

which in some places may be 10, 15 or 25 miles away and which, owing to the enterprise of the people, may be a very productive part of the country. I think that the object of the Minister of Railways is right and I am not objecting to it because I think we should facilitate in every way the transportation of goods, but we should not, as I said before, stand up so straight that we are in danger of falling over backwards and prevent a railway opening up another part of the country unless the geographical conditions of the country require that one track only should be used. It seems that geographical conditions do require this amendment. The Minister of Railways has given an instance of where the geographical conditions require two railways to go through the same pass in the mountains. Then you can put these words in that they shall have this power if the geographical conditions require it so that other railways will not be prevented from running through that pass, but if in a country, such as the Niagara district, where we can pick up more freight in one square mile section than in ten miles in other places, the geographical conditions do not prevent it and the construction of two railways is required I do not think we should give the Railway Commission power to say that one track is all that is necessary and that both railways should run over the same track. I would suggest to the Minister of Railways that between now and eight o'clock he should think the matter over and see if he cannot insert some words which, while meeting what he has in mind will delegate to the Railway Commission administrative powers only, and not legislative powers.

Mr. W. F. MACLEAN. It seems to me that this clause has been well thought out by the government, and that it is preparing a way for a change in their policy in regard to the Transcontinental Railway. The proposal has been made in this House that instead of building a rival line from Quebec to Moncton, the Intercolonial Railway should be used, and I think that argument is a good one. The government is now putting in the General Railway Act a clause which would secure the carrying out of that object.

Mr. HAGGART. This does not apply to government railways.

Mr. W. F. MACLEAN. I know, but if the government apply it to other railroads, surely they will follow the example themselves. I can give another instance where this legislation can be applied to the betterment of the transportation of this country. In the Thames valley in Western Ontario there are three single track systems which might just as well be put together into a common system, or a four-track system for the joint use of all, and a better service would be given, more trains run, and the cost of maintenance made less. The pro-

Mr. LANCASTER.

posal is a commendable one, and I would like to see it adopted by the House.

Mr. R. L. BORDEN. This proposal may not go further than existing legislation, but I would like it to stand until we can consider it.

Mr. EMMERSON. I purpose reading an amendment which I will propose in connection with the telephone business, and then the Bill can be referred to a special committee.

Mr. R. L. BORDEN. And the Bill will then come back to the House.

Mr. EMMERSON. Yes. I move as the 29th section the following:

29. In this section 'municipality' means the municipal council or other authority having jurisdiction over the highways, squares or public places of a city, town or incorporated village or of the highway, square or public place concerned.

2. Notwithstanding anything contained in any Act of the parliament of Canada or of the legislature of any province no such company, heretofore or hereafter incorporated, which is not a 'company' within the meaning of the Railway Act, 1903, shall, except as hereinafter provided, construct, maintain or operate its lines of telephone upon, along, across or under any highway, square or other public place within the limits of any city, town or incorporated village without the consent of the municipality.

3. If in any such case the company cannot obtain the consent of the municipality, or cannot obtain such consent otherwise than subject to conditions not acceptable to the company, the company may apply to the board for leave to exercise its powers upon such highway, square or public place, and all the provisions of subsection 2 of section 195 of the said Act shall apply to such application and to the proceedings thereon.

4. The foregoing subsections of this section shall not apply to the construction, maintenance and operation by the company of any long distance line or service or any trunk line or service connecting two or more exchanges in any city, town or incorporated village; provided that the location of every such line in a direct and practicable route shall be subject to the direction and supervision of the municipality, or of such officer as it may appoint, unless the municipality or such officer after one week's notice in writing shall have omitted to prescribe such location and make such direction.

5. A long distance line or service shall mean any trunk line or service connecting a central exchange or office in any city, town or incorporated village, with a central exchange or office or with central exchanges or offices, in another or other cities, towns or incorporated villages.

6. All matters in dispute relating to the location and installation of long distance lines or services or of such trunk lines or services as are mentioned in the next two preceding subsections, shall be determined by the board in the same manner and with the same powers as are provided by subsection 2 of section 195 of the said Act.