

ed, I hope my hon. friend's motion does not go to that extent, but that the power should be left in the hands of the board to regulate the through traffic as well as to regulate the connections and the crossings.

Hon. Mr. SCOTT—The interpretation I put upon it was quite in accordance with the view expressed by the hon. gentleman from Calgary, that you cannot obtain control in any way over a provincial road unless you declare it to be for the general advantage of Canada. It is beyond our jurisdiction entirely, and we have either to bring it within our jurisdiction and control, or it is outside altogether. So far as the connecting or the crossing is concerned, we could not say to a provincial road: 'We won't allow you to cross unless you do so under the control and management of the board we have named', but the moment you go beyond that, you must recognize it as a road for the general advantage of Canada in order to give you any jurisdiction. There is no other way you can get jurisdiction, because the British North America Acts points out very clearly that in order to get the jurisdiction you must declare it to be for the general advantage of Canada. As I said before, I do not regard it as a very important matter. The great provincial roads which make connection are really under the control of the Grand Trunk Railway or the Canadian Pacific Railway. There are very few independent provincial roads. They are very small in mileage and not at all important, and it would not seem to me to weaken the Bill itself by our excluding the joint traffic between the provincial roads and one of our main lines. I do not think the point is so well taken in regard to the Intercolonial Railway. That is a very important road, and in the future I hope will exchange traffic with the Grand Trunk Railway and the Canadian Pacific Railway and the new Trans-Canadian line, and therefore it would seem proper that we should place the joint traffic of the Intercolonial Railway under the control of the board. That seems a very fair proposition, but the joint traffic over the smaller provincial roads is so infinitesimal that I do not think we ought to jeopardize our jurisdiction in the way we are doing by bringing them under the

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control of the board, as far as the joint traffic is concerned. I would rather leave them independent, because if my hon. friend wants to bring them under the control, he has to do it by invoking that clause of the British North American Act which enables us to bring a provincial road under our jurisdiction.

Hon. Sir MACKENZIE BOWELL—Has the hon. Secretary of State forgotten that the law on the statute-book at present declares that the moment you make a connection with a road, or cross it, that is a declaration of its being for the general advantage of Canada? If that be the case, if the connection with the road, or the crossing of a road makes it in the general interest of Canada, then there can be no necessity for making that special declaration, because it becomes de facto a Dominion road under the Act, and therefore should be subject to the board so far as the through traffic is concerned.

Hon. Mr. SCOTT—But I understood the general consensus was that we should negative that part of the existing law—that the mere joining of a provincial road with one of our main lines would not bring it under the jurisdiction of this parliament, and ergo we would not thereby be declaring it for the general advantage of Canada.

Hon. Mr. FERGUSON—I notice the point made by the hon. Secretary of State, that in his opinion we cannot bring a provincial road under the jurisdiction of this parliament except by this declaration. If that is correct, can we make this declaration in part without making it in the whole? Can we declare that a certain railway should be for the general advantage of Canada in the matter of crossings and through traffic, and not within the complete jurisdiction of parliament?

Hon. Mr. SCOTT—We can, I am quite satisfied, as far as the crossings and junctions are concerned, because we can say we will allow you to connect without the control of the board.

Hon. Mr. FERGUSON—We may refuse to let them connect; in that way we can force them to agree. But apart from that, would a partial declaration bring them within our jurisdiction, apart from the fact that we might hold them up in that way?