

for the regulation and interchange of traffic over the said railways respectively, or for either of those objects separately, and for the divisions and apportionment of tariffs in respect to such traffic. Subclause 2: The directors may also make and enter into any agreement for the running of—

The only question was as to the ten years.

Hon. Mr. SCOTT—It would be better to let the clause stand, and the proposed amendments can be printed.

Hon. Sir MACKENZIE BOWELL—Does the hon. gentleman propose to omit the proviso altogether?

Hon. Mr. POWER—That is what they did. I submit it as a notice of amendment.

The clause was allowed to stand.

On clause 310,

Hon. Mr. LOUGHEED—When this clause was up for consideration before, I suggested that no repealed portion of those two Acts should be embodied in this Act, so as to make this Act complete. In the repealing clause, there are only two exceptions made—section 306 of chapter 29 of 51 Victoria, and section 2 of chapter 9 of 59 Victoria are retained.

Hon. Mr. POWER—I just point out what section 2 of chapter 9 of 59 Victoria is:

All resolutions heretofore passed instead of by-laws, for the purpose mentioned in section 58, of the Railway Act, as substituted by this Act, are hereby confirmed.

It does not seem to me that a repeal of this Act would at all affect the resolutions passed before this Act came into operation, and I do not think there is any necessity for reserving this clause. I should like to have the opinion of the hon. gentleman from de Salaberry.

Hon. Mr. BEIQUE—I agree with the hon. member for Calgary that what is necessary should be an additional clause and then repeal the whole Act.

Hon. Sir MACKENZIE BOWELL—It might be placed among the general clauses. These two cases might be provided for in a section of the Bill.

Hon. Mr. POWER—It would be well to call the attention of the Secretary of State to the fact that the heading of schedule one is not in the form in which it should be.

Hon. Mr. POWER.

He might get the law clerk to put it in proper shape.

Hon. Mr. LOUGHEED—It is simply transferring the clause from the existing Act to this. We are retaining, apparently, under clause 310, section 306 of the General Railway Act, which simply declares certain railways to be for the general advantage of Canada. It could be as well introduced in this Bill as retained in the old Act.

Hon. Mr. POWER—My hon. friend has not looked closely at the latter end of section 306 of the present Railway Act.

Now or hereafter connected with or crossing the said lines of railway.

I think we had rather decided to adopt a different policy to that—that a mere crossing of a Dominion road by another road did not make that other road a work for the general advantage of Canada, and the drawing of this clause would require some consideration.

Hon. Mr. LOUGHEED—That involves another consideration entirely. The present Bill contemplates the continuance of the law of 1888 as to section 306. The principle which the Speaker has mentioned is something which is entirely contradictory to this and to the object of the Bill as it stands. I am not discussing the merits of it at all.

The clause was allowed to stand.

On clause 5,

5. All the provisions of this Act relating to any subject or matter within the legislative authority of the parliament of Canada, and for greater certainty, but not so as to restrict the generality of the foregoing terms, all provisions relating to railway crossings and junctions, highway crossings, through traffic, offences, penalties and statistics, shall apply to all persons, companies and railways, whether otherwise within the legislative authority of parliament or not. 51 V., c. 29, s. 4, Am.

Hon. Mr. BEIQUE—I have given notice of an amendment whereby clauses 5 and 7 would be struck out and clause 6 replaced by the amendment of which I have given notice, and which is in the following terms:

5. Every railway, steam or electric street railway or tramway, the construction or operation of which is authorized by a special Act passed by the legislature of any province, now or hereafter connecting with or crossing a railway which, at the time of such connection or crossing, is subject to the legislative authority of the parliament of Canada, is hereby declared to