

That is, the crossings and junctions.

—shall not by reason only of the fact of crossing or connecting with any such railway as mentioned in section six, be taken or considered to be works for the general advantage of Canada, nor to be subject to any other of the provisions of the Act, unless such railways or tramways carry freight traffic and charge tolls therefor.

In other words the draughtsman of this Bill commenced by making the sweeping declaration contained in section 306 of the Railway Act of 1888, that any railway crossing a railway under the jurisdiction of Canada was declared a work for the general advantage of Canada, and by clause 7 he went out to exclude street railways and tramways, except the part of the work constituting the crossing or the connection. It seems to me that it would be proper to adopt the principle as contained in clause 7, and to apply it not only to street railways and tramways, but to all railways, whether local or otherwise. These questions of crossings and connections and through traffic cannot be regulated by two different bodies, and we have to choose in favour of the Railway Committee of the Privy Council, which is to be superseded by the board under this Bill, or in favour of the Railway Committees of the several provinces. It seems to me that the power should be recognized as being vested in the Dominion parliament and should be properly exercised by the Dominion parliament, and that therefore it would be advisable to make the necessary declaration vesting it beyond any question with this parliament, and that is the object that I have in view in suggesting that clauses 5, 6 and 7 be struck out and that they be replaced by the amendment of which I have given notice, and which I have read to the House. In this way it would make it beyond question that the jurisdiction of the board under this Bill would be extended to all such crossings, all connections and to all questions of through traffic or to anything pertaining thereto, and it is all that is necessary. It is unnecessary to go to the extent of declaring that those local railways, because they thus connect, become ipso facto railways under the jurisdiction of this parliament. As far as penalties and statistics are concerned the matter is dealt with in separate clauses in the Bill, and therefore there is no necessity to include them in this clause, as the subjects

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are sufficiently covered by special clauses. My excuse for speaking to this extent is the importance of the question and the new departure that we are invited to take in adopting the suggestion as made.

Hon. Mr. CASGRAIN (de Lanaudière)—I am sure we are all very much indebted to the hon. gentleman from de Salaberry for giving so much care and study to the question. There is just one exception I think, off-hand, that might be taken to his amendment—the words ‘through traffic thereon’—and he cited the case of the railway being built from North Bay on the west side of Lake Timiskaming by the Ontario government with their own money. The through traffic thereon would be under the control of the board, and therefore, if the Ontario government, in order to settle that country, wish to send settlers up there and carry their effects for nothing, they could not do it without the consent of the board. Would that apply? The traffic would have to go as far as North Bay by the Canadian Pacific Railway, and then proceed on to the Timiskaming and be on two railways and in that case the board would fix the rate and the Ontario government would fix their own rate on their own road.

Hon. Mr. KERR (Toronto)—They might go over the Grand Trunk Railway from Toronto.

Hon. Mr. CASGRAIN—But the board would have the regulating of the rates on a road built by the Ontario government.

Hon. Mr. BEIQUE—It seems to me that the through traffic is a question which is not at all provincial. It is a question of general interest, and if so, it falls within the power of the Dominion parliament; but whether it does or not, for my part I think it would be advisable that it should be declared such. It is a question of considerable importance. It involves large interests, not only in one province, but to the whole Dominion, and whether local railways cross Dominion railways or not all questions of through traffic should belong to and be exercised by the board. Otherwise, where would we draw the line? Any number of railways may be Dominion railways, or railways under the jurisdiction of this parliament,