

## APPENDIX No. 2

Mr. CHRYSLER, K.C.: I will do so.

Hon. Mr. COCHRANE: I think what you have said is all right.

Mr. CHRYSLER, K.C.: Subsection 4 of section 194 we have no objection to. That covers the case of new railways.

Now as to subsection 6 of section 252: I do not know whether there was any discussion before the Committee as to this, but it is the subsection which provides that upon the application of municipalities the Board may, where it deems reasonable and proper, "Require the company to construct under, or alongside of its track upon any bridge being constructed, reconstructed or materially altered by the company, a passageway for the use of the public either as general highway or as a footway, the additional cost to the company of constructing, maintaining and renewing which, as fixed by or under the direction of the Board, shall be paid by the municipality or municipalities, as the Board may direct, and the Board may impose any terms or conditions as to the use of such passageway or otherwise which it deems proper."

Hon. Mr. COCHRANE: The Railway Committee of the House were very strong for that a year ago.

Mr. CHRYSLER, K.C.: Do you mean in the general Act, Mr. Minister?

Hon. Mr. COCHRANE: Yes.

Mr. MACLEAN: Do you want that struck out? I would not stand for it for a minute. First of all I will speak on behalf of the West. There are a great many railway bridges in the West where there are no public roads, and these municipalities say that it is a very expensive proposition to make a public bridge across a long gully. They want it provided that hereafter if a railway company is building a new bridge or materially reconstructing an existing bridge, the municipality should have the right to come to the Board and ask to have a public way attached to that bridge. By that co-operation the public will be served and the railway will not be damaged. If there is damage, compensation will be paid as in the judgment of the Board. All over Ontario the same situation exists. I have had members come to me in the Railway Committee, in my experience of many years, and say that was the thing they wanted, that when another bridge was being built, or reconstructed, if the two could co-operate it should be done jointly. The physical characteristics of York Township in my own constituency are deep gullies and ravines, which the railway companies have bridged. Bridges are being reconstructed in the city of Toronto to-day, and the railway company has expressed a willingness to join in that reconstruction. My own experience in the local case to which I have referred, and from the views of members from all over the Dominion, have convinced me that this provision should be adopted. I see no reason why the railway companies should object to it, because compensation is provided for.

The CHAIRMAN: Would you also tell us why Mr. Chrysler, when the subsection says the additional cost to the company shall be paid by the municipality, the railways should object?

Mr. CHRYSLER, K.C.: I am just going to tell you.

Mr. MACLEAN: That is what we want.

Mr. CHRYSLER, K.C.: In the first place there may be special cases. There is for example, no less an outstanding case than that of the Victoria Bridge at Montreal.

Mr. MACLEAN: That is the big case in point.

Mr. CHRYSLER, K.C.: The Victoria Bridge at Montreal has road approaches and accommodation for foot passengers and street cars as well as for the railway. So has the Alexandra Bridge at Ottawa. These are special cases. A great many cases relate to smaller bridges in small municipalities where the bridge connects the railway at one end with the railway at the other end, and there is no street approach or connection with the highway of the municipality at the end of the bridge. The principle is