

Mr. HESSON moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

FIRST READING.

Bill (No. 109) respecting real property in the North-West Territories.—(from the Senate).—(Sir Hector Langevin.)

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 11:45 p.m.

HOUSE OF COMMONS.

THURSDAY, 26th March, 1885.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 110) to incorporate the Rock Lake, Souris and Brandon Railway Company.—(Mr. McDougald.)

CONSOLIDATED RAILWAY ACT, 1879.

Mr. MULOCK moved for leave to introduce Bill (No. 111) to amend the Consolidated Railway Act, 1879. He said: The general object of the Bill is to provide certain safeguards in the matter of railway rates, safeguards which I think will be found to be reasonable and necessary in the public interest, and at the same time will not operate unjustly against any railway corporation. There are several minor features in the Bill which I will not trouble the House with referring to now, but will take the principal ones. The first provision is one dealing with the question of obtaining the sanction of the Governor in Council to a proposed schedule of rates. As the House is aware, the general Railway Act provides that railway companies shall not collect tolls until their schedule of rates has been approved of by the Governor in Council. Well, I am informed it has now become so much a matter of course to approve of whatever schedule of rates is sent down by a railway company, the views of the company alone being represented to the Ministers, that practically the rates are fixed by the railway company without due consideration of the public interest. It is therefore proposed in this Bill that in future, before any rates are sanctioned by the Governor in Council, due public notice shall be given of the application of the railway company for approval of its rates, and that the public shall be enabled to procure copies of the proposed rates, and, if they feel it in their interest to make recommendations in regard to them, they shall be at liberty to present their case to the Governor in Council. Another section provides for certain penalties to be imposed on railway companies in case they should make rates not sanctioned by law. With regard to this section, I may say that some railways which have been carrying on business for many years have never submitted their tariff; one, at least, of which I have official information, has never submitted its tariff of rates to the Governor in Council for approval, yet it has been carrying on business and collecting whatever rates it chooses to impose, and the public have to submit to these or do without the advantage of the railway altogether. Another provision is to the effect that a railway company shall not charge more for hauling for a short distance than for a long distance where the long distance embraces the

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shorter distance. By way of illustrating these two sections and showing that some necessity exists for legislating in this direction, I may refer to a case of which I have received notice. Take the case of the Northern Railway system, a system composed of the Northern Railway, the main line from Toronto to Collingwood, connecting the two great waters, Lake Ontario on the south and the Georgian Bay on the north. That railway has effected a certain arrangement with the Hamilton and North-Western Railway, and has also acquired certain leased lines. Now, the Hamilton and North-Western Railway has never yet submitted its tariff to the Governor in Council for approval. Nevertheless, it has collected rates that are, I am reliably informed, unjust, unfair, oppressive. It does that because the public cannot resist. The public must either not use the railway, or must submit to this imposition. In illustration of the fact that there is a grievance, I may mention some cases. Take the town of Cookstown, on the line of the Hamilton and North-Western, a railway which is collecting rates not sanctioned by law. That point is distant from the city of Toronto, by the Toronto, Grey and Bruce Railway, 62 miles, but by going northerly to Allandale to strike the main line of the Northern, it is distant 79 miles. The Northern Railway system, including the Hamilton and North-Western, charges 11 cents per 100 pounds for grain by the carload from Cookstown to Toronto. It charges for drawing the grain to Allandale till it strikes the Northern Railway, and then for drawing it down the Northern Railway to Toronto. I cannot conceive that it is any advantage to the shipper to have his grain hauled round-about, and be charged extra for it. Take the town of Collingwood, the northern terminus, a most important point, that with proper railway management could be built up to be a large town on our lakes, one of the termini to receive the trade from the North-West. The local grain from that point is hauled over this Northern Railway a distance of 98 miles, if you are fortunate enough to be able to get a rate for it, at less than 6 cents per 100 lbs., and yet, if one is unfortunate enough to live 50 miles nearer to Toronto than Collingwood, instead of getting a rate at all events equal to his neighbor at a point further away, one has to pay—as for instance from Bradford, which is 42 miles from Toronto—8 cents per 100 lbs. The Bill proposes that, in such a case as that, no more shall be charged for hauling the short distance than the long distance under the same conditions. The necessity for that must be clear. At present, the railway companies are enabled by this system to destroy property, to destroy towns, to build up other towns. That is a power that I think the Legislature should not allow to be exercised by any corporations. Another clause in the Bill provides for a mode of enquiring into charges of unjust discrimination. We frequently hear it stated that railway companies discriminate, contrary to the provisions of the law, and yet there is no mode of enquiry. Persons feel they are aggrieved. They think their more fortunate neighbors are getting better rates. Perhaps they are; perhaps they are not. If it were necessary for me to prove that there is a grievance in this respect and that legislation in this direction is necessary, I should be able to prove it, I am well informed by shippers, by referring to the practice in force at the present time over the very railway system from which I have been taking other illustrations. Another clause in the Bill is to the effect that money owing to employés, clerks, servants and others in the service of a railway, also money owing for supplies and stores and consumable articles necessary for the running of a railway, shall together form a first charge upon the earnings of the railway. At present the mortgage bondholders have the first charge and lien on all the assets, real and personal, of the railway. Under our law a mortgage bondholder cannot foreclose a railway. He cannot sell it as an ordinary mortgagee