

they will have to adopt the southern route. The Credit Valley Railway simply ask what the whole of you gentlemen think they should have—the right to go into the City of Toronto and reach their water lots in such a way as the engineer appointed by the Governor in Council may direct. I do not think there is the slightest possible objection to it, after hearing the arguments of the solicitors on both sides.

Mr. BOULTBEE—That is not what your Bill asks for.

Hon. Mr. MACDOUGALL—I presume that we are done with the gentlemen who represent these several railways, for the moment, and the matter will now be before the Committee.

Mr. CUMBERLAND—I shall not presume, Mr. Chairman and gentlemen, to venture upon anything like a legal discussion, because that has been so ably presented to you as to make it impertinence of me were I to enter upon the subject; but as a railway man, and especially one who has had personal knowledge and official responsibility with regard to the whole of this question from its initiation in 1858-59, I venture to think that, perhaps, I may be justified in telling you some of my own personal and official views as to the assault that is being made upon our property. It is unnecessary, perhaps, to say with regard to that 100 feet, that it is simply impossible for all the mayors and corporations of Ontario to prove that it can be a public injury to add twenty, or five and twenty feet to the railway right of way into such a metropolis as Toronto. It is not that we are exclusive that we say it will be better that they should not come within this 100 feet, but it is because our experience of the last ten or fifteen years, the amazing growth of our traffic, the duties imposed upon us by the public efficiently to accommodate that traffic, tells us that the Grand Trunk Railway and ourselves, having taken this 100 feet strip—only one-half what the law permits us to take—that the day is coming almost immediately, and especially if you go northward to the Sault Ste. Marie, when that 100 feet must be utterly insufficient for the two roads that now occupy it, and it will be in the interests of the City of Toronto, and in the interests of the whole of Ontario if there are to be hereafter other connections east and west in front of Toronto, that this strip should not be entered upon while there is a strip of vacant, useless land lying alongside, level as a billiard table. It should be instantly taken at the urgent demand, and by the zealous assistance of the Corporation of the City of Toronto itself. We are not selfish in this matter; we are simply representing the public, and we tell you as railway experts, do not be satisfied with this 100 feet, but take this other land before it becomes covered with manufactories and other buildings; take it now and add it to your railway facilities and you will find the benefit of it in the future. With regard to that 100 feet of land, if it is not a practical joke, this dealing with vested rights in property, as though there were no bargains, as though this Legislature were a mere football to be played with, its legislation a thing to be forgotten, and its enactments to be repudiated, private interests to be trampled upon, and bargains with Government ignored, how is it that we are there? The Court of Chancery has given judgment, and says that the evidence that was given with regard to that 100 feet, declared that we are seized in fee simple of that property. He who speaks to you is the man who set that property out, assisted by my hon. friend Mr. Fleming, and I know that we took it under the powers of our charter; I know that we had the assistance of lawyers, and were guided by our acts of Parliament. I know, what is probably not known to two men in this room, that we had the only charter ever granted, giving to a private company the power to take crown lands. You will find it in the original Toronto, Simcoe & Huron Union Railway Charter, and it has never been repeated.

Hon. Mr. MACDOUGALL—But it was on condition that you should pay for them, and you have never done so. (Laughter.)

Mr. CUMBERLAND—I will come to that presently. If you challenge me for a statement you shall have it if the Committee is not impatient. I will get to the payments