

Minister ought to give us some reason why it is not true now, and why what was deemed right in 1868 and 1879, by the same government that is now in power, has ceased to be right and proper.

HON. SIR ALEX. CAMPBELL—In the first instance, when the Act of 1868 was passed, these railways which were then in existence in the old Province of Canada—the Grand Trunk Railway, the Great Western Railway, and the Northern Railway—had their charters, which charters laid down the law under which their stock had been taken, and they had borrowed money, etc. They were excepted from the operation of the first Consolidated Railway Act. That Act was changed, but they were not brought under its operation, but they have been brought under the general law with reference to certain points, such as the height of bridges (the Act introduced by my hon. friend from Quinte), not affecting their rights in any way, but endeavoring to extend certain rules to them which were wholesome for all railways. On that, and two or three other points of the same character, these three railways have come under the general Consolidated Railway Act, but not with reference to other points in which they are interested. Now, with reference to this particular provision, the reason that they are included here is, that efforts may be made with reference to them as well as with reference to other railways, to enforce by provisions in that Bill agreements that they, and other railways, may have, for the purpose of interchange of traffic, or governing the times relative to railway trains, and the terms and conditions of any such arrangement that they may make. The proposition is, that where two railway companies that are connected with each other make an arrangement for interchange of traffic, and either of the companies fails to carry out the terms of the agreement, then the other company may apply to the Railway Committee of the Privy Council to enforce the terms of the arrangement. That is done in the interest of the public, and in order that the Railway Committee may be in a position to force them to carry out the agreement. There is no reason why the old companies should be exempt from a law of that kind. It has more or less been felt necessary, during

some years, when disputes, upon these points have come before the Railway Committee, disputes which arise constantly and are brought before the Railway Committee, and they have not hitherto had satisfactory power to deal with them. This Bill is to give the Committee power to deal with these disputes in the interest of the whole community.

HON. MR. DICKEY—May I ask the leader of the Government whether in the legislation which brought these railways under the control of the Dominion Government, there was not provision made that they should be subject to the Consolidated Railway Act generally?

HON. SIR ALEX. CAMPBELL—No, not to all the clauses of it; only some.

HON. MR. POWER—I think, on looking at section 60, there does not seem to be much objection to its being adopted. There is one sub-section of it to which I wish to call the attention of the Minister, because it may possibly be productive of inconvenience and injustice. It should not affect existing contracts at any rate. The 3rd sub-section of section 60 of the Act of 1879, says:—

“Any railway company granting any facilities to any incorporated express company, shall grant equal facilities on equal terms and conditions to any other incorporated express company demanding the same.”

Now, there are numbers of gentlemen here who are much more familiar with railway business than I am, but it occurs to me that sometimes railway companies enter into contracts with express companies to give them certain privileges on their lines, and that these contracts would be interfered with by this sub-section. I think it is perfectly right that in the future this should be the law, but I do not think that that sub-section should be allowed to interfere with existing contracts. For instance, supposing the Grand Trunk Railway have an arrangement with some express company as to the carrying of express freight over their road; this express company may have entered into a written contract with the Grand Trunk Railway to forward their express matter by their line and to pay them certain rates, and I think it would not be well that our