

PARLIAMENTARY REPORT.— (Continued from page 293).

good offices to have easements excluded from applications or expropriation matters in cities and towns."

To meet the point, and as Sir James Lougheed explained, 'that the public may be protected,' the following amendment to section 199 of the bill was inserted:

"Provided that no interest in land less than a fee simple interest shall be acquired without the consent of the owner except upon leave of the Board, and upon such terms and conditions as the Board may impose."

An expression of opinion from the Union upon this amendment is suggested. Other amendments were offered by the Executive of the Union, but as these will come up again next session I need not dilate upon them. In closing my references to this subject may I urge that every municipality should constitute itself a vigilance committee in the matter of legislation affecting the common weal, whether introduced into the Dominion Parliament or the Provincial legislatures. The officers of the Union do their best, but little impression can be made by two or three men unless the municipalities heartily co-operate. It is only by constant pressure exercised upon Parliamentary representatives that they can be brought to realize the significance of the principles involved. Curran's famous sentence that "eternal vigilance is the price of liberty," is as applicable to municipalities as to any other class in the community.

The bill to extend the charter of the **Toronto, Niagara & Western Railway Company**, a subsidiary company of the Canadian Northern Railway Company, which has been the subject of spirited discussions during the past two years, was passed. Opposition to the measure lapsed when the Minister of Railways, Hon. J. D. Reid, announced that the Railway now belongs to the people of Canada and would be subject to the control of the Dominion Parliament from now on. The cities of Toronto and Hamilton withdrew their objections on the assurance that their rights were fully protected.

The bill to increase the capital stock of the **Ottawa Gas Company** from \$2,000,000 to \$5,000,000 occupied the attention of the Private Bills Committee for three days. The application was keenly resisted by the Corporation of the City of Ottawa. The company is the sister corporation of the Ottawa Electric Company, the two concerns being controlled by the Ottawa Light, Heat, and Power Company. The Electric Company has to face the competition of the Municipal Electric Plant (Hydro-Electric), but the Gas Company is a monopoly, the charter, which was granted in 1865, being a perpetual one. Besides its present authorized stock issue of \$2,000,000 the Ottawa Gas Company has \$150,000 of bonds out, and it holds Parliamentary authority to issue \$850,000 more. If the new application to increase its stock to \$5,000,000 had been granted by Parliament, the company would have an authorized capitalization of six millions.

The increase of capital, it was stated by the Company's representatives, was required for the purpose of extending the plant and mains of the Company. The contention of the city authorities was that the Company had authority to raise all the additional capital it needed for the purposes named; that an increase in capitalization would sooner or later be made the pretext for increasing the price of gas to consumers, and further, that such increase would render more difficult future negotiations looking to the acquisition by the city of the franchise and properties of the Company. As the matter now stands the latter policy could only be carried out by mutual arrangement, as the Company, possessing, as already stated, a charter from the old Parliament of Canada, is exempt from the legislation of the Ontario House of Assembly, (Ontario Public Utilities Act) which provides for the expropriation of gas companies by municipalities and for the regulation of their operations and rates. At the last sitting of the Committee Mr. Fripp, M.P., for Ottawa, moved that the city be given the right to expropriate the Company under the provisions of the Ontario Statute. This amendment was carried by the casting vote of the chairman, Dr. Steele. Not being acceptable to the Company the bill was withdrawn. Should Parliament accept the recommendation of the Union of Canadian Municipalities, and insert in the Railway Act next session a proviso that all public utility companies

incorporated by federal statute must, so far as rates are concerned, be subject to the Board of Railway Commissioners, the point raised by counsel for the city of Ottawa would be met. The Company, it is admitted, does not seem to have abused its franchise, but the city simply desires to guard against the possibility of such a thing happening.

Incorporation was granted to the **Canadian Niagara Bridge Company**, the provisional directors of which are stated to be The Right Honorable Baron Shaughnessy, K.C.V.O., of Montreal; Alfred H. Smith, of Chappaqua, N.Y.; John N. Beckley, of Rochester, N.Y.; Edwin Cahill, K.C., of Hamilton, Ont., and William Torrance, of Toronto. The Company proposes to construct a new international bridge across the Niagara River at some convenient point between Chippawa and Fort Erie, on the Canadian side, to the opposite side of the river in the State of New York. The Ontario Hydro-Electric Commission did not object to the bridge, provided that it was placed two miles up stream from Chippawa Creek. The company agreed to this proposal. The new bridge is to be open to the use of all railways. After some discussion the Railway Committee decided that a way for general traffic must be provided when the bridge is built.

An amendment was inserted in the bill providing that the boulevard of the Niagara Falls Park Commission must not be interfered with except with the consent of the Park Commissioners, and failing an arrangement with the Commissioners the plans will be subject to the approval of the Dominion Railway Board. The bill further provides that the company may unite with any company or companies incorporated under the laws of Canada or the United States in building or maintaining the bridge. This was not objected to, but the joint borrowing powers of the united companies was limited to eight million dollars.

The bill contains the usual provision that the bridge must be commenced within two years, and completed within five years.

The application of **The Belleville-Prince Edward Bridge Company** for authority to increase the tolls to be charged to persons using the bridge was strenuously resisted by the municipality of Belleville and the counties of Prince Edward and Hastings. The bill was referred to a sub-committee of the Private Bills Committee, and before the measure was passed it was amended by permitting an increase of tolls of 50 per cent. instead of 100 per cent. An important amendment was inserted providing that the city of Belleville and the counties of Hastings and Prince Edward, and any other municipality interested, may upon notifying the Bridge Company, in writing, within six months from the date of the passing of the amending Act (24th May, 1918) purchase the bridge and approaches for the sum of \$72,500. This purchase must be completed within one year from the date of the passing of the Act. With this amendment the bill passed. In any event the new tariff of tolls takes effect after the 24th of August.

The bill respecting **The Toronto, Hamilton and Buffalo Railway Company**, which confirms an agreement with the Hamilton and Dundas Street Railway Company, was the subject of controversy last year, the agreement being objectionable to the town of Dundas. Since last session the matter had been under negotiation between the town and the company, and the agreement reached led to the insertion in the bill of a clause authorizing the corporation of Dundas, at any time after the expiration of twelve years from the date of passage of the Statute, to apply to the Board of Railway Commissioners for an order requiring the T. H. & B. Railway to operate its trains over the tracks of the Hamilton and Dundas Street Railway by other motive power than steam produced from bituminous coal. In case the Board makes an order requiring a change in motive power the cost of new construction or reconstruction may be apportioned between the T. H. & B. Railway Company and the town. In the event of the corporation of Dundas considering the demands and conditions too onerous or expensive it shall be at liberty to withdraw its application, and the T. H. & B. Railway Company will then be in a position to continue to operate its trains in the same manner as if the application to the Board had not been made.

The usual municipal protection clauses were incorporated in Chap. 55, "an Act to incorporate **The Montreal, Joliette and Transcontinental Junction Railway Company**," and Chap. 75, to enable the **Western Power Company of Canada, Limited**, to own and operate the railway of the **Western Canada Power Company**.