

the Bill are contained in clauses 5, 6, and 7—I think it is the question that was made almost the crucial point in the discussion of this question in the committee of the House of Commons under the late Minister of Railways and Canals. However, if the government abandon that and adopt a different principle as contained in this provision, I do not know that the members of the opposition have any particular duty cast upon them to protect the government Bill as introduced in the House.

Hon. Mr. LOUGHEED—I simply desire to say that I am not interested in a practical way in the determination of this question, but I dissent entirely from the principle of law or practice laid down by my hon. friend from de Salaberry in his amendment, and I simply desire to be placed upon record in that regard. It seems to me to be self evident that this parliament cannot exercise authority in any sense, either as to a crossing or a connection, or so far as traffic is concerned, except under the power which is given them in the British North America Act, and immediately this parliament assumes to itself authority to act with reference to any of those classes of subjects, namely crossings, connections or through-traffic, it must at once assume the entire responsibility of bringing the provincial work within the jurisdiction or within the authority of the parliament of Canada. I submit with every confidence that parliament cannot divest itself of a portion of that responsibility which pertains to it by reason of the assumption of authority with reference to the classes of subjects which are dealt with in this amendment. I might say with reference to that subject, that the public of an adjoining province are as much interested as the public of the province in which the work is. Immediately such a work is brought within the purview of the Act parliament assumes to itself authority to deal with crossings, or with connections or with through-traffic, and shippers of goods. at once become interested in the transit of their goods from one province to the other, and it seems to be folly for one moment to consider that this Act can be successfully administered or carried out according to the intentions of the government if there is to be a division of administration with refer-

ence to those works. It seems to me to be a paramount idea which runs through the whole Bill, that there should be one administration of all railways which come within the Bill, and there cannot certainly be a successful administration of the railways of the Dominion if the Dominion parliament is to legislate as to one portion of the work and the provinces are to legislate with reference to another portion of their administration. The railways of this Dominion are too large a subject to permit of any parish or local feeling to be introduced as to their administration. There is no provincial railway that may be connected with a Dominion work but at once becomes equally of interest to the people of the entire Dominion. I hold that, on the broad principle, once parliament assume to deal with local undertakings, such as are contemplated under the British North America Act and by my hon. friend's amendment, they cannot divest themselves of their responsibility by leaving vested in the province a certain share of that responsibility. They must assume the whole responsibility or nothing, and immediately they assume authority to act, either in dealing with crossings or connections or through traffic of a local line, it certainly, in the language of the British North America Act, becomes a work for the general advantage of Canada, and this parliament assumes the responsibility, and on that broad ground, I am opposed to the amendment.

Hon. Mr. DANDURAND—The hon. gentleman is at variance on two of the three questions treated in this amendment, with the Supreme Court of Canada. In the Red River Valley Railway judgment, the Supreme Court declared that the fact of a provincial railway crossing a federal railway did not necessarily bring that provincial railway under the jurisdiction of the federal government.

Hon. Mr. BEIQUE—Except for the crossing.

Hon. Mr. DANDURAND—Except for the purpose of crossing and the connection. The amendment simply affirms the same principle, that the crossing itself, and the connection will be under the jurisdiction of the federal authority and the Railway Commission created by this Bill. There remains