to start their own quilt block and learn the traditional arts of carding, spinning and throwing the weave shuttle at the historic St. James Textile Museum—a great opportunity to 'learn from the experts' surrounded by beautiful textiles created on our own looms. *(See Dee Milliken on the new Mill-ville Loom, Newsletter Feb. 2019).* The 'Hearth Cooking' experience (1:00 to 5:00)—open to ages 8 and up, staged in the Keillor House kitchen, will demon-strate the intricacies of authentic open hearth cooking: how to prepare a stew in a cauldron over open flame, cook biscuits in a wall oven, and bake a pie in a Dutch oven over embers on an open hearth. These workshops are advertised province-wide by NB Tourism, so sign up early to reserve your place.

Exhibits

A special Exhibit—yet to be named, will feature a display of 'commodes'. Donald is still working on how to do this—and welcomes suggestions for a possible title for the Exhibit!

In order to better showcase our cos-tume collection—now mostly in stor-age, a number of new mannequins in historic costume will be mounted in Keillor House this season to promote greater interest in our costume col-lection. Financial assistance for this purchase was obtained by Donald through a grant.

Opening and AGM

Our AGM this year (June 9th) will take place on opening day. Dr. Della Stan-ley will speak on 'Sir Pierre-Amand Landry', the first Acadian lawyer, Judge, Chief Justice and Knight. Dr. Stanley's biography *A Man for Two Peo-ples: Pierre-Amand Landry* (1988) is de-finitive and Sir Pierre's house 'The Maples' is one of the Society's historic properties in Dorchester. The project was supported by the Bicentennial Committee of the Law Society of New Brunswick, chaired by Mark M. Yeo-man, who lived with Sylvia at Rock-land at the time. *(See 'Remembering Syl-via, Newsletter, June, 2018.)*

A bilingual plaque honouring Sir Pierre has been created by Margaret Eaton, to be unveiled at this year's Opening and installed on the Wall of Fame in Dor-chester Memorial Library. Seven plaques honouring outstanding Dor-

Keillor House Museum —Special Events

Keillor House & St. James Openings

June 9 2:00 pm

Opening Remarks and Refresh-ments.

Free guided tours with costumed staff

WHS AGM at Veterans' Centre 5:00 pm

Guest Speaker: Dr. Della Stan-ley on Sir Pierre Amand Landry

Canada Day-Dorchester Veterans' Centre

July 1 1:00-3:00 pm

Special music and entertain-ment, children's games, cake and ice cream.

Keillor House and St. James Museum Tours 10:00-12:00, 3:00-5:00

Sandpiper Festival Break-fast-Keillor House Museum

July 27 7:30-10:30 am

Saturday Pancake Breakfast

Pancakes, sausages, baked beans, muffins $8, Family Rates

Heritage Fair Keillor House

July 28 12:00-4:00 pm

Play old fashioned games; learn traditional skills-carding, spinning, quilting, etc. from local artisans

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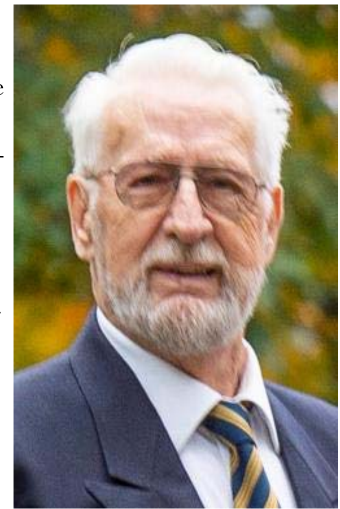
EDDIE BOWES IN MEMORIAM



It is with great regret that we announce the passing of long time WHS member Edward Bowes on February 20, 2019. Eddie was one of the many Dorchester lads who cultivated a life-long attachment to his home town and its colourful history. His father, Russ, was a schoolteacher here in the 1950s and sixties. The Bowes family lived in Keillor House from 1946 to 1953 and it was the scene of some of Eddie's fondest childhood memories. Many years later, some of those memories supplied crucial information for the dating of what is now WHS's central property. Although no longer in Keillor House, he also lived and loved life in the shiretown during his teen and early adult years, and even admitted to enjoying on rare occasions that most popular of Dorchester pastimes, making "doughnuts" in the village square. Like his father, Eddie became a teacher and it was while studying at UNB in preparation for his career that he wrote a number of very fine essays on local history. After joining WHS soon after his retirement to Sackville from Saint John Vocational School, he donated them, along with much other valuable historical material, to our archives. He also gifted us with the magnificent secretary/bookcase that once belonged to High Sheriff Joseph McQueen and it has now returned to the Sheriff's office in Keillor House, better known as the 'Dairy Room'. Eddie served a number of terms on the WHS Board of Directors and he and Barbara never failed to support the special events that have become such a special part of our mission. He also wrote the odd article for the WHS Newsletter and supplied information for some others. No WHS event was complete without his cheerful presence. We will miss you, Eddie.

THE WORST LAID PLANS OF MICE AND MEN: THE SORRY SAGA OF THE WESTMORLAND CHEMICAL PARK

Editor's note: Research Associate Jamie Heap gathered much of the material for the following article. Your faithful editor put it together.

In many ways, the 1960s was the decade traditional Dorchester died. It had benefited but little from the post WWII boom that boosted urban centres like Moncton. Shipbuilding was a distant romantic memory, industries hadn't been seen since the 1920s, local lumber operations were largely sold out to the 'big boys', and farmers continued to leave the land in droves. As if to rub it all in, the village had lost, or would soon lose, many of its historic landmarks such as the Windsor Hotel, Bishop's Hardware (formerly J.H. Hickman's), Palmer's, and perhaps most tragically of all, the Courthouse, while some of its finest homes languished in advanced, if still-elegant, decay. Unemployment was, of course, high. In 1962, Mrs. Dorothy Bishop, secretary of the Westmorland County Council's welfare committee, reported on the growing number of able-bodied men unable to find jobs, noting that they were clustered in several depressed areas in the southeast corner of the county, and that the solution was not to continue handing out social assistance. The unemployable, her committee opined, might have to be moved to other localities where work was available. Speaking of the County Council, this might be a good place to recall that during the 1960s (1965, to be exact), County Councils were abolished and the counties themselves reduced to mere geographical expressions without administrative or judicial function. So, besides losing the Courthouse, Dorchester was no longer the shiretown, even in name.

Yet, if this decade brought mainly continuing decline and loss to Dorchester, it also fuelled a fire of hope and optimism as intense as it was unfortunately brief. The flame was sparked in June 1964 by Finance Minister Lestock DesBrisay's announcement that, beginning in the fall, a fertilizer plant would be built at Dorchester Cape, and it would transform the region's endemic poverty into inevitable prosperity. Studies by government experts had indicated that Maritime agriculture was severely handicapped in its ability to compete with imported products by the high cost of fertilizer. Markets for locally grown foodstuffs were right here on the farmers' doorstep, if only they could take full advantage of them. The studies found that in 1962 the Atlantic region consumed over 132,000

chester residents have been created by the Committee over the last few years. Thank you Margaret for your many hours of work on Sir Pierre Landry's plaque. It is greatly appreciated.

Walking Tour App

The Historic Dorchester Walking Tour (bilingual) developed by Bonnie Swift is hosted on Balador/Discovery with an interesting Map Overview and download capability for Android and iPhone/iPad. Search-words: Balador Historic Dorchester Walking Tour.

Website Update

Our Website Committee continues to update and 'tweak' the website with new pictures and timely information on events and activities. Thanks to our Committee members—Margaret, Judy, Gene and especially Mary and George Balser who have brought such professionalism to this project. If you haven't yet visited the website you will be impressed!

New Marketing Materials

A committee reviewing our marketing brochures—for Keillor House, St. James Textile Museum, and various on-going special events—e.g. 'Needle and Thread', recommended an extensive rewrite and redesign. New brochures have been written and will be available for the 2019 season. Thanks to Donald, Alice, and Judy. These materials are terrific.

Properties Update

Work on the newest apartment in Landry House has been completed with plumbing (new shower, new sink), new soundproof flooring and new tiling. Two of the apartments have been refurbished in the last few years and three apartments are available for rent. **If you know anyone who might be interested in renting—$400 to $500 dollar range, contact Alice at 379-6620.**

Thanks again to our volunteers and donors who continue to give wonderful support to Keillor House. Your commitment is essential to preserving our museums and historic properties for the people of New Brunswick.

Cole Morison

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pounds more red meat than its farmers produced; for poultry the figure was 156,000. Moreover, it was importing fifty percent of its fruit and almost a third of its vegetables, while recent production growth was falling far short of population increase. A golden opportunity was thus being lost to outside competitors, in large measure—so the studies had shown—because all synthetic fertilizer used in the Maritimes had to be imported, as there were no plants east of Ontario. In the Minister of Agriculture's words, "the development of the agricultural economy today depends upon the ability to fertilize and mechanize," but Maritime farmers' costs of production were uncompetitive because they had to absorb the freight rates. By providing farmers with low-cost chemical fertilizer, the Dorchester plant would remove this handicap and revitalize Maritime agriculture. Greater use of fertilizer would increase yields and lower production costs, for example in raising forage crops, which in turn would make Maritime meat and dairy products more competitive.

The benefits, moreover, would not be limited to agriculture. The fertilizer to be produced was ammonium nitrate, and since the ammonium would be imported from Trinidad and the fertilizer shipped not only throughout the Maritimes, but to the rest of Canada—yes even to the world—both rail and water transportation would be stimulated. Of course jobs would be created, lots of them. Not only would the plant employ considerable numbers both in the construction and operating phases, the famous spin-off effect so beloved of economists would create new demand for many ancillary services such as trucking, and in general give a great boost to the local economy. Nay, there was more—much more. The Dorchester fertilizer plant was to be only one small part of a far larger "Westmorland Chemical Park" that would eventually include a urea plant, a formaldehyde plant, a resin hatching plant, and a facility for producing industrial explosives. In September 1964, shortly before construction on the fertilizer plant began, political punditry had it that, when fully developed, the Westmorland Chemical Park would create up to 16,000 jobs. As if that weren't enough of a 'wow', the Park was itself merely one piece of an even grander development scheme passionately pursued by the provincial government of the day.

If the 1960s was the decade Dorchester finally died in the economic sense, it was also the era of Louis J. Robichaud's Liberal

government, which initiated some of the most progressive, well-intentioned—and sometimes controversial—programmes in New Brunswick's history. Among them, besides liberalized liquor laws and the introduction of a moose season (very popular) were premium-free Medicare, the consolidation and provincial per-capita funding of education, including universities (before, funding was local and discrepancies were wide), the establishment of a fully accredited francophone university, official bilingualism, and the centralization of social services, all under the rubric of "Equal Opportunity." But the *pièce de résistance* was a highly ambitious—even visionary—plan for industrial development known as "Operation Prosper" aimed at transforming backward New Brunswick into an economic powerhouse for the whole country. Robichaud was no socialist. He thoroughly believed in, and greatly admired, industrial entrepreneurs like K.C. Irving (although the two later had a falling out when Louis didn't dance to K. C's every tune), but he thought it was government's role to prime the pump where employment was needed for social (not to mention political) reasons, and where private investors were unable or unwilling to take the necessary risks in the face of uncertainty. The government, he was convinced, should take the lead in identifying where new industries were needed, help private enterprise establish them through loans, loan guarantees, and even direct subsidies if necessary, and then step out of the picture, hopefully after recovering its investment. To this end, a planning board with full executive powers was created that included, besides a President and a General Manager, the Premier himself, Finance Minster DesBrisay, officers of NB Tel and NB Power, and Donald Tansley, Deputy Minister of Finance who was also in charge of modernizing and bureaucratizing the civil service so that policy could be shaped by the experts. Dubbed the "New Brunswick Development Corporation," it lost little time in announcing Operation Prosper. By 1965 it had no less than six projects underway worth $175m (roughly $1.4 billion in today's money) and the Westmorland Chemical Park was to be a major showpiece of the bold new programme.

The choice of Dorchester Cape as the lucky location for the chemical park fully reflected the Corporation's mandate and philosophy. Irving objected vigorously because he was planning a fertilizer plant at Belldune and couldn't see any room for a second one in the province. But Louis had other agendas besides pleasing K.C., with whom tensions were already rising over other projects. Westmorland County had a long history of support for the Liberal Party as well as a high percentage of francophones. (These two facts were not unrelated.) Particularly in its southeast, it was also one of the province's most economically depressed areas, and the government was determined to create jobs where jobs were needed—and political rewards could be reaped. Having made the decision to locate the plant somewhere in Westmorland County, Dorchester seemed the logical place because of its proximity to the railway, the Trans-Canada Highway, and the Atlantic shipping routes. It was assumed to be the geographic centre of the markets it would serve.

The other reason for choosing Dorchester was that, since the ammonia would have to be brought in by large ships, a deep-water docking facility was an absolute necessity and Dorchester was about the only place on the Chigneco Isthmus where one was even faintly feasible. A Montreal engineering firm (Fenco) did a study and reported its findings in early June 1964. They were not promising. High, swiftly moving tides, frequent gale-force winds, and dangerous ice flows from December to March, the report concluded, made an adequate anchorage for any vessel over 5000 tons very doubtful. But New Brunswick Development Corporation was nothing daunted. It turned to another Montreal firm, Canadian Bechtel, which came up with a brilliant solution: a floating dock (actually a 95-cell 300-foot concrete pontoon modelled on those used in the Normandy landings) approached from the shore by a rock-filled causeway and attached to a pier by flexible arms that allowed it to move up and down with the tides. As a precaution against overwhelming ice conditions, sloping edges would allow it to be towed away and temporarily stored, a fortunate feature as it turned out.

With all its ducks now in a row, the New Brunswick Development Corporation opened fire. It had already given a letter of intent to Lummus, the construction company chosen to build the fertilizer plant, in May (i.e. before the docking problem was fully analyzed and 'solved'). On June 11 DesBrisay made the official announcement. On the 29th the New Brunswick Development Corporation signed contracts with Fundy Chemical Corporation, a wholly owned subsidiary of Winnipeg-based Border Chemical created especially for the purpose, to manage operations, and with American chemical conglomerate W. R. Grace to manage supplies and sales. On October 31 Premier Robichaud proudly officiated at the sod turning ceremony, noting that, "…it is the function of government to assist and encourage the private sector in sound developments of lasting benefit to our people." Construction commenced the next day and continued as weather permitted.

The fiasco that followed unfolded in four stages of approximately one year each, beginning in 1965. This is convenient because it makes it easy to tell the sad tale by highlighting the main developments in each year, and doubly convenient be-

cause each year had its own dominant mood that can be summed up in a catchy heading.

1965: *Renewed Hope and Boundless Optimism*

February: In the Speech from the Throne, the Westmorland Chemical Park was touted as merely the first of a number of fully serviced industrial sites to be developed in the province. In the same month, Finance Minister DesBrisay published an article in the *Toronto Telegram* pointing out how low cost water transport of raw materials (viz. ammonia), coupled with the position of the Atlantic Provinces on the doorstep of rapidly developing world markets hungry for manufactured goods, was making the region envied by others.

March saw impressive evidence of triumphs to come. New Brunswick Development Corporation's original intention was to see construction finished and operations well underway before selling the plant, but things were going so well and Fundy Chemical Corporation was so eager to buy that they closed a deal for $5.5m (roughly $40m in today's money) to be paid over ten years with 6% annual interest and New Brunswick Development Corporation holding the mortgage, as well as the bag, needless to say, if things went sour. The announcement in the legislature was hailed with hearty kudos and vigorous desk thumping from both sides of the House, followed by enthusiastic editorials in the newspapers (apparently in spite of Mr. Irving's objection to the site).

April brought even more good news. Havelock Lime Works announced plans to build a calcium plant at the Westmorland Chemical Park that would produce a hundred tons a day for the pulp and paper industry, for water softener, and for other chemical uses of lime. Limestone would be shipped from Havelock to Dorchester Cape by a rail line to be built with loan guarantees from New Brunswick Development Corporation. The editor of the *Moncton Daily Times*, one of the project's most avid cheerleaders, greeted the announcement with his considered opinion that "the development of the Westmorland Chemical Park is perhaps unique in the annals of this or any other province. It's a bold and imaginative concept, which rapidly is silencing the arguments of any detractors (who feared change)… The proof of the pudding is in the eating and the results being achieved at Dorchester Cape show that development is very tasty indeed. It all adds up to a most encouraging picture and all concerned merit congratulations."

Over the summer, people generally basked in the afterglow of these announcements, with additional warmth coming from two further ones in early *August*. The floating dock (or pontoon) was being built in Chartersville (now a suburb of Moncton) and it would be completed by November at a cost of 2.5m. In its August 4th issue, the *Moncton Daily Times* noted (as I indicated above) that New Brunswick Development Corporation now had no less than six projects underway worth a total of $175m. Operation Prosper was truly prospering and would soon bring its bounty to all.

September, the month of golden harvest, was the time to celebrate the wealth of jobs created by the construction phase. Over 500 workers and about 120 technicians were employed with a monthly payroll of some $225,000 ($1.8m today). Minister DesBrisay was "extremely gratified" that some 350 of them were residents of Westmorland County.

He was also more than pleased to announce that "sewer, water, power and fire protection lines have all been installed and tenders have been called by Canadian National Railways for a rail line connecting the park with CNR's main line."

October brought yet more triumphs and a crescendo of optimism. At the beginning of the month the Atlantic Development Board, a federal agency, announced that it would contribute $1.5 million towards the cost of the chemical park. Even Ottawa was impressed with Operation Prosper and wanted to get in on the act, which it identified as a centennial project. At the end of the month Atlantic Industries announced that it would become a tenant of the Westmorland Chemical Park and build a $400,000 (=$3.2m) facility to manufacture steel drainage pipes. The optimism was so thick you could cut it with a knife. The *Moncton Daily Times* featured an article on a new hydrographic survey of Shepody Bay undertaken to determine the maximum size of vessels that could dock at the chemical plant (the information could also be used in feasibility studies for causeways and power stations in the bay). Although the survey crews encountered vicious tides and currents that drug their launch off course, the study concluded—or confirmed—that vessels of the required size could dock in safety. The same issue featured another glowing article entitled "Excitement Grips People." It began with a catalogue of the Dorchester landmarks that had disappeared over the previous seventeen years as well as the once-fertile farms that were now barren fields of shrubs and alders, and contrasted the sorry picture of the past with the bright outlook for the future. "To view the expansive development in what was once marshland and cranberry bogs is remarkable. Had anyone predicted the future develop-

ment of this area a few years ago, he would have been scoffed out of the county…Now Dorchester is beginning to look alive. Traffic is increasing. The residents of the area have taken a new insight and you can feel the excitement that is gripping the people involved in this great undertaking…The face of Dorchester is changing for the better."

November saw the project go from strength to strength, although with some minor irritations and a few wisps of cloud on the horizon as yet no bigger than a man's hand. On the 12th the floating dock was launched from Chartersville, witnessed by scores of locals lined up over half a mile on both sides of the Petitcodiac. Things went off without a hitch and it was soon safely moored at Dorchester Cape. The only sour note —and even then it was mainly from Dorchester—was sounded when it was revealed that the dock would be named *Port of Moncton*. An official complaint was rebuffed on the grounds that Moncton, like New York, Montreal, Chicago, etc. would be more familiar on the world stage—which is where all this was heading. The arrival of the *Port* was none too soon, as the first load of ammonia was scheduled to arrive from Trinidad about the 15th. Docking facilities were supposed to have been completed by now, but they were not because of a problem with steel delivery. But no worry. The delivery date was postponed to the 21st and temporary docking arrangements were made in the form of a used barge moored between the *Port of Moncton* and the end of the pier. On the 25th, after waiting two days at the mouth of Shepody Bay for bad weather to subside, her Chinese captain watched anxiously as tugs nudged the Liberian registered 15,000 ton *William Grace* into place. A weird swaying motion was followed by a scraping noise as the vessel touched the bottom of the dredged area and listed slightly. Nevertheless, officials on hand from New Brunswick Development Corporation described the unloading as "smooth," while those from Bechtel were "pleased." Production of ammonium nitrate fertilizer was to begin in ten days and the *Grace* was scheduled to return in March (1966) to finish filling the storage tanks with ammonia and pick up the first load of fertilizer.

At the end of 1965 things still looked great in spite of these minor hitches. But behind those little wisps on the horizon a serious storm was gathering that would trouble the waters in 1966 and bring disaster the following year. The first hint came as early as January 1965 (months before the project was announced) when it was discovered that neither India nor Pakistan used ammonium nitrate fertilizer. This should have aroused more concern than it did because the feasibility study commissioned by New Brunswick Development Corporation had overlooked the not unimportant fact that it wasn't much used in the Maritimes either. This limited the plant's effectiveness in reviving Maritime agriculture, but never mind. Farmers could be educated in its use and in the meantime there were plenty of markets for it in the rest of Canada, Europe, and a good part of the developing world. This was good news, but of course it meant—and this seems to have been accepted by the time the project was launched—that for a considerable time at least almost all the plant's estimated 65,000 tons a year would have to be sold outside the Maritimes. This in turn meant that Dorchester was not the geographic centre of consumption and therefore not necessarily the best location from the economic standpoint.

By way of anticipation, it may be well to add here that later studies undertaken after the project collapsed found different reasons for the backwardness of Maritime agriculture, as well as different figures for the market, both actual and potential, for ammonium nitrate fertilizer. With the exception of drained marsh and intervale, both of them limited in extent, Maritime soils are not suited to large-scale intensive farming. Heavily "podzolized" (meaning they are acidic along with many other problems such as drainage), they are often too infertile to be much improved with fertilizers. The climate is not as favourable to agriculture, especially cereal agriculture, as that of competing regions, and in any case outside markets are relatively distant. This, together with a conservative clinging to traditional ways, put Maritime farmers at a disadvantage that had relatively little to do with the higher cost of chemical fertilizer. As for the ammonium nitrate market, New Brunswick Development Corporation vastly overestimated it as well, even for the Maritimes. Its market study claimed an annual consumption of 13,000 tons in 1965 and projected a rise to about 50,000 by 1975. A 1970 study found the actual amount consumed in 1964 to have been 9,357 tons and expected it to rise to about 18,000 tons by 1975.

If the market for ammonium nitrate was overestimated, the advantages of possible competitors sadly were not. While the plant was being constructed, Fundy Chemical Corporation closed what it thought was a fantastic deal on the supply of ammonium with a Bermuda company that offered it for $59.60 a ton, delivered. Since that was more than $10.00 under the common going price, they snatched it up—and locked it in for eight years. Unfortunately, they failed to take into account a revolution in ammonia technology going on under their noses, and the consequent proliferation of ammonia plants that could produce much more cheaply. In 1965 fourteen large ammonia plants were under construction in North America alone. Soon, the price of raw ammonia dropped to $35-$45 while Fundy Chemical Corporation was

locked in at $59.60. (Out of the goodness of its heart the Bermuda company did, however, later drop its price to $53.00.) Thus, from market considerations alone, the Dorchester fertilizer plant was probably doomed to disaster with the turning of Louis' spade. But markets were only one of the project's problems. The others arrived with the tides.

1966: *Whistling in the Dark with Fingers Firmly Crossed while the Chickens Prepare for a Homecoming*

January: On a characteristic note of optimism, a *Moncton Daily Times* editorial suggested that the Westmorland Chemical Park would be an ideal spot for Volvo Canada to relocate its assembly plant when its lease in Halifax expired at the end of the year. (It didn't do it.)

February brought a bit of a downer when it was discovered that Monsanto could undersell the Dorchester plant by $4.00 a ton, and that England did not permit the import of ammonium nitrate as it was considered to be an explosive. Hope brightened when Mobil Chemical submitted a bid for 30,000 tons at $60.00, but dimmed when it later cancelled.

It flickered again in *March* when Tunisia was investigated as a possible market, together with the freight rates to South America. In the same month, the Liberal MLA for Salisbury stated in the legislature that the chemical park is promising to "transform the eastern part of Westmorland into a major industrial area of Atlantic Canada." *March* was also the month when some of the chickens, in the form of the Conservative opposition in the legislature, got the first whiff of blood and began preparing to do what chickens famously do when they smell it. They had heard rumours of underhanded deals and were suspicious when the government refused to release information—something about a Manitoba entrepreneur (the President of Fundy Chemical Corporation) who had put down $400 in cash and was now in possession of a plant worth over $5m. The *William Grace* did not return in March as scheduled.

April blossomed with Atlantic Industries' commencement of operations at the chemical park. The bloom faded later that month when it was realized that it would be all but impossible to sell ammonium nitrate fertilizer in Europe, the Middle East or Australia. In August Fundy Chemical Corporation did submit bids to Algeria, Greece and Syria, but had to withdraw them because of the docking problems that were emerging.

May 1st was the date the government announced, following questions from the Opposition, that the sudden shutdown of the fertilizer plant might persist until early June, but it was only temporary. It was due to the need for a larger storage container for the ammonia and to some "marketing problems" that would soon be solved. In the meantime, small quantities of fertilizer were being shipped to Canadian markets by rail. By the end of the month Finance Minister DesBrisay was denying a rumoured massive layoff and promising to get the full story out when he had the relevant information.

At the end of *June* there was still no report, but DesBrisay promised the House that he would have it before the end of the session. When needled about why it was taking so long, he said, "a marketing problem was involved and his information was not complete," but quickly added that Fundy Chemical Corporation was "living up to its agreement with New Brunswick Development Corporation and there were no troubles…"

July brought somewhat better news. Although no fertilizer was being made (at least not the ammonium nitrate variety) the men were back to work, as the plant needed extensive changes and maintenance. "This is a fairly slow period in the use of fertilizers," the manager explained, "and little is being sold." He also informed the *Moncton Daily Times* that the ammonium nitrate fertilizer used in the Maritimes is blended with other ingredients such as potash. He was "quite pleased" with sales so far.

Nothing much in either direction happened during the intervening months, but in *October* Fundy Chemical Corporation trumpeted the sale of next year's entire output. A lot of it would be going to the rest of Canada, but there were overseas sales as well. However, we will never know where they were supposed to have been or what the selling price was because Fundy Chemical Corporation refused to divulge that information to the researcher whose 1972 UNB Master's Thesis supplied much of the background material for this article. The important point is that some markets were found, and this led to a renewed burst of optimism. The facilities for making a blasting agent (a mixture of ammonium nitrate and fuel oil) were in place and production began on the 10th. There was also talk in the newspapers about a sulphuric acid plant and a urea plant. (Urea is a fertilizer with an added feed supplement for cattle.) The two units were expected to create 60 new jobs, bringing the total of full-time workers at the park to about 120 with an annual payroll of about $900,000 (=$7.2m).

On *December* 15th the *Joseph P. Grace*, the smaller 9,950-ton sister of the *William Grace*, successfully docked at the

Port of Moncton and unloaded 2,000 tons of liquid ammonia into the plant's new 9,000-ton storage container. It left for Trinidad on the high tide the following day and was scheduled to return in January (1967) to finish filling the container and to pick up a load of blasting agent for delivery to Peru. In the meantime, 1,500 tons of ammonium nitrate was being shipped to Saint John by rail. Things seemed to be falling into place again. Unfortunately, the operating word is 'seemed'.

1967: *The Chickens Arrive Home to Roost, Creating a General Mess*

In mid *January* tidal action washed away part of the bed beneath the barge being used as a temporary wharf. The hull cracked, rendering the *Port of Moncton* inoperable. But no great worry. It was fixable, and in the meantime outbound shipments would proceed by rail. To brighten the mood, the *Moncton Daily Times* published a glowing report on Atlantic Industries steel pipe plant at the Cape and its plans for expansion.

On *February 25th* it was the *Port of Moncton's* turn for trouble. An unusually large (but hardly unprecedented) ice flow in the Memramcook joined with high winds and tidal action to tear the pontoon from its moorings and deposit it a hundred yards upriver. In *March* it was towed to Saint John for safekeeping and repairs and scheduled to return in May. The General Manager of New Brunswick Development Corporation stated, "I am not particularly disturbed about the occurrence. [The mooring is] only a temporary structure, covered by insurance."

In *May* the floating dock returned amid cheers from onlookers and well-wishers, but not before DesBrisay had to answer some embarrassing questions in the House about the government having to pick up CN's tab for rail shipments by Fundy Chemical Corporation. However, he was able to assure the members that a tanker would dock on the 29th with a load of ammonia and leave with a load of ammonium nitrate. The *Joseph P. Grace* arrived as promised, but it didn't even unload, let alone reload. There was a verbal agreement with the company supplying the ammonia that, until better docking arrangements could be made, vessels would unload only at high tide and retreat during ebb, repeating the manoeuvre until the unloading was finished. But this didn't get through to the Chinese captain, unfamiliar with such treacherous waters. When soundings showed that the vessel would ground at low tide in spite of another dredging just before the return of the *Port of Moncton,* he became alarmed, and when an attempt to pump the ammonia into storage tanks failed because the lines couldn't be properly connected he hightailed it to Saint John and unloaded there. It was the last docking attempt at the Westmorland Chemical Park and all dredging ceased, never to be resumed.

It was now apparent that major modifications to the docking facilities were necessary, ones that would include the replacement of the barge with a permanent wharf and also solve the silting problem. Proposals were duly solicited and received but they were prohibitively expensive. While officials argued over the proper solution, other chickens arrived home to roost. With the dock inoperative, all shipments—both ammonia in and ammonium nitrate out—had to be by rail. But the site was not designed for unloading rail cars and this led to numerous other problems. For example, in cold weather ammonia lacks vapour pressure, so the cars couldn't be fully emptied. Frequent shortages of cars and transit delays (a railroad specialty) wreaked havoc on delivery commitments. Worst of all was the extra cost, for which Fundy Chemical Corporation duly sued New Brunswick Development Corporation, as it (N.B.D.C.) had contractually guaranteed the delivery of ammonia to the plant. Then there was the little matter of the locked-in price of ammonia that made the Dorchester product uncompetitive unless sold at a loss—which some of it apparently was.

By *June* the project was collapsing. The government was forced to admit in the legislature that Fundy Chemical Corporation was not only losing money on its operations, it was $270,000 in arrears for interest alone. There was no hope of any payment on the principal before 1968. This naturally aroused the blood lust of the chickens in the Opposition. Already in *April* its Leader, J.C. van Horne, demanded a royal commission to investigate all projects involving the New Brunswick Development Corporation. He was ruled out of order, but now there were plenty of new wounds to peck. The government sought cover by beginning the inevitable blame game.

By *midsummer* the New Brunswick Development Corporation had plans to foreclose on Fundy Chemical Corporation for default of its mortgage payments. The government delayed the public announcement until after the October provincial election (which it won—the final reckoning would come three years later) and on *November 9th* filed its suit. Fundy Chemical Corporation responded with a counter suit against New Brunswick Development Corporation claiming $5m. in damages for misrepresenting potential sales and failing to make satisfactory docking arrangements, which had forced it to withdraw from the

bids to Algeria, Greece, and Syria noted above. New Brunswick Development Corporation won a judgement and the court ordered a sale of the plant at public auction to satisfy the debt (standard procedure in such cases). Fundy Chemical Corporation sought an injunction against the sale but it was rejected. New Brunswick Development Corporation then created a new company, Westmorland Fertilizer, as a wholly owned subsidiary to put in the winning bid of $4m. at the public auction held in *December*. (Since it held the mortgage, the government essentially bought the plant from itself, but this was just a technicality of the law.) Fundy Chemical Corporation's suit was settled out of court in October 1969 when New Brunswick Development Corporation agreed to pay it $675,000, thus admitting at least some responsibility for the debacle. Needless to say, it was the taxpayer who picked up the tab—or, rather, had it handed to him.

1968: *The Sad Epilogue, Together with Some Petty Moralizing*

In the spring Westmorland Fertilizer rehired all the workers and strove mightily to revive the plant, which first of all meant finding markets. Attempts in Maine, New York, Algeria, Tunisia, England, and even New Brunswick failed miserably. Demand for ammonium nitrate declined as third world countries discovered they couldn't afford it, while competitors who could undercut Dorchester multiplied. In Canada alone there were several new plants with surplus capacity. A new buyer was sought, with similar luck. There were a few nibbles and one serious offer—from Shaheen Natural Resources—but its demands were prohibitively costly and a background check revealed dubious management of the company. Of course there was no hope of profitability without adequate docking facilities, which meant effectively countering the tidal action at the root of the problem. Once again proposals were sought, and once again they came to nothing. One was to build a cofferdam around a dredged basin, but this, too, would have been prohibitively expensive. It also contradicted another analysis that intensive dredging alone was the cheapest and best solution. When closer examination revealed that neither was economically viable, given market conditions, Westmorland Fertilizers/New Brunswick Development Corporation finally gave up and closed the plant on *October 25th*. In 1970 the new Department of Economic Growth commissioned a study by a New York firm to see whether the plant could yet be viable. It concluded (rather unsurprisingly) that it was not, either for fertilizer or explosives, and advised the government (by this time the Conservatives under Richard Hatfield) to cut its losses and sell the plant for what it could get. In 1974 Baker Industries Corp. of Connecticut paid $600,000 to dismantle the equipment and transport it to their factories in the US, while New Brunswick taxpayers swallowed the rest of the $5m loss. The New Brunswick Development Corporation disappeared from view and even from public history. An Internet search turned up only a non-profit real estate development corporation of the same name in New Brunswick, New Jersey, widely criticized for incurring large amounts of public debt. Havelock Lime Works never did build its proposed plant. On a positive note, Atlantic Industries is still operational, while Dorchester resentment over the naming of the floating dock quickly faded after its fate was sealed. It went back to Saint John where Irving is said to have bought it for $1.00, and we're told it's still in use it today.

At this distance in time it's easy—perhaps too easy—to make light of the sorry saga of the Westmorland Chemical Park. It certainly had its comical elements, but it was no joke to the people whose hopes of a better future were dashed by the debacle, and it makes us want to ask: whose fault was it? Was there ever a chance of its succeeding, and if not, why wasn't this—or at least the grave risks involved—recognized during the planning stage? We will probably never learn the final answer. New Brunswick Development Corporation did a feasibility study and some market analysis before the project started but the feasibility study was not among the documents it handed over upon dissolution to the new Department of Economic Growth. Apparently, someone didn't want it open to public scrutiny. There are references to another market analysis in the files, but the only one the author of the UNB Master's Thesis mentioned above could find was done by an undergraduate as part of a summer job with the Corporation. Thus, all the surviving evidence suggests that the planning was incomplete and fatally flawed. Dr. Della Stanley (daughter of Dr. George and Mrs. Ruth), author of the definitive study of Louis J. Robichaud, suggested that much of the amateurish bungling was because Donald Tansley had not yet had time to thoroughly bureaucratize and professionalize the civil service, so the government didn't have the full benefit of expert advice. Perhaps so, but on the other hand, the availability of expert advice didn't prevent his successor, Richard Hatfield, from bringing us the Bricklin. Perhaps the simplest explanation is that—for the noblest of reasons—the Robichaud government was trapped in its own enthusiasm for industrial development as the only way to lift depressed areas out of poverty, and was blinded to the realities of geography, geology, and basic economics. But perhaps the failure of the Westmorland Chemical Park was for the best. Had it been fully developed, it would have been a major blight on the landscape and definitely not a tourist attraction. Instead, Dorchester Cape is still beautiful, and the sandpipers don't have to worry about an industrial spill. Maybe poverty has its virtues after all.

DORCHESTER'S FOURTH MURDER TRIAL AND HANGING

Dorchester's fourth hanging took place on March 12, 1897, less than five years after that of "Robert Buck Olsen" on December 1, 1892. For this reason there is nothing new to report on the courthouse and jail. They were the same ones that witnessed the trial and hanging of Buck, and they would also witness Dorchester's last hangings, those of the Bannister boys in 1936, to be covered in the next issue of the Newsletter. As in the Buck case, the local papers, especially the Moncton *Times,* published all the evidence in great detail, allowing a very lively and dramatic story to be extracted from it. In point of fact the relevant issues of both the Moncton *Times* and *Transcript* are missing, but two Saint John papers, the *Globe* and the *Daily Telegraph*, covered the trial sufficiently for present purposes. Again, there is much more to the story than can be related here, but these are the highlights.

To make the story easier to follow, a brief review of the then judicial procedure in murder cases will be helpful. Immediately after the discovery of a suspicious death, one of the two county coroners (in this case it was again Jacob Wortman of Moncton) asked the county sheriff (again it was Joseph McQueen, who would soon afterwards move into Keillor House) to empanel a jury of seven men (no ladies, please) to view the remains, take the testimony—willing or not—of eyewitnesses or anyone else who might be helpful, and decide on a cause of death. If foul play was the verdict, the coroner's jury could name a suspect and the sheriff would order an arrest. Very soon thereafter, the prisoner, who was kept in the "unbearable stench" of the police station lockup (described by the Moncton *Times* as "unfit for occupation of man or beast—the most ill-kept stable would be a rose garden in comparison") faced his preliminary hearing before a magistrate (again it was Jacob Wortman who was Stipendiary Magistrate as well as one of the coroners). Here a formal charge was laid and testimony taken from the same witnesses that appeared at the coroner's inquest as well as from additional ones if available. Both a crown prosecutor and a counsel for the defendant were present who could call witnesses and object to questions. In other words, the preliminary hearing was actually a pre-trial trial before a judge who, upon hearing the evidence, decided whether or not to commit the accused for trial before the provincial Supreme Court. Murder trials were not generally held before the full court in Fredericton but before a judge of the Supreme Court on "circuit" in the shiretown of the county in which the crime took place, which in Westmorland's case of course meant Dorchester. At the trial the evidence was again laid out, this time before a grand jury, which decided whether or not it was sufficient for a "true bill" or indictment. If it was, the accused was asked to enter a plea. If the plea was "not guilty" the case went before a petty jury of twelve, which heard all the admissible evidence and the lawyers' interpretations of it in minute detail.

The murder took place at Meadow Brook, a small settlement of a few closely related neighbours about ten kilometres east of the Moncton airport on the road to Scouduc. There forty-eight year old Eliza Dutcher lived with her two youngest children, eleven year old Harry and nine year old Maggie, in a comfortable little house built by Mr. Dutcher, a millwright who had died about three years before. Two grown sons, William and Thomas, lived away. Besides using whatever savings her husband had left her, Mrs. Dutcher made ends meet by selling meals and liquor virtually any time of the day or night, and was frequently in trouble with the law for it. Her house was often patronized by the local lads, most of whom worked in the lumber mills that dotted the countryside. Mrs. D. mistrusted banks and was commonly reputed to keep a good deal of money in a small tin box. About 2:00 in the morning, Friday September 11, 1896, her sister-in-law, Jane Green, who lived next door, noticed the whole upstairs of the house on fire and screamed for her brother-in-law, Mrs. D's brother. Hugh Green roared up the stairs and met little Maggie crawling out of the burning bedroom where all three of the Dutchers slept in a single bed, crying "mama, mama!" He rushed her down to one of his daughters who had followed him into the blaze and she got her over to Jane Green's in a semi-conscious state while he went back for his sister and nephew. It was too late. The house was an inferno and he and other neighbours who had arrived to help had to witness the two bodies fall into the floor below. When the ashes had cooled sufficiently to search, they were almost unrecognizable as human remains.

The first indication that it was the work of an intruder was the blood coming out Maggie's left ear. She had been dealt a fearful blow, probably with some blunt instrument. The attending physician said her skull had been crushed and she was unlikely to live. As he dressed the wound she cried out in agony, "Oh don't kill me any more." Clearly, it was a case of robbery and murder most foul. To compound the pathos of the misdeed, the perpetrator had evidently killed the family dog to keep him from sounding the alarm, as "Guess" hadn't been seen for a day or so before the fire, and he could not have burned in it, as he never slept in the house.

Suspicion fell early on thirty-three year old John E. Sullivan, originally from Calhoun (about 3.5 km from Meadow Brook in the Dorchester direction) where his father had recently sold the family house before moving to High Street in Moncton. Although in the process of renovation by the new owner, the Calhoun house was still vacant, and it was speculated that it might have served as the perpetrator's waiting place. John, or Jack as he was more often called, was a frequent patron of Mrs. Dutcher, knew her well, and was seen there and in the vicinity on several occasions on the days immediately before the fire. Moreover, Jane Green, who apparently didn't like Sullivan, told a reporter (and repeated it at the coroner's inquest) that Mrs. D. had told her the day before the unhappy event that she was afraid of him, that she feared he might rob her, and that during the wee hours a few days before he had practically forced his way in to get a drink and some cigars.

Sullivan certainly did all the right things to draw suspicion. The coroner's jury, empanelled the very next day, heard the testimony—repeated of course at the preliminary hearing and again at the trial—of a number of bartenders and town drunks that, starting at 5:am Friday morning, about three hours after the fire, he was bar hopping in Moncton (bars opened much earlier then than they do now) looking seedy but sober and treating acquaintances as well as strangers in need of an "eye opener" to round after round, something he was not hitherto noted for doing. Nor did the entertainment stop there. The morning's itinerary included a stop at W.D. Martin's clothing store to buy a pair of trousers, another at Mrs. Donnelly's guest house and brothel where Buck and Jim had been surprised by the police (see the February issue of the Newsletter), preceded by one at a barber shop where Sullivan laid on three shaves for the occasion, followed by another bar stop before a return visit to Donnelly's in the afternoon. At various places he paid with American silver dollars and fifty cent pieces, which were quite rare in Moncton, as they were usually discounted (ah, the good old days), and which Mrs. Dutcher was known to have had. They were not necessarily the same ones, of course, but it was suspicious.

But the most suspicious thing Jack did was to leave town on Sunday night, September 13, leading to a warrant for his arrest as a material witness at the coroner's inquisition. A week later he was discovered and arrested in Cooper, Maine (near Calais) where he had gone to an uncle who, like so many others of his Catholic Irish background, was now living "in the Boston states" as an economic migrant from perpetually poor New Brunswick. There he was receiving mail from family in Moncton and Boston under an assumed name. He resisted at first and then declared he would not go back to Moncton without extradition. He was persuaded by his lawyer not to put the authorities to this trouble, but after his return in Sheriff McQueen's custody (September 23) and his first introduction to the perfumed pleasures of the Moncton lockup he declined to give testimony before the coroner's inquest and refused again at his preliminary hearing, also, he said, on the advice of his lawyer.

In the meantime, other damaging testimony was taken, and even more damaging evidence was announced to be on its way. Retired farmer Moses Steeves said that on Friday afternoon after the fire he saw a man who had been pointed out to him as John Sullivan take a wad of bills "the size of my wrist" out of his inside coat pocket that he estimated to contain $200-$300, roughly the amount Mrs. Dutcher was reputed to have had in the house. A Mrs. McCann swore at the preliminary hearing that on Wednesday September 16 Sullivan, whom she identified in the prisoner's dock, was at her guest house in Saint John where he pulled a roll of bills out of his sock, remarking that there was $400 in it.

But most alarming from the defence's point of view were the utterances of little Maggie, reported in the newspapers, that named John Sullivan as the culprit. Initially not expected to live, she was watched over night and day in heroic fashion by two sisters, Ann and Muriel Crossdale, both registered nurses, first at Hugh Green's home in Meadow Brook and then, when she was able to be moved, in a specially prepared room in the newly constructed (1895) Moncton almshouse. Here she gradually regained full consciousness, making it increasingly evident that she would recover, although she remained weak and easily frightened for some months. Her first references to the terrible event, recorded by the Crossdale sisters as early as September 23, were only semi-coherent, but nonetheless very disturbing: "John go away…do take John off; put him out through the window; don't do that John." "John Sullivan go away, has he gone away?" "Jack, don't kill me any more." After that she stopped talking about John Sullivan for a while and suffered some relapses that briefly put her recovery in question. However, by the time of Sullivan's preliminary examination in early October, after the coroner's jury found the cause of Eliza and Harry Dutcher's deaths to be murder and Sullivan the suspect, the crown was able to report that she was recovering rapidly, and proposed to call her as a witness. In the event, however, although she regained all her faculties and was even treated to a streetcar ride (a great novelty at the time) and a visit to some Moncton stores, much to the delight of the good citizens charmed by the precocious and attractive child, she was still too nervous to be called to the stand when the preliminary hear-

ing ended on November 25. But even without her formal testimony, the circumstantial evidence was enough for Wortman. Sullivan pleaded not guilty and the magistrate committed him for trial at the next sitting of the Supreme Court at Dorchester in January 1897. He had already been moved to the county jail on October 3, which must have been at least some relief for him.

At the trial, which began on the 12th, Maggie was the last of thirty-three witnesses called by the crown (on the 16th), and she was a devastating one. (Reporters were struck by the fact that no less than fifty ladies were present in the courtroom to see and hear her.) After Judge Daniel Hanington (a resident of Dorchester and former premier) asked her whether she knew she must tell the truth when sworn, and received her reply in the affirmative, the crown prosecutor asked her what she saw when awakened by a noise the last night she slept with her mama and Harry. "There was a man in the room. Mama said, 'John, don't hit'. The man had hold of mama. He struck mama two times. Mama laid back on the bed still. The man hit Harry. Then he hit me and I cried. He hit me two times." Do you know who the man was? "Yes." Who was it? "John Sullivan." Do you see him in court? [The prisoner stood up]. Is that the man? Maggie pointed to the prisoner with her finger and said, "That is him."

So far, it seems like a slam dunk for the crown, and in the end it was, as the jury deliberated only an hour and a half before returning a verdict of guilty. But Sullivan and his lawyer, Robert Barry Smith, mounted a very able defence that might have raised a reasonable doubt in the jurors' minds if the crown had not been able to refute it in part.

There were two kinds of evidence against the accused, direct and circumstantial. The direct evidence consisted mainly of his having twice been seen with a large wad of bills and the emotionally powerful and gripping testimony of Maggie. Since hers was the most likely to sway a jury, Smith concentrated most of his rebuttal efforts on it, essentially saying it was preposterous to accept the testimony of a child who had obviously been coached, something both the crown and the Crossdale sisters vehemently denied. In his minute and somewhat harassing cross-examination he managed to expose Maggie's imperfect recall of lesser details such as exactly where Sullivan struck the match to light the kerosene lamp that the assailant presumably upset just before fleeing the premises. Probably Smith's best moment came when he got Maggie to say that the dreadful event happened in daylight, when all others on the scene said it was about 2 am. However, he was unable to shake her main point, that it was Sullivan who attacked the family.

The defence had better luck with the other direct evidence. Even by the time of the trial, Mrs. McCann's testimony was countered by Sullivan's relatives in Maine who said that he arrived in Cooper on the 15th of September, the day before she claimed he was at her house in Saint John. Moreover, she said he identified himself as a Protestant and was back again on Friday. Clearly, it was a case of mistaken identity. An unidentified member of the Sullivan family told the Saint John *Globe* it was a hoax, and maybe it was. At least it might have given the jurors pause, especially when Moses Steeve's own son disputed his testimony, remarking that his father was feeble-minded. No one else ever saw Sullivan with more than small bills and coins, and it would have been hard to disprove his claim that he got the American coins in change after tendering bills here and there. The grand total of his Friday spree could not have amounted to much over $15, and several witnesses, including his own parents, affirmed that he had little money when he left Moncton. They even had to give him some to get him started and he borrowed some more from a friend in Saint John when on the way to Maine. With no proof beyond a reasonable doubt that he got away with a large amount of money (some was found in the ruins of the house although the tin box was missing) the jurors might have asked themselves what his motive for such a crime could have been. We can never know whether they did or not, but Smith certainly raised the question.

Another strong point for the defence was Sullivan's appearance and demeanour, both at his preliminary hearing and at the trial. During the preliminary the *Times* remarked, "he is not by any means a villainous looking man; he would scarcely be picked out in any crowd as one capable of such a crime." Just before his execution a *Globe* reporter wrote, "it is hard to imagine that such a fine-looking, well-built young man of so intelligent appearance was a convicted murderer." He was perfectly calm and composed throughout the proceedings—much remarked upon in the press—with but two exceptions: a brief period of agitation when the Solicitor General stated in his opening address that Maggie was now in good health and that great precaution had been taken to prevent any tampering with her (he was again perfectly calm during her testimony) and a brief

fit of weeping when his mother took the stand. As Mrs. Sullivan was not loath to admit, the whole thing was very hard on her, and before the end of the trial she broke down completely and was said at one point to be near death.

Besides not looking the part, John had no previous record of trouble with the law. After finishing common school he got on the Inter-Colonial Railroad as a brakeman then spent eleven years in the US, at first working in the lumber mills then joining the US Navy (as a bugler) for three years during which he travelled around the world. He returned to New Brunswick not long before the Meadow Brook Tragedy, as it was called in the papers, and had worked at Anderson's mill near Rockland (just across the Memramcook from Dorchester) for six weeks, leaving their employ on the Monday before the murder. Apparently he quit, hoping to get back on the ICR, but Mr. Anderson spoke well of him at the preliminary hearing, saying he was "a good man about the mill," that he had "no fault whatever with him; never found him dishonest," and that he several times commissioned him to find others to work in the mill.

About the only thing that might have been said against John Sullivan before the murder is that he was a drinker. He himself admitted it both before and after his conviction and the evidence brought out during the long and tedious proceedings suggests strongly that he was an addicted alcoholic, but not a staggering, fall-down drunk. On the contrary, he could hold his liquor extremely well, such that a number of witnesses swore that, although he looked seedy and tired, and had been drinking, he was not intoxicated. Anderson swore he never saw him intoxicated, or even knew him to drink. Finally, somewhat contrary to Jane Green's statement, his parents and others testified that he had always spoken well of Mrs. Dutcher, before the fire as well as afterwards (when he would have had a motive if he were guilty). Even Maggie put in a good word for him, although unintentionally. During Smith's cross-examination she said that he had often played with her when he was at the house, taking her onto his lap, and that she loved him then. When she failed to answer Smith's question why, then, she was so afraid of him that night, the lawyer must have thought he had scored a telling point, especially as a witness testified to seeing three tramps in the general area on the day after the fire. (Could this be the same man who did such a deed?)

But the most powerful defence against the circumstantial evidence was Sullivan's carefully crafted alibi—much of it drawn from depositions made at the preliminary hearing—that he was in Moncton from 8:15 Thursday evening until his departure for Maine, and so could not possibly have committed the murder. After declining to give testimony at the coroner's inquest and his preliminary hearing, he finally took the stand at his trial and with perfect composure delivered a long address detailing all his actions from Monday September 7 when he left Anderson's to his arrest in Cooper on the 22nd. He admitted (and had witnesses) to travelling back and forth through the general Memramcook-Calhoun-Meadow Brook area, frequently stopping at various watering holes for a drink. He was at Mrs. Dutcher's twice on Wednesday for that purpose and was at Calhoun on Thursday morning where he pulled some vegetables out of the old family garden and sent them by train to Moncton. By late afternoon, after a number of stops for 'refreshments', he was near Memramcook with "a jag on" and caught a train for Moncton, arriving at 8:15 p.m. He met one of his sisters and her friend near the Brunswick Hotel about 9:00 (they both attested to this) and chatted briefly before proceeding to a Mrs. Porrell to give her some money for keeping a child whom he had allegedly fathered on a woman living in the US and now dead. He only had a dollar on him but gave her a note of hand for another $15, which he said his brother Dan would cash. (Mrs. Porrell attested to it and the note was entered in evidence.) From there he went to another watering hole where he saw a Jerry White and others; it was here that he got one of his American 50 cent pieces in change. About 11:00 he went out and followed two girls down to Dunlap's wharf. (Apparently, it was one of Moncton's 'boy meets girl' places.) "Nothing improper took place," but one of the girls bought a pint of gin somewhere, which he paid for. He remembered that there were some buildings on the wharf. Soon after leaving the girls, he saw a young man on the wharf track and asked him if Thibedeau's (another bar) was still open. (After the deposition, young Thomas McGary testified that he saw Sullivan near the wharf.) Soon after that, he met Bruce McDougall, one of the town drunks mentioned above and invited him to a drink at the American Hotel as Bruce was in rough shape and needed a "bracer." The bartender at the American refused to serve Bruce but Sullivan bought a pint of gin and fixed him up outside the premises. Leaving Bruce, he tried the Queen Hotel, but finding it closed he decided to call it a night (after throwing up) and went to his parent's home on High Street where he, along with two adult brothers and a sister, had been living off and on since his return from the States. Although they didn't see him, his mother and father both testified that they heard him come in. They didn't note the time exactly but it was in the early hours of the morning, just after the rooster crowed—they thought about 2:00.

His mother told him to help himself to some food in the pantry if he was hungry, which he did, and after falling asleep in a chair for a while went out again, straight to the Hub Hotel where he met Bruce again and soon afterwards the other lads already introduced near the beginning of our story. This was close to 5:00 a.m., a time confirmed by the bartender. I have already outlined his movements from then until Friday afternoon. The only additional point of interest is his denial of his partner's statement that at Donnelly's he went into a room with Carrie Leger (a forgivable fib, given that his mother was in the courtroom). Concerning what happened from Friday until his arrest, we need only note that he said—and his family confirmed—that he left town at his mother's insistence because of all the rumours flying around about his being involved in the Meadow Brook Tragedy and she, with the concurrence of the rest of the family, didn't want him to get mixed up in the affair by appearing as a witness at the coroner's inquiry. She had also ragged him about his drinking, as did his brother.

There could be no doubt that his story after 5:00 Friday morning was substantially true, as a number of credible witnesses attested to seeing him. The crucial question was whether he really was in Moncton from 8:15 the evening before the murder until 5:00 the next morning. It was about a three hour's brisk walk from Meadow Brook to Moncton and the only other way to get there, barring a saddle horse, was by train. According to the ICR dispatcher, there were only two that night, one arriving in Moncton at 1:35 and the other at 5:25. Clearly, if the murder occurred between 1:00 and 2:00 and Sullivan committed it, he must have left immediately and walked pretty well non-stop to Leger's Hotel. His alibi thus depended solely on the credibility of the witnesses who claimed to have seen him between 8:15 p.m. on Thursday and 5:00 a.m. on Friday, namely his sister, Lucy, and her friend, Ardenna Howell, Mrs. Porrell, Jerry White, Thomas McGary, Bruce McDougal, and his parents. The crown does not appear to have found witnesses to contradict Lucy, Ardenna, or Mr. and Mrs. Sullivan (at least it wasn't reported in the *Globe* or *Telegraph*) but it went after the others pretty effectively. Its hired detective swore that he interviewed *Mrs. Porrell* soon after her deposition at the preliminary hearing and she told him she had been out of town Thursday night and only returned home Friday morning. Further suspicion of John's claim to have visited her that night for the purpose of paying child support was raised by a Miss Mingo of Cambridge, Mass., who said that she had received the child from its mother and had it three years before Mrs. Porrell took charge of it, and that this was the first she had ever heard of John Sullivan being the father. Mrs. Porrell's testimony was further weakened when it was revealed that she had known John since childhood, and that Dan Sullivan had never cashed the note. *Thomas McGary's* own brother, mother, and another witness swore that he was at home in bed from 10:00 Thursday until late Friday morning and that he only mentioned seeing John on the wharf after a visit from Dan Sullivan and Thomas Donnelly. His brother "told him he was telling lies and that I would expose him if he swore to it." His mother said, "Tom told me he was going to swear to seeing Sullivan; I told him he could not truthfully do so." Thomas maintained his story on the stand but had to admit on cross-examination that he had done jail time and also had to deny saying he could get $20 for swearing he had seen Sullivan. J.H. Dunlap, owner of the wharf, testified that there was no building on his wharf, and the defence never called the two girls he was allegedly with. When several witnesses testified that *Bruce McDougall* spent the fatal night until 5:00 am in a flophouse sick from his binge drinking and therefore couldn't have seen Sullivan soon after he said he left the girls, and the bartender at the American Hotel said he didn't think the stranger with Bruce was the prisoner, the crown felt it could rest its case and, as near as can be told from the surviving record, let the jury decide on the credibility of the Sullivan family's testimony. Together with the emotional impact of Maggie's testimony—in spite of its minor discrepancies—the guilty verdict, delivered on January 27, was all but inevitable. After a brief recess, Judge Hanington sentenced the prisoner to hang on March 12.

So far, we seem to have the story of a deceptive villain guilty of what was dubbed the most heinous crime in the county's history, and maybe he was. But historians, as I like to say, are in the truth business. This means the *whole* truth, and complete stories are seldom as simple and morally unambiguous as popular taste prefers. This is especially true of Sullivan's story *after* his conviction, when his general behaviour and demeanour very largely redeemed him in public opinion, at least as it was expressed in the press.

Like Judge Fraser in the case of Buck but without the tears, Judge Hanington admonished Sullivan to call his spiritual adviser. As for Buck, this was Father Cormier, the Roman Catholic chaplain for the penitentiary and jail, and once again the good priest, who was undoubtedly a man of great humanity and compassion, did a bang up job of bringing his charge back onto the straight and narrow. By the time the execution was drawing near, both were utterly convinced that through his prayers, penitence, and the grace dispensing powers of the Catholic Church, John was headed straight for heaven. He even said, "this is the greatest thing that has ever happened to me. Sometime I might have taken off like a flash and been unprepared, but now I

am perfectly resigned to whatever may come…I never was before as prepared to meet my God as I am now." On the evening of the execution he told Father Cormier that he hoped tomorrow would be "the grandest day in his existence." Like Buck, he said he was happy. When his father "broke down completely and wept like a child" during their final visit, he told the old man that if he were as happy as his son, he would not shed a tear.

Besides Father Cormier (and of course God), the other person responsible for his happy state was Mary McDougall of Dorchester who had frequently visited Buck before his execution and erected a stone and cross over his grave. (I didn't know this when I wrote the article on Buck and Jim, as she wasn't mentioned in the *Times*.) She spent many hours with John helping him prepare for the ordeal ahead. Mrs. Atkinson of the Women's Christian Temperance Union also did not fail to offer her comforts, as she had for Buck.

John gave testimony to his state of grace by his fortitude and lack of bitterness even against those who prosecuted him. (Smith, and probably John, too, thought that Hanington was prejudiced against him and made a number of errors in charging the jury.) Throughout the preliminary hearing and the trial he had displayed remarkable calm, but now it was of a different kind, resigned rather than defiant. He made no confession of guilt for the crime, but neither would he protest his innocence, saying only, "I have been tried and found guilty by a jury and sentenced to die by a judge and nothing I can say will undo that. It is no use for me to complain. Innocent or guilty I go just the same." On the evening before the execution he told reporters he would have nothing to say on the scaffold. "I'll die for the crime the court found me guilty of, and if my death does not atone for that, it will for some of my other sins." Of course we want to ask why he would make no public statement either way. If he believed he was innocent, surely he would protest. If guilty he would have nothing more to lose by a public confession. Perhaps the truth lies somewhere in between: maybe he did the deed but maybe it wasn't as heinous as it seemed, at least in his own eyes. Father Cormier, who knew more about it than he ever told, certainly thought so. He said that if John had not listened to bad advice but had pleaded guilty and "told the thing just as it happened" he would have gotten five years, maximum. This suggests that under the influence of liquor he gave in to the temptation to rob Mrs. Dutcher; when discovered he panicked and despatched the witnesses to cover his tracks. Thus it was not premeditated murder. If he publicly protested his innocence in a short statement he would be lying before God. If he confessed his guilt he would deprive his family of their belief in his innocence, which they apparently clung to. The night before the execution his brother Dan was sure he would protest his innocence on the scaffold. Father Cormier told the reporters that John had made a sacramental confession (meaning that the contents were between him and God), and that he had told him a public confession would show more of a penitent spirit. But according to Catholic doctrine, the sacramental one was sufficient for God's forgiveness, and there was certainly some merit in sparing the family further pain. His closeness to his family was demonstrated in the heart-rending scenes of farewell the day before the hanging, when he admonished his younger siblings to lead good clean lives and assured them of his happiness in the hope of heaven.

Whatever the degree of his guilt, Father Cormier and many others thought that he expiated his sins by his willing acceptance of the sentence and his remarkable bravery in the face of death. The sounds of the scaffold being erected were clearly audible in his cell and Father C. was worried this might unnerve him. But no. John only remarked, "Father, I will build my hope on the thought that every nail in the scaffold would be one in the cross of my Saviour for my sins." Father loved that line. As he promised the hangman when he met him the day before, he was, like Buck, perfectly calm when the same falling 360 pound weight catapulted him to his Maker. The hangman was John Ratcliffe (or Radclive), Canada's first professional, who had officiated at Buck's execution. (See the last issue for details.) The only moment when John lost something of his composure—for he surely felt far more than he showed—came when he was told there would be a short delay, as Ratcliffe didn't have the gallows ready for the appointed time of 8:00 a.m. "Every moment you delay will be one of agony for me," he said, whereupon Father Cormier sent for a flask of brandy. Taking a healthy swig, he said, "This is what brought me to where I am but it may do me good this time, and it certainly cannot do me any harm." According to the reporter, it "made a new man of him and he never flinched from his awful ordeal after that." Ratcliffe needed quite a few more than that to steady his own nerves. It was not a pleasant job and he died of alcoholism fourteen years later at the age of fifty-five.

After it was all over there was a funeral in St. Edward's Catholic Church in Dorchester with Father Cormier officiating. It was crowded with residents of Dorchester, many of whom expressed sorrow that he had to die. The casket was open and

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"everybody in the edifice took a last look at the man who so bravely paid the penalty for his crime." Sullivan left a letter in his cell for Father Cormier, thanking him from the depths of his heart for setting him on the path to his heavenly home and asking him to give Mary a bright 25 cent piece on which he requested Father to have a cross engraved and a pin placed so that she would not forget that "John Sullivan died with his heart full of gratitude to those who had been his last and best friends on earth." He hoped she would take it to the grave with her.

What a contrast between the public attitude—at least as it was expressed in the press—towards John Sullivan, Buck Olsen, and Amos Hicks after their convictions and that towards unsympathetic perpetrators today! Then the emphasis was on the redemption of the criminal; now it is on the sufferings of the victim and his/her/their need for "closure," the soft word for vengeance. The hangings, or at least the last two, of which virtually every detail was reported in the newspapers, were almost communal sacraments in which a ritually cleansed victim was sacrificed on the altar of justice. In the mercifully short time between judgment and execution—a matter of months, not years (in Sullivan's case it was about six weeks)—the condemned man was treated with respect, kindness and compassion, and was openly accessible to visitors and press alike. Sullivan told the reporters that he "had been splendidly treated by the jail officials who have used him as well as if he were home; they gave him everything but his liberty." He also left a letter to Deputy Sheriff Bowes thanking him and his family for the way they had treated him while he was under their care. Compassion and fellow-feeling were among the more attractive features of sentimental Victorian society, and were probably particularly manifest in small Maritime communities. Still, one wonders what the surviving Dutcher brothers or the rest of the Greens thought of it all. If anyone ever asked them, their answer was not reported in the press.

Gene Goodrich