

Railway Act

hear of any case which constitutes a dangerous situation, they will of their own volition investigate it.

Mr. Rock: Mr. Chairman, I am happy to hear from the minister that the government intends to extend the time of the operation of the grade crossing fund for another three years. The citizens in my constituency in the county of Jacques Cartier-Lasalle will be very happy to hear this, because they are concerned about future projects within our county. At the present time all level crossings in the county of Jacques Cartier-Lasalle have signals, but the traffic count in these areas today warrants the building of underpasses or overpasses throughout the riding.

I would point out to the committee that the county I represent embraces one third of the western part of the island of Montreal. In the Roxboro-Pierrefonds area three level crossings should be changed to grade separations. We have, along the lakeshore area, the St. Charles road crossing and the Sources road crossing, which should also be changed to grade separations in the form of either an underpass or an overpass.

At the time these lakeshore level crossings were installed with signal protection an agreement was made between the municipalities and the railway companies to close certain other crossings, such as the Valois, Pine Beach, and Pointe Claire crossings. I am afraid that the legal rights attached to these crossings have more or less disappeared; the right to receive, let us say, a grant from this fund in the future has disappeared. I think these things should be taken into consideration in the future.

I can also give another example in the city of Lachine. The C.N.R. intended to build a large humpyard, which now exists. At the time, the main line going to the humpyard was two lines through the centre of the city. They also intended to build another track or so beside that one and enlarge the right of way to this humpyard. Within this right of way there were seven railway level crossings. They also intended going through from south to north to reach the new humpyard, which would have created another four level crossings. I was a city councillor for Lachine at that time. The city council made representation to the C.N.R. to relocate this whole centre track north of the city. We had something of a fight on our hands with the chief engineer of the C.N.R. and we had to make representation to the minister of transport here in Ottawa, who at that time was the Hon. George Marler. We also had to make representation to one of the vice presidents of the railway. These people apparently saw eye to eye with the city of Lachine, and the tracks were relocated north of the city.

[Mr. McIlraith.]

At that time we saved the railway companies and the government millions of dollars from the grade crossing fund just on the seven grade crossings which existed, and we also saved them the expenditure of millions of dollars for the four additional proposed grade crossings. This relocation took place. The railways were to build an underpass at 55th avenue. We objected to this location; we wanted a more central location, around 34th avenue. This was refused because the C.P.R. owned industrial land right near 55th avenue. The member who at that time represented the county made representations to the board that were not in the interests of the city of Lachine and for these reasons we lost our case. They therefore built this underpass at 55th avenue, rather than at a central location at 34th avenue. We have now reached the point where the city of Lachine needs a second underpass, or overpass, around 32nd avenue, which is about the same location.

We have no way, first of all, of getting a grade crossing because it is impossible to build one there. Therefore, if we want any benefit from this fund, it is impossible for us to obtain such benefit because no grade crossing exists. It is this type of situation which I think should be taken into consideration. I believe that the limit of \$500,000 should not be applicable to special cases such as this, or cases where municipalities have given up level crossings in order to put, say, signal lights on other crossings. I believe that the minister should give consideration in the future to special cases such as exist within the riding of Jacques Cartier-Lasalle.

Mr. Knowles: Mr. Chairman, this is a point so small that I hesitate to raise it, but perhaps it is one that lawyers like the minister might consider. I notice that in clause 1, and again in clause 2, a word used in the marginal note is not the same as the word used in the text. I am sure the words mean the same thing. I have been looking the words up in the dictionary, but it strikes me that this is just the kind of thing over which lawyers spend all kinds of time in court. I wonder whether we should not look into this question. The words in the text in both places are "thickly peopled portion of any city", but in the marginal note the words are "thickly populated". It sounds the same, but why have "thickly peopled" in the text and "thickly populated" in the margin? Should they both not be the same?

Mr. McIlraith: Mr. Chairman, of course they should. As a lawyer who sometimes had occasion to differ from colleagues in my own office this is the very sort of thing I would have asked about. I regret not noticing it before, but I will certainly ask about it. I am not sure where the difference is made. The