

Report of the Department of Inland Revenue, 1883.—(Mr. Costigan.)

Volume 2 of the Census of Canada.—(Mr. McLelan.)

### CONSOLIDATED RAILWAY ACT.

Sir CHARLES TUPPER introduced Bill (No. 135) further to amend the Consolidated Railway Act, 1879, and the Acts amending it. He said: The first section repeals section 46 of the Consolidated Railway Act, 1879, and substitutes another in its place. The amendment consists in, first, providing for a temporary or permanent diversion of a street or highway, where otherwise the railway would cross on a level. Secondly, in giving the company power to enter upon lands not more than 200 yards distant from the centre of the railway, and not being a garden, or orchard, or park, &c., for the purpose of repairing the railway and for carrying out the requirements of the Railway Committee. Section two provides that the Consolidated Railway Act, 1879, shall apply to all railways and railway companies subject to the legislative authority of the Parliament of Canada. It will be remembered that a year ago an Act was passed in respect to this matter, exempting certain companies that had express legislative sanction, and the clause removes that exemption. Section three provides first, that a railway company shall not with its funds purchase its own stock; and second, that it shall not with its funds acquire the shares, bonds or other securities of any other railway company whose line competes, or may compete, with it. A proviso is, however, inserted that the section shall not effect the right of any railway company in Canada to purchase shares, bonds or other securities of railways in the United States of America. It will be remembered that when the River du Loup Branch was purchased from the Grand Trunk, a condition was made that the amount paid by the Government for that branch should be applied in accordance with the view of the Governor in Council. It was also stated that the intention of the Grand Trunk was to promote the extension of the line to Chicago. Under these circumstances we feel it is right to make this exemption, otherwise we would prevent their carrying out the objects that were sanctioned. Section four provides for the appointment of commissioners to make enquiries into accidents on railways causing loss of life or damage to property. I may say that in consequence of the very terrible accident which occurred near Toronto by a collision in which there was a great loss of life, and in which a great many persons whose lives were not sacrificed were seriously injured, application was made to the Government by some of the public authorities asking the Government to cause a strict examination to be made into the accident; but on looking into the matter it was found that it was doubtful if the power was possessed by the Government to hold such investigation; and the object of this clause is to enable the Government in cases of that kind, to make enquiry into accidents on railways causing loss of life or damage to property. Section five adds to the powers of the Railway Committee, and gives them authority: First, to regulate the rate or speed at which trains and locomotives may be run in any city, town, or village; second, to regulate the use of the steam whistle within any city, town or village; third, to impose penalties for contravention of this section. Very many complaints are made in various sections of the country as to the use or rather the abuse of the steam whistle; and complaints have reached me from many localities where church congregations are thus disturbed on Sunday during service.

Mr. MACKENZIE. That is a matter of municipal regulation. The municipalities have power to deal with it, and power to regulate it, and I know this has been done in very many cases.

Mr. SPEAKER.

Sir CHARLES TUPPER. At all events that question will come up when we deal with that clause of the Bill. I am inclined to think, however, that it would not be outside the authority of this Parliament, with regard to any railway under its control, to provide for anything of that sort. I think it will be found that that authority will not interfere with any municipal right, or prevent the municipalities from taking such action as they may desire. The third clause imposes penalties for contravention of that section. The sixth section provides that trains shall not be allowed to stand on highways longer than five minutes at one time, and provides penalties for the contravention of this provision. After a good deal of examination into this question the Railway Committee came to the conclusion that five minutes was a reasonable time and this amendment provides for carrying out the views then expressed. The seventh section provides that railway companies are to keep crossings in proper condition, and that persons for whose use such crossings are made shall keep the gates closed and shall be liable for a penalty for contravening the provisions of this clause. There has been a great deal of difficulty about this question of crossing and of keeping gates closed in connection with the killing of cattle on railways, and it has been a question as to where the fault lies for the killing of cattle which have had access to the road. The eighth section repeals the fourth subsection of the 15th clause of the Consolidated Railway Act of 1869, and substitutes another for it. The effect of the amendment is to make the section applicable to cases where a roadway is carried under as well as over a railway. Section nine provides that a Judge of the Superior Court or County Court, or in the North-West Territory a Stipendiary Magistrate, and not the Minister of Railways and Canals, shall appoint the third arbitrator. There is found to be a good deal of difficulty in these remote sections of the country, in obtaining the third arbitrator, as the law now provides that he shall be appointed by the Minister of Railways. That provision occasions a good deal of delay, and it is thought it will be better to place the appointment in the hands of a Judge of the Superior or County Court, and in the North-West Territory, a Stipendiary Magistrate. These are the general provisions of the Bill which I have the honour to introduce.

Bill read the first time.

### BUSINESS OF THE HOUSE.

Sir JOHN A. MACDONALD moved that when the House adjourns this day it shall stand adjourned until Saturday at three o'clock, and that Government Orders shall have precedence on that day. He said: I have adopted the suggestion of the hon. gentleman.

Mr. BLAKE. Of course it is understood that we will have an evening session.

Sir JOHN A. MACDONALD. Yes.

Motion agreed to.

### SUPPLY—PUBLIC EXPENDITURE.

Sir LEONARD TILLEY moved the House again resolve itself into Committee of Supply.

Mr. CHARLTON. Before you leave the Chair I wish to place a motion in your hands, and before doing so I will speak to the subject matter of the motion as briefly as I can. The rapid increase of the expenditure of this country, especially for the last two years, is in my opinion a matter that ought to excite alarm. And although the increase in the Customs taxation in this country has been very large indeed, that increase amounting to \$12 per head of a family in the year 1883, as compared with 1878, yet, in the face of