

of my hon. friend from Westmoreland has been made, because it seems to me, from looking at the clauses 266 and 267, that a lack of application of this Bill to the Intercolonial Railway is going to interpose somewhat serious obstacles in the way of efficiently carrying out the work of the board itself. If hon. gentlemen will look at clause 266 they will find it provides for joint tariffs being agreed to by different railway companies, where there is a continuous route over two or more railways, and then 267 reads this way :

267. In the event of failure by such companies to agree upon any such joint tariff as provided in the next preceding section, the board on the application of any company or person desiring to forward traffic over any such continuous route, which the board considers a reasonable and practicable route, or any portion thereof, may require such companies, within a prescribed time, to agree upon and file in like manner a joint tariff for such continuous route, satisfactory to the board, or may, by order, determine the route, fix the toll or tolls and apportion the same among the companies interested, and, may determine the date when the toll or tolls so fixed shall come into effect, and traffic shall be carried by the companies in accordance therewith.

The point I wish to make is, where the government railway comes in between two or more railways between whom it is desirous the board should enforce a joint tariff, and the board having no power over the government railways, what are they going to do? Where is the applicability of this Act in such a case as that—and that applies to nearly all the railways in the lower provinces? The Intercolonial Railway is the only connecting link between the railways of Nova Scotia and some of those in New Brunswick and the railways of the rest of Canada, and it is not in the power of the board to enforce a through rate, say over the Grand Trunk, the Intercolonial and the Windsor and Annapolis Railway, which I imagine it would be very desirable that this board should have the power to do. Its power could not be operated from the fact that it would have no control over the Intercolonial, the link connecting the Windsor and Annapolis Railway and the Grand Trunk or any other western system—the Intercolonial Railway would interpose, and the authority of the board would not operate in the way of enforcing a through rate over those lines. It seems to me there are several roads to which this difficulty applies, I have only mentioned one of them, but there are other roads

Hon. Mr. FERGUSON.

in the maritime provinces, where I can see these provisions of the law would be inoperative, because the government railway interposes, and the board has no control over the government railway. It is possible there may be other difficulties, practical ones like this standing in the way of the operation of this railway law, with the government railway left out. It seems to me, from the casual thought which I have given to it, that it is very desirable that the government railways should be included. There seems to be no substantial reason why they should not be included. The government would stand under this Act—if it were so arranged—as an owner, in the same position as a company would stand in relation to a private road, and the board would come in with all the authority in connection with the government road that it possesses over other roads, and it would relieve the government itself of a great deal of difficulty. There would be this difficulty I have pointed out to the House, where the Intercolonial Railway interposes between a railway in Nova Scotia and railways in the west if it is not brought under the jurisdiction of the Act.

Hon. Mr. POWER—At first sight there is a great deal to be said in favour of the amendment proposed by the hon. gentleman from Westmoreland. One of the strongest arguments which can be urged in favour of it is that which has just been stated by the hon. gentleman from Marshfield, but I do not think that the difficulty with respect to joint tariffs is a very serious one. Inasmuch as the freight tariff on the Intercolonial Railway is a low one, there is never going to be any serious difficulty in arranging joint tariffs with other roads. I am not aware that there has ever been any serious difficulty on the part of the Intercolonial Railway in the past, and I do not think there is likely to be in the future. We are not here as legislators to consider the comfort and ease of the government in general and the Minister of Railways in particular. The sympathy which has been shown to the government and the Minister of Railways is quite gratifying, but after all we are not considering them so much. It is a fact that the adoption of the amendment suggested by the hon. gentleman from Westmoreland, would relieve