

Act of parliament to do all these things, and to do it with the consent of the municipal authorities. They cannot do anything without a special Act, and in that Act no doubt those provisions would occur.

Hon. Mr. KERR (Toronto)—There is no power in this Act to authorize the railway company to enter into a business of conveying heat, light or electricity, so as to enter into a trade. It only says when they are, by a special Act of parliament, authorized to convey that electricity, then, even that will not be granted unless the company has the consent of the municipality. This Bill does not authorize traffic in electricity, and therefore I think the proposed amendment is out of place, and may I add, directly to a contrary effect to what the hon. gentleman suggests. It seems to me that to adopt it would be to make a suggestion that there is something in this Bill which authorizes it in a qualified way, and I do not think there is.

Hon. Mr. BEIQUE—It is within the knowledge of every member of this honourable House, that a number of railway Bills have been passed in this shape, that the railway companies have been authorized to sell the surplus power which they may develop, and we would have this condition of things, that the municipality would refuse to consent, for instance, because they would have their own electrical plant in the municipality, and the railway company would, under the authority of this railway board, override the action of the municipality, and grant the railway company the right to sell power in competition with the plant of the municipality. If it is the interest of the municipal ratepayers, it is to be supposed that the municipal body will grant the right; but it seems to me that we should close the door to the municipalities being overridden by this railway company to use the power for its own purposes.

Hon. Mr. FERGUSON—I am quite satisfied with my hon. friend's explanation. It would stand as a block in the way of the municipality giving the right to convey the power, if they gave the right to sell, for the municipality might own its own power,

and it would be giving competition which they did not desire.

The amendment was agreed to.

On subsection 3 of clause 174,

3. Where the lands are situated in the province of Quebec, upon such delivery and payment into court, proceedings shall be had for the confirmation of the title of the company, in like manner as in other cases of confirmation of title, except that, in addition to the usual contents of the notice, the prothonotary shall state that the title of the company (that is, the conveyance, agreement, or award) is under this Act, and shall call upon all persons claiming an interest in or entitled to the lands, or any part thereof, or representing or being the husband of any person so entitled, to file their claims to the compensation or any part thereof. 51 V., c. 29, s. 170, Am.

Hon. Mr. BEIQUE—There was quite a difference of opinion expressed last night on this clause. I would suggest, with a view of meeting the objection which was raised, that the following subsection be substituted for it:

Where the lands are situated in the province of Quebec, the notice shall be published as is required in cases of confirmation of titles, and the registrar's certificate shall be procured and filed as in such cases.

It would avoid the necessity of referring to any specific articles of the code.

The amendment was agreed to.

Hon. Mr. BEIQUE—It will be necessary to remove from subsection 4 'the judgment of confirmation.' I move that these words be struck out.

The motion was agreed to.

Hon. Mr. FERGUSON moved to reconsider clauses 266 and 267.

The motion was agreed to.

Hon. Mr. FERGUSON—Last evening, in considering the amendment of the hon. gentleman from Westmoreland to place the government railways under the control of the board, I pointed out to the committee that there was a serious difficulty in connection with the working out of through rates, under section 266 and 267, with the Intercolonial Railway interposing—that it would impose a serious check in the way of making through rates with company roads in the east. I pointed out an instance of traffic originating on the Grand Trunk Railway or the