

the stock of other railway companies. My recollection is that the Canadian Pacific Railway has acquired the stock of the Kingston and Pembroke, and that that road is operated under the old corporate name, but is well recognized to be a part or branch of the Canadian Pacific Railway, and officers of the Canadian Pacific Railway are directors of the Kingston and Pembroke. It seems to me it is precisely the same sort of case as this.

Mr. R. L. BORDEN. It may be so. The force of the argument I have made depends a great deal on the importance of the road that happens to be in question. I do not know how important a road the one is that referred to by the hon. minister (Mr. Fielding). But here we have a very important road one connecting Georgian bay with the city of Montreal; and it is proposed to make it part of one of the great national highways of the country. Under ordinary circumstances, as I understand it, the Grand Trunk Railway Company could not, without coming to this parliament or going to the Railway Commission, dispose of an important portion of a national highway. I have not in my memory exactly the provisions of the Railway Act with regard to the transfer of railways, but I feel sure it cannot be done without coming to some tribunal. What I am suggesting is that the effect of this statute is to place the Grand Trunk Railway in a position to accomplish such a sale without supervision. I have no doubt that my hon. friend the Minister of Justice who is much more familiar with the terms of the Railway Act than I am, could tell us in a moment whether it is impossible for parliament or the Railway Commission to effect a transfer of this kind.

Mr. FITZPATRICK. The shares of a railway company can be acquired, but if the question is whether a railway charter can be disposed of without the sanction of parliament, I do not hesitate to say that it cannot.

Mr. FIELDING. I understand that the Bill provides that the company may sell stock. But they may sell without coming here. And those who buy stock I understand, will hold it under similar conditions. Therefore, I fail to see that any new condition is created by this Bill. The property remains subject to the law of Canada, including the law which we propose to pass—whatever its merits—with regard to running powers. But the sale of stock can be carried on at any time. The shares of Canadian railways are being bought every day by foreigners. The sale of a railway is different and it is not contemplated by this legislation.

Mr. R. L. BORDEN. I do not wish to be wearisome about this matter. But the Min-

ister of Finance (Mr. Fielding) I think, took exactly the right view when he spoke a moment ago on another matter. He said that the object is to vest the Canada Atlantic Railway in the Grand Trunk Company as part of a great Canadian railway system—it might almost be called an international system because the Grand Trunk Railway has both its terminals in the United States. But they do not go about it in the ordinary way. They transfer stock. It is convenient to do that, because all the stock happens to be held by one person. In ordinary cases it would not be convenient. The Minister of Finance asks if the same cannot be done in respect of any railway? So it can. Some parties might buy all the stock of the Canadian Pacific Railway, thought it would be pretty difficult to accomplish that in the case of a railway very largely capitalized. But, when the object to be served is served in an indirect way in this statute, and when that indirect method has embodied in it the power to the Grand Trunk Railway to absolutely dispose of that stock without coming back to parliament, it seems to me we go further than we ought to go. We may be perfectly willing that Mr. Booth, or whoever is the owner of this stock, may hand that railway over to another company so that it may become part of a great Canadian system of railways, but we might not be willing that the Grand Trunk Company should hand over a controlling interest in the stock of that railway, and therefore the control of the railway itself, to somebody who might not be approved by parliament. In other words, I regard the situation exactly the same as if the Grand Trunk Company were to come here with a conveyance from the Canada Atlantic and ask parliament to make that conveyance valid, and also to give it power without coming back for our approval, to dispose of that railway to whoever it saw fit. That seems to me to be practically the result of this legislation.

Mr. FITZPATRICK. The application of the Grand Trunk Company to parliament is to obtain permission to acquire stock; once they have acquired that stock from the Canada Atlantic, the general law then goes into operation, because there is no law which prevents the Grand Trunk or any other company from selling its stock; why then single out this corporation for special treatment?

Mr. R. L. BORDEN. What I mean is this: There is a certain purpose which the Minister of Finance has explained to us as the purpose of this Bill—and I agree with his understanding—that is, practically, to vest the Canada Atlantic railway in the Grand Trunk Company but it is not done in the usual way. If the Grand Trunk Company, in the Act validating the conveyance, should ask us to give it absolute and unlimited power to dispose of that rail-