

expenditure there can be no relief from taxation which is bearing so heavily on all classes, nor can there be any move towards the reduction in rates and fares so essential to the prosperity of every inhabitant of Canada.

14. Your Committee recommend that 4,000 copies in English and 1,000 copies in French of this report be printed for public distribution, and that Rule 100 be suspended in so far as it relates to the said printing. All which is respectfully submitted.

W. B. ROSS,  
Chairman.

Hon. J. D. REID: Honourable gentlemen, the report which has just been read is, I think, one of the most important documents that has ever been laid on the Table of this House. A great many members of the Senate, however, like myself, were not members of that Committee, and I would ask the honourable Leader of the Government if he would send that report at once to the Printing Bureau and ask to have a number of copies printed for distribution among the Senators at the earliest possible moment. If that were done, I think probably before ten o'clock to-night we all would have copies, and would be able to study the report, so that when it is discussed we shall have some idea of what it contains.

Hon. Mr. DANDURAND: By six o'clock I shall have a sufficient number of copies for distribution to the members of the Senate.

I move that this report be taken into consideration after the Orders of the Day.

The motion was agreed to.

## NIPISSING CENTRAL RAILWAY

### STATEMENT AND DISCUSSION

Hon. GEORGE GORDON rose in accordance with the following notice:

That he will call the attention of the Senate to a matter of urgent public interest respecting the Nipissing Central Railway Company.

He said: Honourable gentlemen, I would like to place before this House some correspondence which perhaps will explain the situation more briefly than I otherwise could. Under date of June 2, 1925, there is a letter from the solicitors of the Nipissing Central Railway Company to the Minister of Railways, as follows:

Under instructions from our clients the Nipissing Central Railway Company we are transmitting to you herewith a memorandum with regard to the delay that has occurred in dealing with the petition filed by the Company with the Minister of Railways and Canals on March 31st, 1925.

Our clients will be exceedingly embarrassed unless the necessary consent is given without further delay.

This is a copy of the memorandum:

The Nipissing Central Railway Company was incorporated by Dominion Statute 6-7 Edward VII (1907) chapter 112. Under its Act of incorporation and amending Acts the Company is authorized to construct and operate a railway partly in the Province of Ontario and partly in the province of Quebec.

Hon. W. B. ROSS.

In 1923 the Dominion Parliament, by special Act (13-14 George V, chapter 80) extended the time for completing the railway until 13th June, 1928.

The Company on June 4th, 1924, obtained an order of the Dominion Railway Board under section 167 of the Railway Act approving its general location plan and on 17th March, 1925, obtained a further order under section 170 of the Act sanctioning the plan, profile and book of reference of the portion of the line of railway between Larder Lake in the Province of Ontario and Osisko Lake in the township of Rouyn in the Province of Quebec, a distance of about 37 miles.

Upon obtaining the last mentioned order, the Company, pursuant to section 172, subsection 2 of the Railway Act, deposited copies of the plan, profile and book of reference so sanctioned with the Registrar of Deeds at the town of Ville Marie in the Province of Quebec.

On 31st March, 1925, the Company, in order that it might take possession of Crown lands in the Provinces of Ontario and Quebec for the purposes of the railway, filed with the Minister of Railways and Canals at Ottawa a petition asking the consent of the Governor in Council as required by section 189 of the Railway Act, which in part reads as follows:

"189. (1) No company shall take possession of, use or occupy any lands vested in the Crown without the consent of the Governor in Council.

(2) Any railway company may with such consent upon such terms as the Governor in Council prescribes take and appropriate for the use of its railway and works so much of the lands of the Crown lying on the right of way of the railway which have not been granted or sold as is necessary for such railway. . ."

Since the filing of said petition the Company has repeatedly asked Ministers of the Crown at Ottawa charged with responsibility in the matter to expedite the granting of consent so that the work of construction would not be delayed, but as yet no action has been taken on said petition, or, if taken, the result has not been communicated to the Company.

The Company, being anxious to complete the railway from Larder Lake to Osisko Lake during the year 1925, arranged in advance of the spring break-up for equipment, camps and supplies throughout the whole distance, and if not prevented by further delay in obtaining consent to take possession of Crown lands in the Province of Quebec it will complete the railway to Osisko Lake before the end of the year.

The Company, with the concurrence of the Government of Ontario, took possession of the necessary Crown lands in that province, and has proceeded with construction until it has reached the provincial boundary, a distance of some 7 miles. The remaining 30 miles cannot be constructed unless and until consent is given to entry on necessary Crown lands in Quebec.

The Company submits that the Dominion Parliament having granted a charter authorizing the construction and operation of a line of railway, which throughout a substantial portion of the distance can only be built on Crown lands in the province of Quebec, a refusal of consent under section 189 of the Railway Act will render altogether nugatory the power conferred by Parliament on the Company; and a temporary withholding a consent will prevent the completion of the work within the year. The Company is ready and willing to pay compensation for any Crown lands required for the railway.

The Company submits there should be no further delay granting the petition filed with the Minister of Railways and Canals on 31st March, 1925.

That petition was filed with the Government on the 31st March, 1925, and up to date no Order has been passed by the Governor in Council, without which I understand it is impossible for the railway to proceed.