

*Trans-Canada Highway*

through you, Mr. Speaker, that this is really inviting the kind of danger that I am sure he wants to avoid. Here you have automobiles moving at a target speed of 60 miles per hour, and that may very well be the low point in the bracket rather than the high. Some of these automobiles will get over onto the shoulder. If you have children playing there, as children will if they are allowed there at all, and cyclists moving along there, they are going to be hit by these vehicles.

● (6:30 p.m.)

I think the hon. gentleman will have to face up to the fact that you cannot have an arterial highway and at the same time allow children to walk and play on the shoulder of that road, even if you do draw a white line down the edge of that road. You cannot have bicycles careening around there as the hon. member and I careened around on our bicycles. You cannot have that condition without inviting tragedy; and tragedy is precisely the sort of thing that must be avoided. You know, Mr. Speaker, there are members other than the hon. member for Brome-Missisquoi (Mr. Grafftey) who are concerned for the safety of the people of this country.

What I am arguing is that the hon. member has a very good motive but that the method he suggests for accomplishing it is one which might frustrate the purpose of the trans-Canada highway as it has developed over the years and which at the same time might frustrate the purpose set forth by the hon. member.

At the risk of being harangued by the hon. member for Brome-Missisquoi for being out of order, I want to suggest another problem that I feel is quite serious. I refer to the question of the constitutionality of the procedure that is being recommended. We must proceed within the context of the constitutional law as it now is. It may very well be that some alterations ought to be made in that constitutional law, but that is another question. We have to deal with the law as it now is. I am sure any gentleman learned in the law would insist that that is the realistic approach, at least in this debate.

You will notice, sir, that the motion would have the government take the initiative in introducing the requirement for sidewalks or pedestrian paths to be constructed alongside the trans-Canada highway where that highway passes through inhabited or built-up areas. I want to suggest to you, sir, that it is doubtful that this house has the constitutional

right to prompt such an initiative. Transportation within a province is the responsibility of the provincial government, and it is exercised either directly or by delegation to incorporated towns, cities or other municipalities.

I am quite ready to contend that the trans-Canada highway as a whole is hardly a local work or undertaking, but it is notable that in the building of the highway proper the work of planning and construction has been left to the several provinces. It would strain credulity to the utmost to contend that sidewalk or pedestrian paths appropriately could be declared by this parliament to be works for the general advantage of Canada and thus fall into the category suggested by subsection 10 of section 92 of the British North America Act.

**Mr. Reid:** Mr. Speaker, would the hon. member permit a question? Can he tell us what the federal government's contribution was to the trans-Canada highway? I think it is a shared cost basis. Just what proportion does this parliament pay?

**Mr. Stewart:** Yes, Mr. Speaker, I can give some figures on that. As of February 25, 1966, the estimated value of the approved work was \$992,418,300 and the share of the federal government of that—

**The Acting Speaker (Mr. Rinfret):** May I remind the hon. member that in giving the amounts subscribed by the federal government or provincial governments he is straying from the main debate?

**Mr. Stewart:** Yes, Mr. Speaker, I think that is quite right. I was just trying to respond to the hon. gentleman's question.

**Mr. Reid:** I do not think that is correct at all.

**The Acting Speaker (Mr. Rinfret):** Order. The Parliamentary Secretary to the Minister of Public Works.

**Mr. Stewart:** Probably the contention was going to be, Your Honour, that this was a demand for more money from Ottawa for several provinces. Back in 1949, sir, when the Trans-Canada Highway Act was—

**The Acting Speaker (Mr. Rinfret):** Order. I regret to interrupt the hon. member but his time has expired.

**Mr. Keays:** May I ask a question?

**The Acting Speaker (Mr. Rinfret):** Does the house give unanimous consent to the hon. member for Gaspé to ask a question of the Parliamentary Secretary?