

through the grounds of the Northern? It is a shorter and more direct route, and involves passing over a fewer number of tracks and is altogether a better route." I quite agree with them. I would abandon the right to have a track across the grounds of the Grand Trunk if the Northern are compelled to give us running powers over a track that is so little occupied, and where the business is so small—small as compared with the Grand Trunk's, at all events. It would not be a very serious matter, and, of course, it is a thing which railway people tell us is done in every other city on the continent. Now, we come down to this Bill. Every member of the Committee who has read it will see that it does not lay down a line for the Credit Valley Railway at all. It leaves the question quite open to the Governor in Council. Now, that gets over the whole difficulty which has been raised, viz., that there is ground enough to the south of the 100 feet strip altogether, from Queen to Bathurst Street. They say: "Here are some Central Prison grounds and Emigrant sheds, and you can get along very well without interfering with the 100 feet strip at all." I am not prepared to say whether we can get the ground or not. I can tell the Committee frankly that I interviewed Mr. Langmuir about it, and he scouted the idea altogether. He said that it was quite impossible for their grounds to be interfered with, and that the Central Prison might be extended quite up to the limit of the 100 feet strip. For this and other reasons he gave no encouragement to hope that we could get land there. Any man can understand that, when a Government lays aside a piece of ground for a large public institution, it would be opposed to any interference with it, just as if a railway company were to seek for a right of way through the Parliament grounds here. Though there is a statute which provides for taking Crown lands for railway purposes, it does not apply to lands required for and actually occupied by public buildings. The Government, it can be readily understood, would contest that point to the utmost, and with good reason, too. The Bill leaves that question quite open. If, by pressure of the Grand Trunk and the Credit Valley on the Ontario Government, that ground can be got from the Central Prison, it will relieve them of the necessity of having our track go over the 100 feet strip. But we are not here to discuss that point now. If the Committee have confidence in the head of the Government and in the Government itself, they will believe that no unnecessary hardships will be imposed on these existing railway companies. The question of title we have nothing to do with. The pamphlets to which I have alluded have made a good deal of the fact that the courts have had this question before them and have decided against us. If the courts had decided in our favor there would have been no necessity for us to come here. It is all very well to say: "Fight it out in the courts;" suppose we did, and suppose that the final decision of the courts were against us, we should still remain at Queen Street. It is just because the necessities of the case involve the interference of Parliament that we are here. Such interference is not an unheard-of thing. Our Company, it has been said, have a right, at all events under the Railway Act, to acquire right of way, but I have only to quote from the opinion of my learned friend Mr. Cassels, to shew that, at all events, he is not of that way of thinking. It will be remembered that we are a provincial company, and that we have, perhaps, less right to interfere with Dominion property than if we had been chartered by the Federal Parliament. At all events, Mr. Cassels lays down this principle:—

"The Grand Trunk Railway Company have a patent for the land between Bathurst and Brock Streets, and it has been held by the Courts in Quebec that a Local Legislature cannot confer on a local railway power to cross or take the land of any other railway company. So far as this is concerned, they cannot take it, and will not get it."

He repeats that opinion at page 28 of the July pamphlet. He says:—

"After they get to that point, on our round-house lot, they can come here and ask for crossings, but, until that time, it would be premature to hear their application. They never will get there. They have no power under the local acts to take our land. The Local Legislature has no right to confer that power upon them."

No gentleman of his established professional reputation can afford to so chop and change in his professional opinions. I am sure that Mr. Cassels will not give one opinion.