

169-2. "This plan shall show,—

- (a) The right of way, with lengths of sections in miles;
- (b) The names of terminal points;
- (c) The station grounds;
- (d) The property lines and owners' names;
- (e) The areas and length and width of lands proposed to be taken, in figures, stating every change of width."

*Remarks.*

The above mentioned plan is to be approved by the Board, and a copy is to be served on municipalities interested, as well as filed in proper Registry offices. In one important instance which has come to our knowledge during the past year, namely, where the C. N. O. Ry. passes through Longue-Pointe Ward, Montreal, the Company's plan, approved by the Board some years ago, provided for a right of way 100 feet wide, but the Company actually purchased a strip of land 279 feet wide, and after a layout of streets had been homologated by the City and construction of a street was commenced, which would cross the railway, the Company claims that their width of 279 feet was acquired for a yard and will be used as such, and is demanding that the City construct a bridge to carry the street across the full width of 279 feet with the statutory clearance of 22 feet 6 inches above its tracks.

I would recommend that the Law Department, in dealing with this matter should endeavour to have a clause added to the Bill obliging companies, to submit definite plans and profiles showing the dimensions of the extra lands to be actually used for yards, &c., as the City is certainly entitled to definite information, which shall be binding, and shall govern in working out the City's plans for streets and other works in the vicinity of the proposed railway.

*Section 194.*

Two new clauses, Nos. 4 and 5, are proposed, authorizing the Board of Railway Commissioners, either on application made by a city, or on its own motion, to avoid the construction of two or more railways through one neighbourhood by ordering a new railway to use the right of way of an existing railway, or in the case of two or more new railways entering a city by ordering that they shall combine in using one new right of way, or use the right of way of an existing railway.

These clauses are distinctly favourable to the interests of the city, and should be supported.

*Section 252 (6).*

A new clause, which provides that the Board may, on the application of a municipality, order a company to provide a passageway for the public on any of the company's bridges which are being constructed, reconstructed or materially altered, the additional cost of this extra construction to be paid by the municipality or municipalities as the Board may direct.

*Remarks.*

This clause is advantageous to the municipalities, but circumstances might arise wherein it would be unfair that the municipalities should bear the whole cost of the public passage-way, and it would therefore seem advisable to have the clause read that the 'additional cost—shall be apportioned by the Board as between the municipalities and the company—.' This would leave the Board free scope to have the cost charged to the proper parties, without fixing the apportionment absolutely as in the draft Bill B 2.