

The MINISTER OF RAILWAYS AND CANALS. I can hardly imagine that such would be the case. The Act provides that if there is a deficiency in the information on the plan, the minister may require additional information to be shown.

Mr. CASGRAIN. I agree that if section 122 stood alone this would be a definition of the word 'plan' and would include 'map.' But there may be other sections in which the word 'plan' only is used, and it seemed to me, therefore, the wider term should be used in the interpretation clause, subject, of course, to any other section where it is necessary that the word 'map' alone should be used.

The MINISTER OF RAILWAYS AND CANALS. The point seems to me of no great importance, and if hon. gentlemen desire to put this in, we will not object.

Hon. Mr. TISDALE. What do hon. gentlemen who have had experience as counsel for the railways say on the subject? The words in the old law have stood for a great many years, and I do not see any reason why in this Bill the two terms 'map' and 'plan' should not be used. I think that, unless there is some distinction, you will find that in every case they are used as correlative terms. In the case of the word 'judge,' my hon. friend from Lincoln (Mr. Lancaster) showed that, owing to the extension of the duties of the County Court judges, there was a reason for changing the wording. But in this case it is simply the cutting out of one word.

The MINISTER OF RAILWAYS AND CANALS. But we indicate in the Act in explicit terms just what information we want, and, if that is supplied, it does not matter what we call it. And, if the word 'map' means more than the word 'plan,' why should the meaning of it be circumscribed? What you want is, before the land is expropriated, that it shall be clearly shown what the boundaries and other facts are. It seems to me it makes no difference whether you call it one name or whether you call it another.

Hon. Mr. TISDALE. I may be unduly adhering to the idea of no change, but I think I can see something more than is in it. A map may cover all that a plan covers and more.

The MINISTER OF RAILWAYS AND CANALS. If it covers more than we require, we do not want it.

Hon. Mr. TISDALE. But there might be cases where you would be quite willing to accept it. I agree that this section 122, though longer than section 123 of the old Act, is an improvement. I believe that all these clauses should be terse, but I agree that certain additional requisites have been included in this section and that the section has been improved thereby. But I can-

Hon. Mr. TISDALE.

not see any reason for cutting out a very significant word, particularly as it has been there so long.

The MINISTER OF RAILWAYS AND CANALS. Let me call the hon. gentleman's attention to the old Act, upon which he rests so much, and which he thinks must be adopted if we are to avoid danger of misapprehension:

The expression 'map' or 'plan' means—
What?

—a ground plan of the property taken or intended to be taken.

'Map or plan' means a plan. Then, what is the use of adding 'map'? How is there any possibility of misapprehension about it?

Hon. Mr. TISDALE. In this way—as I understand the interpretation clause—wherever it is used it means a plan. There is a distinction between a map and a plan, but in the interpretation clause we can make them mean the same thing.

The MINISTER OF JUSTICE. Why should we?

Hon. Mr. TISDALE. Because the interpretation clause will make an article what it is therein termed no matter what it might otherwise be. Whether it be a map or a plan, you make it a plan.

On section 2, subsection U:

The expression 'railway' means any railway which the company has authority to construct or operate, and includes all branches, sidings, stations, depots, wharfs, rolling stock, equipment, stores, property real or personal and works connected therewith, and also any railway bridge, tunnel, or other structure which the company is authorized to construct.

Mr. KEMP. I would like to inquire why express companies have been omitted from the operation of this Bill?

The MINISTER OF JUSTICE. We have not come to that yet.

Mr. KEMP. I should have brought this point up under subsection C, which defines the meaning of the expression 'company,' but that subsection was put through rather hurriedly.

The MINISTER OF RAILWAYS AND CANALS. If the hon. gentleman wants to raise any point regarding express companies, he must do so in some other connections than this, because so far we have not dealt with any provision excluding express companies. We have not passed any clause declaring that express companies are excluded from the operation of this Bill, and have not changed the law in that respect.

Mr. KEMP. When subsection C was under discussion, I did not notice that the expression 'company' was confined to railway companies, or I would have asked that it should also include 'express companies.'