

in the preamble of the statute, but I assume that the reason for obtaining letters patent to incorporate this company from the Dominion, was that its operations were not intended to be limited to any one province. At the present time all the operations of the company, I understand, are within the territorial limits of British Columbia.

What the company desires is to obtain power to carry on in connection with its undertaking the construction and operation of a line of railway or tramway, with the accompanying telegraph or telephone lines, for some 6 or 10 miles, between the powerhouse and other works of the company. The way in which it is proposed to accomplish that purpose by this Bill is to authorize the company to lay out, construct and operate these proposed additional works, as the company may from time to time be authorized to do so by the legislature of British Columbia. In other words, the form which this proposed legislation takes is that parliament here should empower this company, its own creature, to take powers from the provincial legislature such as that legislature might choose to confer upon it. I think that would be an altogether anomalous, and to a great extent a contradictory proceeding. My idea is that when any company is incorporated by this parliament, no matter for what purpose, that company must thenceforward look to this parliament alone for any legislation it may need for the purposes of its undertaking. Certainly no provincial legislature could diminish or cut down the powers which this parliament might confer upon a company which it incorporates. No more could it extend such powers. This parliament, having created a corporate body, this parliament alone, in my opinion, must thenceforward have legislative jurisdiction with regard to that corporate body. This company, it is true, was not incorporated by special legislation of this parliament; but it is to all intents and purposes in the same position, having been incorporated by letters patent of the Dominion; and in my view it is a matter of propriety, if it is not a question of jurisdiction, whether any other legislature than this could give to the company so brought into existence any enabling legislation. However, that may be, if I am wrong in that view, and if it can be that a company incorporated under Dominion authority may still receive something in the way of additional powers from a provincial legislature, it would certainly be improper that we should authorize the granting of such additional powers by a provincial legislature without knowing beforehand what those powers were to be—that we should confirm before-

hand, as it were, and without seeing what we were confirming, legislation hereafter to be passed by some provincial body. The Bill as it comes before us proposes that this parliament should empower the company in question to lay out, construct and operate railway lines according as the company may from time to time be authorized so to do by the provincial legislature. I think we certainly ought not to legislate in the dark, and to empower a company to operate lines that we know nothing about, and that may or may not be of such a character as would commend themselves to this parliament if the particulars of the proposition were before the House for consideration. In that situation I certainly should press that this legislation receive further consideration, and that it should be studied by those who are promoting this Bill, with a view to finding some other shape in which the company which desires this additional power should be given it than in this particular form, which to my mind has so many objectionable features.

Mr. BARKER. I think the Minister of Justice did not hear what I am told was said by the gentleman whose name is on the back of the Bill, that he was willing to allow it to stand. I think we all, after what we have heard, would desire the promoters to consider the matter further before the final discussion on the Bill. I say that more particularly because some years ago I took similar objection to a Bill introduced by a gentleman on the other side of the House who wanted powers adopted by this parliament which had been conferred by the provincial legislature, and who rather objected to our inquiry as to what those powers were. I objected to it very strongly, and in the sub-committee on that Bill I was found fault with because I did so. The question was afterwards submitted to the Prime Minister, who found, on looking into the whole question, that the powers asked for were so objectionable that the Bill had to be withdrawn. I do not know anything about the merits of this particular Bill; but having taken that stand at that time, I agree with the Minister of Justice that we ought to be careful, and I understand that the hon. gentleman whose name is on this Bill is willing that it should stand.

Mr. EMMERSON. I took practically the same objection before the Railway Committee as that taken by the Minister of Justice to-night, and my suggestion was that the Bill should be referred to a sub-committee, having in mind the very Bill referred to by my hon. friend from Hamilton (Mr. Barker). It seemed to me that would expedite the passage of the Bill, and I think it would expedite it now to refer the Bill