

encing, show themselves in a little more favourable light with respect to this matter. I hope, therefore, the Government will see their way to interfere, with the public interest in view, and that with the least possible delay. I beg to move for correspondence exchanged between the Government and the Canadian Pacific Railway Company, and any other railway company, with regard to the opening of the Union Jacques Cartier Railway.

Mr. GIROUARD. The motion which has been made by my hon. friend is one which interests a portion of my county. This railway runs from Lachine to Back River, passing through a very important parish at the back of the city of Montreal. It was built I do not say mainly with the intention, but certainly with the intention, of affording communication with the city of Montreal, and thence by railway in an easterly as well as a westerly direction. It so happens that in consequence of the decision of the Canadian Pacific Railway Company no trains are running on the road although it has been completed for some months. I think it is contended on the part of the Union Jacques Cartier Railway Company, that they have running powers over the Canadian Pacific Railway, and I believe this right is denied by the latter Company. I do not wish to say one word in favour of or against the pretensions of either party. The Canadian Pacific Railway Company may be right, or the Union Jacques Cartier Company may be right. But it seems to me it is a very extraordinary power to exercise on behalf of a company like the Canadian Pacific Railway, which to a certain extent is a national company, to say: We will not allow any trains to pass over our road; and I think that the Canadian Pacific Railway should allow these trains to pass, reserving to the courts of justice to determine the rates to be paid that company under the general provisions of the Railway Act, or under some special provisions which are alleged to have been made in the sale effected by the Quebec Government to the Canadian Pacific Railway. I do not know whether this Parliament has or has not jurisdiction in the matter, but whether it has or not I hope the Canadian Pacific Railway will see the impropriety of refusing to allow the trains of this company to pass over their line, though they may reserve the determination of their rights in the manner I have stated.

Sir CHARLES TUPPER. I may say with reference to this question, that there can be no objection to bringing down any correspondence in the hands of the Government. It is very unfortunate that the difficulty should have arisen, and that the trade of a very important section of the country should have been so materially interfered with, owing to the want of accord upon the question between the two companies concerned, namely, the Grand Trunk Railway Company and the Canadian Pacific Railway Company. The Grand Trunk Railway Company made communication to me pointing out that they were unable to carry on their traffic through inability to run over a portion of the road built and owned by the Canadian Pacific Railway Company, and I immediately referred the question to the Department of Justice to ascertain if the Government had any power to interfere. The answer of that Department was that we possessed no power whatever; that this Parliament alone was in a position to give running powers to any one company to run over the line of any other company. That neither the Government nor the Railway Committee of the Privy Council were clothed with any power which would enable us to interfere. Having received that answer as to the question of law, I used my best offices with the Canadian Pacific Railway Company in the matter, by suggesting to them my anxiety that there should be no interruption of this traffic. The statement made by the company was: We are quite prepared to allow traffic to run over our lines, but for the protection of our rights we require that the parties should agree to pay us a certain amount, subject to

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the final adjudication of what rights they may have. We do not wish to obstruct the traffic for a single moment, but the course we are taking is indispensable to protect our legal rights and enable us to obtain the consideration to which we are entitled. I am sorry that no means were found either by adopting that mode, or of allowing traffic to go on, subject to compensation by the Grand Trunk Railway Company, or by any other mode, until the matter should be finally determined. I believe it has been taken to the courts, and the only power which, under the circumstances, has any means of dealing with the question is this Parliament.

Motion agreed to.

DISALLOWANCE OF PROVINCIAL ACTS.

Mr. MULOCK moved for copies of all Orders in Council, reports and correspondence not already brought down, in reference to the exercise or non-exercise of the power of disallowance as to any Provincial Acts; with a statement of the dates of prorogation of each of the Provincial Assemblies; and of the dates at which the Acts of the Session were received at Ottawa; and copy of the despatches addressed to the Lieutenant Governors on the subject of the transmission to the Government of Canada of such Acts.

Mr. BLAKE. In this connection I would call the attention of the Government to the laxity of practice which so far as I can understand has grown up with reference to the transmission of the Acts of the Local Legislatures. It was found when I had the responsibility in this regard, that there were very considerable delays in the transmission of the Acts, and during that period an Order in Council was passed under which instructions were sent to the Lieutenant Governors of the various Provinces requesting, and so far as might be, enjoining them within a fixed period—I think it was six weeks after the conclusion of the Local Assembly—to transmit their Acts for the consideration of the Executive. It is very clear that at the earliest convenient moment, after the Acts have been assented to, they should be so transmitted, because, if an indefinite period is to elapse before the transmission, during all that time these Acts upon which the power of disallowance may ultimately be exercised remain valid, and, strictly speaking, until transmitted it is not possible for the Government to act upon them. Now, I am informed that in more than one instance a much longer period than six weeks, a period approximating to a year, has elapsed without the Acts of the Local Legislatures having been transmitted to the Secretary of State, and that, in consequence, it is stated, and I dare say correctly, that it is impossible for the Government to consider of these Acts whether or no they should be allowed. I would, therefore, in connection with my hon. friend's motion—which I have no doubt will pass, because except as to the latter part it is a customary motion, and as to the latter portion it is a proper one—call attention to these facts and suggest the propriety of the Government reminding their officers, the Lieutenant Governors, of the Order which was passed, and calling them to perform it so far as practicable.

Sir LEONARD TILLEY. I think the Dominion Government have a year from the receipt of the Bills in which to act.

Mr. BLAKE. Certainly; but what I pointed out to the hon. gentleman was that, until received, an Act which may ultimately be found to be objectionable and disallowed, remains valid, and by delaying forever to transmit the Act, you delay forever the exercise of the power.

Sir LEONARD TILLEY. Oh, yes.

Motion agreed to.