

to him by Mr. McLeod, but what we want to know is whether this document contains the views of the city of Montreal?

Mr. ARCHAMBAULT, K.C.—Oh, yes, it has passed through the Board of Control.

Senator YOUNG (Chairman).—You will furnish us with that evidence?

Mr. ARCHAMBAULT, K.C.—We will furnish everything in connection with it.

Mr. MACLEAN.—Have we to read all that now?

Senator POWER.—I think the better way is to read it; otherwise there will be questions as to whether it shall be printed or not, and when it is read it goes on record.

Secretary HINDS then read the document as follows:—

April 28th.

Mr. GEO. JANIN,
Chief Engineer of Public Works,
City Hall.

“BILL B-2” TO AMEND RAILWAY ACT.

DEAR SIR,—Referring to attached letter of March 30 from the City Attorneys relative to “Bill B2” to consolidate and amend the Railway Act, which is now under consideration by the Parliament of Canada. After carefully studying all the sections of this Bill which provide for regulation of the construction, operation and maintenance of railways, telephones, telegraphs and other wire lines, in so far as said sections affect the interests of the city, I would report as follows,—the number of sections referred to being those of the new Bill:—

Section 162.

Makes the same provisions as the corresponding sections in the old Act, but I consider it would be well if a clause could be added stipulating that in towns and cities, where the grade of the railway is likely to seriously affect the plans and profiles of streets, sewers and other works of the city, actual construction must begin within one year after the plan and profile is approved by the Board.

Under the present Railway Act there is no such provision and the result is that after the plan and profile is served on the city and approved by the Board, the company may allow matters to stand indefinitely, while the city is seriously hampered in carrying out its grading of streets, putting in sewers and pipes, and giving levels to proprietors intending to build on lots affected directly or indirectly by the proposed construction of the railway.

163 (c) reads as follows:—

“The company, —————purchase, take and hold of and from any person, any lands or other property necessary for the construction, maintenance and operation of the railway, and also alienate, sell or dispose of, any lands or property of the company which for any reason have become not necessary for the purposes of the railway.”

Remarks,—

This constitutes one of the “general powers” of the company and it is not cited as unreasonable, but in conjunction with this we should consider the clause providing for approval of right of way plans; which reads, in part, as follows:—