

Mr. LANCASTER. No, I do not think he has got me yet. I think I could show him where he is going a little too far. While we are anxious to facilitate the construction and operation of railways we must be careful that we do not stand up so straight that we fall over backwards. The first thing we know we will submit to this Railway Commission all the powers of parliament. I have every respect for the Railway Commission, but I have some respect for the people who elect 214 members of parliament to pass legislation. Parliament meets once a year and for half a year or more—

Mr. EMMERSON. It will soon be continuously.

Mr. LANCASTER. The members of the Railway Committee meet three or four days a week and we ought to deal with these matters in the Railway Committee. I think the Railway Committee could do a good deal of the work that we are sending to the Railway Commission and do it just as well as the unelected members of the Railway Commission do. I think the Minister of Railways and Canals is overworking his Railway Commission. We are sending day after day a lot of things to this Railway Commission wide open as the hon. member for South York wants them. The hon. Minister of Railways and Canals will require 200 or 300 members of the Railway Commission instead of two or three to do the work. If we issue or amend charters or introduce new provisions into the Railway Act from time to time, within certain limits, to give the Railway Commission certain powers that is all right, but here we are delegating not only the administrative power that we want the Railway Commission to have but the legislative power that belongs to the people, and which is vested at the present time in 214 members of this House and 80 or 90 members of the Upper Chamber across the corridors. Why we cannot do this work just as well as they can is what is troubling me. It seems to me that this section might be so worded that it will meet all that the Minister of Railways and Canals wants by inserting a condition that this power shall only devolve upon the Railway Commission when the geographical conditions require it. Under this section a great injustice might be done not only to certain railways but to the people. I will give an instance, one possibly out of many cases. In the Niagara district we want railways to run below the mountain from St. Catharines to Hamilton. The railways do not build there but they make arrangements with each other to build across the mountain where there is no fruit to move and the Railway Commission may say: You may both use the same track and we will not make you build another road. The people have a right to say more or less where the railways should go. The Rail-

way Commission should not have the whole say as to what part of the country should be served by railways. This will come down to that if you work it out to its logical result. I dare say that the hon. Minister of Railways will say that we must expect the Railway Commission to be logical, to use reasonable discretion and to be careful in what they do, but I cannot see that the Railway Commission should have the duty imposed upon them of legislating. They are not called upon by the people to legislate. The people do not elect them to legislate nor do the people elect the government to appoint a commission to legislate. It is clearly the function of this parliament to say what parts of the country should be served by railways. I do not like delegating that power to the Railway Commission because under this section the Railway Commission might say: There is a charter for such and such a railway and there is another charter for such and such a railway, they will be only 15 or 20 miles apart and we think the country will be served well enough if we order both of them to run on the same track. As a matter of fact the country would not be served well enough and the legislators would not be doing their duty to the people by consenting to it. The Railway Commission do not know where railways are wanted as well as members of parliament do. The Railway Commission know how to carry out the orders of parliament, how to adjust them and how to perform administrative acts in the widest sense of the word, but I do not think that the Railway Commission ought to have such power as to be able practically to say: Although you have a charter to build there and another company has a charter to build in another place one road is sufficient for the purpose, one track will serve both and so we will not open up a portion of the country by the construction of both railways that parliament intended they should open up. The Minister of Railways ought to put in some words to limit the provision to the case which he has stated. I never saw this amendment until ten minutes ago and so I do not pretend to say at the first blush that what I am now suggesting is exactly right, but I think the House can grasp my idea and between now and eight o'clock it can be put into some definite shape. My idea is that there should be some condition required such as that the geographical formation of the country should necessitate the exercise of this power. We should not give to the Railway Commission the unconditional right to say: We do not think that two railways are necessary and we will only make you build one and allow both companies to run their trains on the one track, because although you may carry the other railway and you only carry it for a certain distance, you may lose, by having one railway instead of two, the chance of picking up freight in another part of the country,