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Yesterday's Assembly Proceedings.

STREET RAILWAY DISCUSSED—
IMPORTANT BILL SENT TO SE-
LECT COMMITTEE AFTER LONG
DEBATE.

After a lengthy debate, in the
course of which Mr. Fox made an able
address, pointing out the legal posi-
tion of the Company in the matter,
the Street Railway Bill was sent to a
Select Committee at yesterday's ses-
sion of the House. This was the only
matter of importance to come before
the House during the afternoon. The
House adjourned until this morning,
and a report of to-day's proceedings
will be found in another column.

RAILWAY LOSSES.

During question-time, Mr. MacDon-
nell warned the Minister of Marine
and Fisheries that if no inspectors
were appointed, there would be no
lobster fishery next year. The Prime
Minister told Sir Michael Cashin that
the losses on railway operation dur-
ing certain periods asked for were
Reid Nfld. Co., 1919-20
(official sworn returns) \$1,394,244.23
Railway Commission,
1920-21 (Government
Audit) 1,682,192.42
Reid Nfld. Co., 1921-22
to April 30th. Reids
statement 860,051.73
*Government Audit 803,627.53
This includes cost of Deferred Main-
tenance.

The Prime Minister said that the
Government guarantee for the April
payroll, amounting to the sum of
73,452.95 had been fully liquidated.

The Municipal Bill was considered
in committee.

The Prime Minister read a letter
from the City Clerk acquainting him
with the decision of the City Council
with reference to the Parade Ground.
The Council requested the Prime
Minister to ask from the Imperial
Authorities a fee simple grant of the
property, which the Government
should pass on to the city. The Coun-
cil would then give sufficient space for
the erection of the Normal School and
would retain the rest as a children's
playground. Sir Richard Squires said
it would not be desirable to obtain a
fee simple grant for the Council. He
did not desire to cast any reflections
upon the present Council, but if this
property had been vested in the city
two years previously, it would now
be the property of an athletic associa-
tion which would have it as a pay-
ing institution. In any case, he thought
it unlikely that the Imperial au-
thorities would relinquish their rights
to it.

Mr. Bennett agreed with the re-
marks passed by the Prime Minister.
The Bill was read a third time.

THE STREET RAILWAY.

The Avalon Telephone Company's
Bill was ordered to be deferred at the
request of Mr. Archibald.

The Street Railway Bill was next
considered.

The Prime Minister suggested that
this matter should be given a formal
second reading, and it could then be
sent to a Select Committee.

Mr. Fox—May I ask the Hon. the
Minister of Justice if he has given
consideration to the question whether
or not this Bill, if passed, would in
any way prejudice or affect the posi-
tion or rights of the Government in
reference to the matters in issue be-
tween them and the Reid Newfoundland
Co. under the Railway Contract
of 1898 or the amending Act of 1901
or other Acts, or affect the negotia-
tions or arrangements now pending
between these parties?

Hon. Minister of Justice—I have
considered the question. It may af-
fect the position; it may affect the
security available in the event of a
successful claim on the part of the
Government.

Mr. Fox—In the light of the Hon.
Minister's statement, the generality
and wide scope of the proposed mea-
sure, I would advise extreme caution
and that the matter be deferred to
allow the fullest opportunity to con-
sider every phase of the situation.
As the matter stands at present I
think it inadvisable to even have the
Bill read a second time. Personally
I cannot and do not think this
House should assent to the principle
of a measure that may in any way
prejudicially affect the rights of this
Colony on matters of such grave im-
portance as are at present in issue
between this country and the Reid
Nfld. Co.

We have just temporarily deferred
the Avalon Telephone Co.'s Bill to
which the Hon. Prime Minister said
the measure now before the Chair
was similar, and for similar pur-
poses, namely, to effectively secure a
bond issue for the company. But if
you compare this Bill with the A-
valon Telephone Co.'s Bill you will see
that this measure is far broader. It
may be that ostensibly it is for the
purpose of validating a bond issue
for the Street Railway Company, but
actually under paragraph 1 it gives
the Company in the most general way
the power to assign, sell, mortgage, or
otherwise deal with all the rights,
privileges and franchises of the Com-
pany under the Street Railway Char-
ter 1898, of the Railway Contractor
under sections 11, 12, and 13 of the
Nfld. Railway Act, 1898 and clause 39
of schedule "A" of the said Act, and
of the Reid Nfld. Company under sec-

tion 6 of the Act 4 Edward VII., c.
12. If, as has been said, it was for
a specific purpose, why was not that
purpose specifically set out and the
Bill confined to that purpose and that
purpose only? Although, as has been
stated, the Bill is a private measure—
and realizing the importance of the
relations between this company and
the Reid Nfld. Co., I do not think it
should be regarded as such—I should
have thought that the Government, ac-
quainted of the purpose for which the
Bill was introduced, should have
taken care that the Bill as presented
even for second reading confined its
effect to that purpose only. Section
14 of the Street Railway Charter, 1898
gives the Company very wide powers
of securing a bond issue by mortgage,
particularly sub-section A which al-
lows the Company to grant to the
holders of such bonds, "all and every
the powers, rights and franchises
granted by this Act." But, it is said
that this is not sufficient and that
specific legislation is necessary. That
may be; I do not venture a contrary
opinion without going more thorowly
into the question, but at first blush
it seems needless. Similarly I do not
subscribe, at all events for the mo-
ment, to the sweeping statement,
given as the reason for the introduc-
tion of the Bill, that the Company's
franchises cannot be mortgaged. An-
other objection I have to the measure
is that it may be found to prejudice
the Municipality of St. John's. I no-
tice that it proposes to repeal section
14 of the Street Railway Charter,
1898. Under sub-section 3 of that
section a first lien is specially reserved
to the St. John's Municipal Coun-
cil over the property of the Company
in the event of certain amounts be-
coming due and payable the Council
under Section 31 of the Charter; but
with Section 14 repealed this lien is
lost. My main objection is of course
that this proposed Act may prejudice
the rights of the Colony in relation to
the Company under the Railway Acts
—an objection strengthened by the
statement of the Attorney General;
but frankly I am suspicious, probably
needlessly, of its purport. Its over-
all effect, the time of its proposal, and
its general tenor, heighten that suspi-
cion. Of all times I think this the
most inopportune to pass any Act
amending or in any way affecting the
Railway Acts; and remember that by
section 5 of schedule B of the 1901
Railway Act "the St. John's Street
Railway Company shall from the first
day of September, 1901 be merged in
the Company hereby incorporated" (to
wit, the Reid Nfld. Co.) and all its
properties, assets, rights, privi-
leges, franchises, powers, obligations
and burdens transferred to and vest-
ed in the latter Company. Mind you
I do not say that this proposed Act
will prejudicially affect the construc-
tion of the original Acts or the rights
of the Government; but the Attorney
General thinks that it may affect the
security available to the Government.
In the event of an award in our fa-
vor, and that simply sustains my po-
sition. Remember also that we are
not dealing with novices when we
treat with the Reid Nfld. Company,
but with a concern that not alone
appreciates the value of every step
it has taken but knows every step it
will take under the various Railway
Acts; a company that has spent a
fabulous sum, if my information is
correct, in verifying its legal position
under its contracts with the Govern-
ment; and a company whose legal
department is unsurpassed in the
British Empire and to the disposal of
I suggest that the matter be deferred
for more careful consideration, and
then if thought fit a Bill that will
more distinctly and correctly set out
the purposes of the measure and
safeguard beyond all mischance the
position of the Colony under the Rail-
way contracts, may be brought down.
Either that or reject it altogether as
in its present form and viewing its
probable effect in the light of the At-
torney General's statement it is not
by any means attractive.

Mr. Archibald thought the Bill
should be given further considera-
tion before it was read a second time.
The Prime Minister said he would
fight any proposition which would
give the Bill a six months' hoist. The
Street Railway and Petty Harbor
power plant were both obsolete. The
latter was more; it was dangerous.
No money would be advanced on a
bond issue unless the title was abso-
lutely clear. The only object of the
bill was to permit extensions and im-
provements.

Mr. Bennett also thought the street
railway and power plant were in a
deplorable condition. It could be
safely considered by a Select Com-
mittee.

Mr. Fox said that if the Bill was
passed as it stood, the Company
would not be compelled to spend one
cent on the extension of the Street
Railway, but, he said supposing that
it was compulsory under this Bill to
spend the money for that purpose;
that thereby a benefit would be con-
ferred on St. John's but at the ex-

pense of the rest of the country, I
should have to vote against it because
when we enter this Assembly we no
longer represent individual constitu-
encies but the country as a whole, and

we cannot benefit our own districts
individually if that benefit is confer-
red at the expense and to the sacrifi-
ce of the rest of the country. If,
said Mr. Fox, this bill can be made
beneficial to St. John's, by all means
let us seize the opportunity, taking
care that it is not one fraught with
evil consequences for the Colony as a
whole. He supported the motion to
send the Bill to a Select Committee.

Mr. Sullivan wanted absolute as-
surance that the Bill did not jeopar-
dize or interfere with the country's
security as to the rights under the
various contracts before, he would
vote for it. Among other statements,
he said that our electric light was the
dearest in the world.

The Minister of Justice did not think
the Bill interfered with the railway
contracts.

On motion to adjourn, Sir Michael
Cashin referred to the fact that there
were a number of crews in Carbonear
who could not get to the Labrador,
through lack of supplies. He sug-

gested that the matter should be in-
vestigated.

The Prime Minister promised that
the matter should have his attention.

The House then adjourned until
this morning.

EYES FRONT!

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are made for HIM and HIM
only, and thus add a distinctive
note to his appearance. Jne12.21

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English White Granite
Chambers, large size.
Our Price, \$1.35 each

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For grates, fenders, orna-
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White and Blue Enamel
Dipper. Our Price, 20c. each



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Japanese China, rose pat-
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Retinned Tea Spoons. Just
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spoons on picnics.



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An American White Bristle
Brush only 19c. each



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Dipper. Our Price, 20c. each

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