

ride by legislation from this parliament the obligations, the duties, the conditions which the legislature of the province of Ontario imposed upon them and which the municipalities have imposed upon them. This is our position. It is a sound position, and we are not going to recede from it. Hon. gentlemen opposite may think that we are wrong. They have a right to their opinion. But it is surely our bounden duty, at every stage when an opportunity offers, to protest against the invasion of municipal rights, when we believe that that invasion is not in the public interest. The hon. minister very courteously amended this clause, No. 184, when it was before us ten or twelve days ago. The amendment the hon. gentleman agreed to did not go so far as that I suggested to him. I desired that the municipalities—all the municipalities rural or urban—should have their rights protected. The hon. gentleman confined it to the exclusion of tramroads from incorporated towns and cities. So far so good. But I say that the rights of all should be protected, that rural municipalities had rights that ought not to be disregarded, and that the object of this parliament should be to protect those rights as against the claims of railway and tramroad promoters. One word more before I resume my seat with regard to the position the city of Toronto occupies. I have already said that the franchise of the street railway belongs to the city of Toronto, but it has been leased for a period of years. The citizens of Toronto have not objected to the entrance of suburban trams. In fact, we have been trying to get them in. We are building a market at an expense of more than a quarter of a million dollars to store country produce, to facilitate the business they are expected to do. But, while we want the suburban tram-car lines to come in, we want them to enter upon the lines of railway already existing, and we want them to come in upon conditions imposed by the city of Toronto. The difference that has existed between the promoters of the Toronto and Hamilton railroad and the corporation of Toronto has been that, while the citizens of Toronto desire that whatever agreement they make for the entry of the suburban roads should terminate with the lease of the Toronto franchise, the proprietors of these suburban roads had the audacity to ask that they should have the right in perpetuity to run their lines into the city of Toronto. Was that a fair proposition? And, not being able to obtain from the provincial legislature, or from the municipality of the city of Toronto, these privileges, these unfair and unjust privileges, they come here and ask this parliament to incorporate them as a work for the general advantage of Canada and seek to override not only the municipal, but provincial rights. That is a statement of facts, and I challenge contradiction of it; and

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I say we are only doing our duty as members of this opposition in raising our voices, however feebly and ineffectively, in favour of maintaining municipal and provincial rights and against this parliament being made the means of incorporating a purely local concern and declaring it to be for the general advantage of Canada. My hon. friend from West York (Mr. Campbell) said that the municipalities about Toronto were in favour of the entrance of the Toronto and Hamilton Railway.

Mr. COWAN. That is not law yet.

Mr. CLARKE. I only refer to it as the hon. gentleman referred to it. I only want to say that the city of Toronto has not interfered, that it has left the suburban municipalities free to make any arrangements they thought good, and I think the least the city of Toronto has a right to expect is that the suburban municipalities will allow the city to make its own agreement. The principal value of this franchise is in the right of access to the city of Toronto; and if that is a valuable franchise the city of Toronto is the best judge as to what value to place upon it and what terms to exact from those to whom it is conceded.

Mr. COWAN. I do not propose to follow the hon. member for West Toronto (Mr. Clarke) in the long diatribe—

Mr. CLARKE. Diatribe?

Mr. COWAN. Yes, diatribe. I have chosen the word advisedly. I do not propose to follow the hon. gentleman in the long diatribe which he has chosen to inflict upon us here to-night concerning the street railways of Toronto. He has done so notwithstanding that he knows that that matter will come up to-morrow evening. But I may go one step further and tell the hon. gentleman that he never discovered the Bill known as the Toronto and Hamilton Railway was something that was going to interfere with the rights of Toronto until it had its second reading, and after it had passed the Railway Committee. The hon. member for Toronto was silent as a clam in its shell while that was going on until the press drew the matter to his attention. When the question of the tramways and electric railways of Toronto come before us, we shall be pleased to listen to what the hon. gentleman has to say upon the subject. But now we are discussing a general railway commission Bill, yet he wishes to discuss this question of provincial electric railways, something entirely beyond the jurisdiction of this parliament, something which I hope, and which hon. members on this side of the House hope will not be dealt with here, but will be left to the jurisdiction of the province.

Mr. LANCASTER. Why, the Bill before us deals with them in half a dozen sections.