

newspaper that published the proceedings of that committee it is stated that I opposed the granting of the extension for two years and wished to have it made three years. Of course, exactly the reverse was the case.

On section 12,

Mr. SPROULE. Is it intended that they should be controlled by the Railway Act with regard to the commencement and completion of the railway? There is nothing in the Bill as to when they shall commence.

Mr. GRAHAM. That is covered by the General Railway Act.

Mr. SAM. SHARPE. Would not that include the bridge and tunnel as well?

Mr. GRAHAM. The Railway Act might not cover the bridge and tunnel.

Mr. EMMERSON. Is there a clause declaring this to be a work for the general advantage of Canada?

Mr. GRAHAM. No, this is a new charter. There is provision in the Railway Act that they shall commence within two years, complete within five and make an expenditure of fifteen per cent.

Mr. SPROULE. What about it being declared a work for the general advantage of Canada? It crosses from Quebec to Ontario, and you do not give it any powers of amalgamation.

Mr. GRAHAM. There is a difference of opinion as to the necessity of that, particularly with reference to a new charter. I do not think it makes a great deal of difference whether you declare it to be a work for the general advantage of Canada or not. If you were taking over a provincial road and making it a Dominion road it might be necessary to declare it, but we are giving a new charter, and I do not think it is necessary to make such a declaration.

Mr. SPROULE. Suppose we chartered a short road within a province, would you regard the fact that we were giving it a federal charter as bringing it under the provision which would declare it to be a work for the general advantage of Canada without saying so? The giving of a federal charter does not make it a work for the general advantage of Canada. Its crossing from one province to another might probably do that, but the giving of a federal charter would not.

Mr. LENNOX. In the British North America Act I think it is declared that a work which is interprovincial, is, without any declaration whatever, a work for the general advantage of Canada. Where it is not clear we may make a declaration when we find the facts warrant it. In this case it would not appear to be necessary.

Mr. GRAHAM. There is apparently a good deal of difference of opinion among

Mr. W. R. SMYTH.

legal gentlemen as to the necessity of making a declaration even when a road is all in one province and where we are giving it a Dominion charter. We have been in the habit, where it was in one province, of declaring it to be for the general advantage of Canada.

Mr. SPROULE. We do that where it is crossing two or three provinces as well.

Mr. GRAHAM. When we are taking over a provincial undertaking we always do it.

Mr. LENNOX. We do it lots of times, any way, whether it is necessary or not.

Mr. GRAHAM. Yes. There is a question whether it is necessary or not, but perhaps it gives greater security.

Mr. EMMERSON. I think we do it uniformly in almost every Bill.

Mr. SPROULE. In almost every Bill, and it seems to me that it would be better to adopt one principle or the other. If it is unnecessary to say so we should keep it out of all; if it is necessary to say so in all we should put it in all.

Mr. GRAHAM. As there is a difference among legal men concerning it, the question might be raised when the company went to finance its road that there might be some trouble between the provincial and the federal jurisdiction. When the clause is in there cannot be any difference of opinion.

Mr. SAM. SHARPE. What supervision will the department have with regard to the construction of the bridge? It might interfere with navigation.

Mr. GRAHAM. Under the Act no bridge can be constructed over a navigable stream until the plans are submitted to the Department of Public Works.

Bill reported, and read the third time and passed.

WESTERN POWER COMPANY.

House in committee on Bill (No. 86) respecting the Western Power Company, Limited.—Mr. J. D. TAYLOR.

Mr. J. D. TAYLOR. I would ask that the Bill stand.

Mr. AYLESWORTH. The language of this Bill, as it is reported by the Railway Committee, seems to be unusual and objectionable. The frame in which the Bill is cast presents, to my mind, still more objectionable characteristics, and I should hope that it would be possible to meet the views of the promoters without adopting this form of legislation. The situation is that this Western Power Company is incorporated under letters patent of the Dominion. I have not seen the letters patent and they are not recited with any fullness