

expended 15 per cent, there is no reason why, if it gets another extension of time, it should not expend another 15 per cent within two years. Until the general Act is amended in this direction, I think that a clause to this effect should be put in all these Acts.

Mr. GRAHAM. It is difficult to lay down any hard and fast rule, particularly in a country where we are so anxious to get railway construction. In some instances it is perfectly proper to impose cast-iron conditions, but cases have arisen in the Railway Committee in thirty minutes in which conditions had to be put in one Bill and not in another, owing to the differences in the conditions of construction. I am surprised at what I find in this Bill. I understood in the committee, and the Bill was allowed to go through on the assurance, that they had expended 15 per cent since the last extension of the charter. But I find that this Act was passed in 1906, changing the name of this road, extending the time, and containing the two years and 15 per cent clause, and since that Act was passed no circumstance could have arisen to justify us in relieving the company of the conditions imposed by that Act. The only reason the 15 per cent clause was left out of this Act was that the committee understood that since the last extension the company had expended 15 per cent, and the same condition would not be imposed in the renewal; but they would be required to complete in the five years. I agree with the hon. member from South Simcoe that in this Bill we ought to insert the two years and 15 per cent clause.

Mr. HENDERSON. I have no information whether any money has been expended on this road since the time of the last renewal in 1906. I have no information that no money has been expended. For anything I know, there may have been considerable. We had the assurance in the Railway Committee that about \$250,000, if I remember rightly, had been expended, and we were told where this money was spent. A portion of the road has been constructed at Mimico, abutments for a bridge over Twelve Mile creek at Bronte have been built, and I think other works have been constructed. At any rate, we had the assurance that, so far as the 15 per cent was concerned, that had been expended on the road. I do not think the promoter of the Bill made the statement that this work had been done since the last renewal was given.

Mr. GRAHAM. I do not know that he did.

Mr. HENDERSON. If a blunder has been made, I think it was made when the last renewal was given. There was no reason then for putting in the provision respecting 15 per cent, because that had been

spent. All that they should have asked for and obtained was the extension for five years to build the road. It seems to me it was an oversight to put in the regular clause instead of a special clause. The hon. member for South Simcoe (Mr. Lennox) smiles, but I know that in the Railway Committee it is not unusual for the chairman to say: 'Shall we insert the usual clause?' and it is immediately agreed to, the committee losing sight of the fact, perhaps, that the case is a special one and the usual clause is not called for. The blunder, if there was one, is unfortunate, because it may have an undesirable effect on this charter. This is an important road, commencing at Toronto, passing through York, Peel and Halton counties, and so on around to Niagara. I am disposed to regard the legislation of three years ago as something done in error, and the 15 per cent as an expenditure made prior to that time. All we have to do now is to extend the time for the completion of the road. Parliament has the power to do that—it has the power to do almost anything in these matters. I admit that there is a point in what is said by the hon. member for South Simcoe, if he is right in his allegation that no money has been spent since the last renewal was obtained. On that point I am not informed. I realize that there is a difficulty, but I hope the Minister of Railways will find a way out of it. If necessary I would ask that the Bill be not disposed of now, unless he sees fit to allow the clause to go through as passed in the Railway Committee. The hon. member for Victoria and Haliburton (Mr. Hughes) asks: What is the objection? It is that nothing has been done since the last renewal was granted. Certainly I have no evidence—I do not say that the hon. member for South Simcoe (Mr. Lennox) has no evidence—that such is the case. I think that, in the absence of evidence, we must presume that the Railway Committee understood that the necessary 15 per cent had been expended since the last renewal, though I do not know that as a matter of fact.

Mr. LENNOX. I will say for the benefit of my hon. friend (Mr. Henderson) that I do not profess to have evidence on the matter; I only argue on the facts as they appear in the documents before us. I suppose the hon. gentleman knows much more about the facts than I do. I understood the hon. member to say that he knew there was a very considerable expenditure at one time.

Mr. HENDERSON. I am simply following the statement made in the Railway Committee by the solicitor representing the promoter, who mentioned the work that had been done near Mimico, and especially the abutments built at the village of Bronte. There was also the right of way that had