

*Railway Act*

**Mr. Clancy:** May I ask the hon. member a question? He should know the law. If he will look up the statutes he will find that if a line is abandoned it is already set out in the law who owns the land and also who gets the mineral rights.

**Mr. Greene:** Mr. Speaker, I am not quite aware whether the hon. member—

**Mr. Clancy:** You have the same statutes I have.

**Mr. Greene:** If the hon. member was giving me information I thank him for it. I was not aware of that situation in respect of the mineral rights. I am aware of the fact that the freehold on these lines remains vested in the railway in perpetuity if they wish to keep it that way, whether or not they abandon the line. My hon. friend has instructed me that the mineral rights revert in some fashion. If this is so I was not aware of it. What I say is subject to what may be the case in the western provinces where the law in respect of minerals is different from that in Ontario. To the best of my knowledge the mineral rights remain vested in the railway whether or not they abandon the line. I stand to be corrected in this regard, but this is my impression. I suggest that this is neither right nor proper. The railways should have to make a decision. If they wish to abandon lines because they are not making enough money they should have to decide to give the land back either to the abutting owners or to the municipalities or the province concerned. Surely they should not be able to render no service, do as they like with the line and then leave people without any rights either municipally or provincially with regard to the line.

My hon. friend has taken one step in the right direction but I suggest with the greatest respect that we should go a great deal farther. I suggest that the railways should not be permitted to play fast and loose with the rights of the people as they have been doing to date with regard to the abandonment of lines. In the west end of my riding, which I spoke of earlier, this is a matter of very great concern to my people. It was one of the first areas of this great province to be opened up. I have a great deal of sympathy with hon. gentlemen opposite who from time to time have propounded policies for the opening up and development of Canada's north, but I must admit that I have also had some misgivings. I have seen so many areas such as the west end of the riding I represent which have been opened up for many years, in this instance an area close to the capital of Canada itself, and which have been neglected and forgotten over the years. This area was used as long as the timber resources existed, and then it was abandoned to the point that today

[Mr. Greene.]

even the railways are getting out. In some measure it seems to me a contradiction to talk about the building of roads to resources and developing our great north when in some of the oldest settled parts of the country, such as the riding I represent, there has been so little development and apparently so little concern by any government of any stamp about the fact that the area has been left forgotten, neglected and undeveloped.

Believe me, in the area to which I have referred lack of opportunity has made itself felt not only in one generation but in two and three. There are no schools there, even at the elementary level to compare with the schools that exist in more urban municipalities, because there is no assessment, industrial or residential, on which to found a proper school system.

The lack of opportunity, therefore, is widespread in an area such as this. These people have been living now for some generations in the hope that at some time the pendulum would swing the other way, and that the days they knew when pine was in its prime would return by way of industry. In this way, new opportunities would be created. The railways went into this area very early in order to make profits when the pine was moving, and when they see even the railway pulling out it is a symbol to them that perhaps even the government of this country has given up hope.

I suggest that at these hearings before the board of transport commissioners, the only issue is public convenience and necessity. Of course, the financial statements of the railway are important. How many dollars are they losing; that is of great concern to the board of transport commissioners. As I said earlier, the railways are very adept at making up financial statements which indicate they are losing money. They are very slow and remiss in doing those difficult things that are needed to make the railways in these poor areas a little more prosperous. The railways just want the lush pastures. They want to leave the tough parts to the buses. This is the attitude of the railways. Well, the financial statements are pertinent.

Is there some other means of transportation? This is pertinent to the inquiry by the board of transport commissioners, and is called public convenience and necessity. However, there is very little else that is pertinent. It is not relevant to know how many dollars this railway made on this line before they decided to pull out. The board does not want to hear about that. They just want the picture now. The board does not want to hear whether this railway will provide a means of access for future industrial or tourist development. Again we in South