

the provisions of the General Railway Act of the Dominion, but that Act would not prevent them running a steam engine over it. Unless you could accomplish that object, I do not see what benefit the amendment would be to the people of Niagara.

Hon. Mr. FERGUSON—The opinion of the lawyers that I have consulted is that after the passing of this Act they would be relieved from running it by electricity. In the interest of the people of Niagara, it ought to be clearly enacted that they would not be relieved of the section which requires them to run their cars by electricity.

Hon. Mr. BOWELL—I do not know what legal gentleman would give that opinion. For the moment I cannot see how the amendment would accomplish the desired result. I heard objections to this clause from gentlemen connected with the railways crossing this line, that this electric railway under the provisions of the Ontario charter had taken a portion of their property, and they think they would be safer under the Dominion than under the Local Government. However that is not the point that the hon. gentleman raised. I would ask him not to move his amendment at present, I will make inquiry as to the effect that he thinks the clause will have, before the third reading, and if it should be as he indicates, it is a question whether his amendment should not be accepted. There is a further clause to provide that all actions for damages against any company, by reason of the railway or the working thereof, shall be commenced within a year after the alleged damage has occurred. The clause was attached to the Bill as introduced but has been omitted in the printing. I move that the clause be inserted.

The motion was agreed to.

Hon. Mr. McINNES (B.C.) moved that paragraph c, of section eleven, of the Railway Act, chapter 29, of the Statutes of 1888, be repealed and the following substituted therefor:—

c.—The construction of branch lines exceeding one quarter mile in length, but not exceeding thirty miles.

The provision in the Railway Act for which I propose to substitute this is as follows:—

The construction of such branch lines exceed-

ing one quarter mile in length, but not exceeding six miles."

I move this in consequence of the principle laid down on Friday last with respect to the Kootenay and Columbia Railway Company's Bill, that a Railway Company could build branch lines for thirty miles on each side of its track to any extent they might desire. I endeavoured to point out on that occasion that of all portions of the Dominion, British Columbia was the last one where such powers should be granted, and for this reason—that it is only occasionally you can find a pass for a railway through the mountains, and if one company has the exclusive right of building branches in that part of the country, the public interest and the development of that section must necessarily be interfered with. In a level country you can run a road anywhere you please, and there would be no necessity for restricting the power to build branches. If this House wishes to be consistent with its action on Friday last, it will adopt this amendment to the Railway Act.

Hon. Mr. KAULBACH—The hon. gentleman is not consistent. On Friday last he complained of any company being allowed to construct a branch more than six miles in length, without coming to Parliament for the power to do so: now he wants every company to have the right to construct branches thirty miles in length.

Hon. Mr. McINNES (B.C.) I simply want to see if the House will carry out the principle to which twenty-seven members of the Senate committed themselves last Friday.

Hon. Mr. BOWELL—If the hon. gentleman were consistent or logical (as he tries to make it appear, the House would not be if it opposed his amendment), he would not make such a proposition. Had the House affirmed the principle of giving any company an exclusive right to build branch lines, then the hon. gentleman would be logical. The House decided that a company should have the right to construct a branch from the foot of Arrow Lake, some thirty miles into the mountains, in order to reach a mining district. The House said "you can build any branch there that you deem necessary in the interest of your company or of the country where those mines are to be developed."