

MINTO.

The Governor General transmits to the House of Commons an agreement made between His Majesty the King and the Grand Trunk Pacific Railway Company dated March 8, 1904, varying in some respects the provisions of the agreement between His Majesty and Sir Charles Rivers Wilson and others representing the said company, a copy of which forms the schedule to the Act 2 Edward VII., chapter 71, and he recommends the same for the favourable consideration of that honourable House.

Government House,

Ottawa, March 11, 1904.

Mr. R. L. BORDEN. Might I ask the right hon. gentleman (Rt. Hon. Sir Wilfrid Laurier) if he has had the amended agreement printed, notwithstanding the rules, which otherwise make it necessary to send it to the Committee on Printing?

Sir WILFRID LAURIER. I am informed that the order has been given for the printing of this document, and it probably will be distributed on Monday.

ADJOURNMENT—PAPERS RE THE ALASKA BOUNDARY AWARD.

Rt. Hon. Sir WILFRID LAURIER (Prime Minister) moved the adjournment of the House.

Mr. R. L. BORDEN. Before the motion is adopted, I would like to say that I understood from my right hon. friend yesterday, that the papers relating to the Alaskan Boundary Treaty and Award would be laid upon the Table of the House this week. Perhaps my right hon. friend meant some later date. They have not been laid upon the Table of the House up to the present time.

Sir WILFRID LAURIER. I expected that these papers, a portion of them, the award at all events, would be laid upon the Table this week. It may be that I am mistaken; at all events, hon. members will have them in their boxes I hope at a very early date.

Motion agreed to, and House adjourned at 3.55 p.m.

HOUSE OF COMMONS.

MONDAY, March 14, 1904.

The SPEAKER took the Chair at Three o'clock.

RAILWAY ACT, 1903, AMENDMENT.

Mr. E. A. LANCASTER (Lincoln and Niagara) moved for leave to introduce Bill (No. 2) to amend the Railway Act, 1903. He said: Mr. Speaker, this Bill will be found by

the House to be necessary on account of a decision of the Supreme Court rendered since the prorogation of parliament last fall. The object is to amend the section of the Act of 1903 in regard to trains crossing the highway at rail-level within the incorporated limits of cities, towns and villages. Until last session the law was that trains were not allowed to run at a higher rate of speed than six miles an hour in the thickly peopled portions of cities, towns and villages unless protection were provided by watchmen and gates. When we were revising the law last session it had been decided by the Court of Appeal in Ontario that it was for the judge—or jury, in a case tried by jury—to decide whether protection was required at any crossing where an accident happened if the rate of speed exceeded the statutory limit. Last session Hon. Mr. Blair, then leading the government in regard to railway measures, induced this House to increase the limit of speed at these crossings to ten miles an hour. I believe that, had this House known or suspected that the Supreme Court would reverse the decision of the Court of Appeal of Ontario, this Act would have been amended by the unanimous decision of both sides in this House in the way I here propose. It works out in this way: The Supreme Court having decided in the way it has, the section as it stands is of no practical value and should either be removed from the statute-book, or this amendment should be made to it, in order to give it the effect originally intended. The effect of my amendment would be that, if the speed of ten miles an hour is exceeded at a crossing at rail-level within the incorporated limits of a city, town or village, the railway company must maintain a watchman at that point. Too many people are being killed by reason of the speed at which trains run within the incorporated limits of cities, town and villages. There is an outcry because of trains running over these crossings at forty or fifty miles an hour, with no protection for the public provided. I am not advocating the limiting of speed, but only seeking to provide that if they exceed ten miles an hour at crossings within incorporated limits, the railway company shall provide watchmen. They can run without watchmen if they run at no more than ten miles an hour; but if they wish to increase the speed within incorporated limits, they must have watchmen at all points where they cross the highway at rail-level.

Motion agreed to, and Bill read the first time.

FIRST READINGS.

Bill (No. 3) to amend the Criminal Code, 1892.—Mr. Lancaster.

Bill (No. 4) to amend the Act respecting certificates to masters and mates of ships.—Mr. Lancaster.