

ister of Railways says that he does not object either, provided it is not contrary to the rules of the House.

Mr. LENNOX. I would support the suggestion that the committee rise and report progress. A good many members would regard it as an important amendment and it could stand as a notice of motion.

Mr. DEPUTY SPEAKER. I think the amendment proposed is of so much importance that I would not be justified in accepting it without notice. It will not interfere with the progress of the Bill to have it stand over.

Progress reported.

TORONTO, NIAGARA AND WESTERN RAILWAY.

House in committee on Bill (No. 42) respecting the Toronto, Niagara and Western Railway Company.—Mr. Calvert.

On section 1,

Mr. LENNOX. I wish for a minute or two to urge again the unwisdom of this kind of legislation. This is one of several Bills we have had before us this session with respect to companies which have allowed the time fixed in their Bills for the expenditure of a certain proportion of their capital to elapse. These companies have come here and have secured better terms than they got on the last renewal. I do not think this point was brought to the attention of the Railway Committee when the Bill was before them. We renewed this charter in 1906 and it is to be noted that when we renewed it the last time we inserted the ordinary clause that the company should within two years after renewal expend fifteen per cent of the capital stock and complete the undertaking within five years after the date of the renewal. If the minister will really consider this matter he will see that we are going very far wrong in these renewals. When we passed this Act on July 13, 1906, we provided that the company should within two years after the passing of the Act commence the construction of the railways it had been authorized to construct and expend fifteen per cent of the amount of the capital stock thereon, and should within three years thereafter, complete the undertaking. They have not done anything. Our condition two years ago was fifteen per cent or you cannot have a renewal. Nothing has been done since and they come to us and to-day, and without any explanation or any reason, we reverse the policy of two years ago and say that they can go on and construct without any condition as to the fifteen per cent. That is the first point I want to impress on the minister. They are given five years for

Mr. GIRARD.

completion, and in that five years were not required to turn a sod. Two years ago we said that fifteen per cent had to be expended within two years; they have done nothing since; and now they come and ask us to relieve them from that obligation. The objections I have to this Bill are twofold. The first is that we impose no necessity on this company to do anything whatever for five years.

Mr. A. K. MACLEAN. The railway must be completed within five years.

Mr. LENNOX. But we do not know whether they will complete it or not. We make no provision for beginning the work, and whereas under the terms of two years ago they would have to expend 85 per cent within the next three years, we say by this Bill that they need not do a tap for five years. I submit that the only sound principle on which we can go in renewing these charters is this, that whenever a company calls for a renewal, we will give it five years within which to complete the work, and will require it within the first two of those years to expend at least 15 per cent. We would be renewing the charter on as good terms as we gave it before. We say, we want you to do as well within the two years from the renewal as you were to do within two years from the incorporation; therefore you must spend 15 per cent of the capital within two years of the renewal, and must complete the railway within five years. I argued this point in the Railway Committee, but was not then fortified with the Act. When I look at the Act, it appears to me that it would be an absolute absurdity to renew this charter upon the terms set forth in this Bill. Consider how inconsistent we would be in other respects. Turn to the next Bill on the Order Paper, Bill (No. 47). In that we have not the 15 per cent clause, but we have the other about commencing within two years and completing in five. In the next Bill after that we have the same thing. What I submit is that in every instance in which a company comes to us for a renewal of its charter, we should say: Dating from the time of the renewal you must expend 15 per cent of your capital within the next two years and complete the railway within five years. If the answer is, we have already expended 15 per cent, I say that is no answer at all; it does not matter what you have expended; you may have expended 40 per cent, but if you want five years from this time for the work, you must expend at the same rate as you were required to do from the first incorporation.

Mr. TURRIFF. I agree entirely with the hon. member who has just taken his seat. What I would prefer would be the insertion of a clause in the general Railway Act that would cover all cases of renewal, whether 15 per cent had been expended or not. If the company has not