

upon the clause as he pleased. He should have voted against it in Committee, and should vote against it now.

After a few words from Mr. McKellar, explaining the action of the Committee, the amendment was carried.

Mr. OLIVER proposed an amendment to clause 17, having regard to running powers.

Hon. Mr. WOOD said the clause was a very long one, and should be printed before being submitted to the House.

Hon. Mr. CAMERON, and Mr. PARDEE, concurred.

Mr. McKellar thought it might be considered now, and, if accepted, it could be afterwards printed.

The discussion was dropped, and

Mr. RYKERT moved that clauses 18, 19 and 20 be struck out.

The three clauses were struck out, and the remaining clauses and schedule A was carried. Schedule B was struck out.

The clause proposed by Mr. OLIVER was then brought forward, and carried.

The Bill was reported with amendments, which were concurred in.

Mr. McKellar objected to the reception of the report of the Committee.

Mr. RYKERT said it was now too late to object, the report had been received.

Mr. McKellar objected to this sharp practice. He objected to the reception of the report from the moment it came out of Committee.

Hon. Mr. CAMERON said the hon. member for Bothwell must have been asleep to come so late with his objections.

After some further discussion the Bill was ordered for a third reading to-morrow.

ERIE AND NIAGARA EXTENSION RAILWAY.

Mr. McKellar moved that the House go into Committee on Bill (No. 36), to amend the Act incorporating the Erie and Niagara Extension Railway Company, and to change its name to the Canada Southern Railway Company.

Mr. WILLIAMS (Durham) in the chair.

Mr. McCALL (Norfolk) moved the adoption of a clause making some changes in the names of the Company.

Hon. Mr. CAMERON wished to know the reason for this change.

Mr. McKellar explained that it was desired to enlarge the Board, and to replace a couple of directors who had resigned.

The amendment was carried.

On clause 2, to authorize the Company to construct a branch line from St. Thomas to a point on the St. Clair River, a discussion arose.

Mr. SCOTT (Ottawa) objected to empowering the Company to construct a line which was to be a rival to the Grand Trunk line. The only object of this new line was to enable New York merchants to get pork and flour from Chicago 36 or 48 hours earlier than by any existing route. It was hardly good policy to create rival lines to the G. T. R., which must be sustained. If the G. T. R. and G. W. R. were doing a large and profitable business, it would be well enough to permit American speculators to come in and construct rival lines. The point was simply this, if these rival lines were allowed to be built, Canada would have to step in again and help the Grand Trunk Railway.

Mr. McKellar said, if we were to construct no more lines in the Province till the Grand Trunk Railway could pay its debts, then there would be no more railways built in Ontario within the lifetime of any member of this House. He believed no one would deny that the route over which this line was to be constructed was one of the most fertile in the Province. That section of the country alone required to be opened up. Through it lay the shortest route to the Western States. The traffic from the west was increasing every day. It was an immense traffic; and by merely allowing American trains to pass through our territory, which now pass to the south of the Lake, would leave \$1,000,000 in the country every year. The question was not whether it was going to injure the Grand Trunk Railway or the Great Western Railway. If these two lines were extravagantly built it should not interfere with the interests of the country. He could see no harm that could result from permitting the American traffic to pass through our country.

Hon. Mr. WOOD said the Province of Canada had got a long line of railway, extending from Sarnia to Riviere du Loup, at a cost of fifteen millions, which he considered a comparatively small sum, for the large benefits derived from it. The Great Western Railway, too, was of immense importance to the country, particularly in view of our present commercial relations with the United States. Now, if a line were to be built from St. Thomas to Amherstburg, it would receive his hearty assent. But the proposition before the House was to construct a line through from Buffalo to the St. Clair.

The House rose for recess at six o'clock. After recess,

REGISTRY OFFICES.

Hon. Mr. CAMERON presented the report of the Inspector of Registry Offices for the past year.

WAYS AND MEANS.

Hon. Mr. WOOD gave notice that he should move that the House should go into Committee of Ways and Means to-morrow.

THE CANADA SOUTHERN LINE.

Hon. Mr. WOOD said that it was proposed to make a line over the same route which the House had already granted a charter for. He thought the only reasonable thing the House could do would be to grant a charter from St. Thomas to Windsor. He thought, however, that the Bill next in order was promoted in such a manner as to convince him that it was more likely to be constructed than Thomson's line. He thought it would be unwise, unjust and injurious to grant this charter running over the same line.

Mr. McKellar said it seemed to be

very illogical on the part of the hon. gentleman to oppose the Bill, on the ground that the line was occupied. But he had already supported a Bill which came under the same arguments. It seemed very illogical in him thus to act.

Hon. Mr. WOOD said every one must admit that it was morally impossible for any company to fulfil all the necessary requirements—including the consultation of capitalists, probably in England and elsewhere, to the floating and construction of a railway—before the 1st of March. It was utterly impossible, and he considered the charter as practically *effete*.

Mr. OLIVER said the House would be stultifying itself by granting a charter to this company to construct a line over a route which had been already granted to another company. He did not believe Mr. Thomson should get this extension, because it was not likely that he would do any more toward the construction of the road in the future than he had in the past.

Mr. HAYS considered that the good faith of the company was strongly sustained by the fact that he was prepared to deposit the \$200,000 as a guarantee. He thought that the House should give Mr. Thomson the extension he desired. It would be nothing but fair play to Mr. Thomson to grant his desire for an alteration of gauge and his extension to St. Clair.

Mr. LYON said he had voted against the Bill in Committee, for, after hearing all the evidence, he came to the conclusion, as an independent person, that Mr. Thomson was unable to construct the line. He voted against the preamble, but the House told him that he had given an erroneous one. He accepted that decision, and he would, therefore, go in favour of the extension. They ought to consider the Bill on its merits, and give them a proper Bill, such as they required.

Hon. Mr. CAMERON said that the promoter of the Bill, when he introduced the clause into the Bill in Committee, and found that it was opposed, immediately dropped it, saying that he would bring it up again in the House. He supported the Bill which had already passed the Committee, because he thought the district would be better served. He did so, because the parties proposing the other line were better able to construct the line. It was quite clear if they granted this charter, the effect of it would be to interfere with a new charter. He was eager to see a line of railway from St. Thomas to the St. Clair, and he thought that the charter already granted would be much more likely to construct the line. He raised some objections to the names of some of the Directors being changed.

Mr. McCALL (Norfolk) rose to a point of order. The clause referred to had passed.

Hon. Mr. CAMERON said the hon. member did not appear so acute on this question as usual. He believed that it was inexpedient to grant a charter to a corporation which had shown itself incapable of doing what it already possessed the charter to do; and when they had a Company who were better able to accomplish the work, and prepared to undertake it, they should give them the charter.

Mr. PARDEE felt interested in the Company as representing a district which was greatly interested in the construction of the line. He thought Mr. Thomson had a greater right for consideration at their hands than either of the other two Bills, because his Bill so far as it already went was the law of the land. He had a vested right in the route. But it was urged that Mr. Thomson did not show that he had the ability to build this road between St. Thomas and Lake St. Clair. If it was built by an independent company, it would be but a mere local line. It would be impossible to get any local company to subscribe their money to build such a road to St. Clair. Mr. Thomson was more able to build the line than Mr. Hethaway. Mr. Thomson was connected with the Michigan Air Line, who were prepared to raise money to organize the company and to assist in the construction of the line. As to the necessity of the road, there was a large district, sixty miles long and forty broad, which only required railway accommodation to open it. The House had already declared that the road was required and had granted a charter for it. The people along the route were aware of Mr. Thomson's powers to build this line, and if this was the case, why should they refuse the line? He did not think that they were justified in refusing the desire of Mr. Thomson. They would never get a line except it was through the Michigan Air Line, and he did not, therefore, think that it was right for them to refuse that charter which was now desired. They withdrew the clause in Committee in order to bring it up before the House, but it was with the full understanding that it was to be introduced into the House. He believed that taking the requirements of the country and the idea of the country, that Mr. Thomson had the power to make the line; that it would be very wrong if they refused to grant this charter which would confer so large an amount of benefit upon the district.

In answer to Mr. Wood,

Mr. PARDEE said that he felt so confident that the line could be organized by the Michigan Government that he believed it could be organized before the 1st of March, if required.

Hon. Mr. WOOD said the House had practically refused to grant the extension. The charter involved certain conditions, and the House believing that though the country required a road, Mr. Thomson was unable to meet the requirements, thought it right to refuse the extension sought for.

Hon. Mr. WOOD read from a prospectus, issued by Mr. Thomson, a statement to the effect that the Company could not be organized before the 10th March. He had declared within his hearing that the exception of the suspensory clause in the Great Western charter was the extinction of every vital power in his charter. There were a good many other fields in which Mr. Thomson might expend his energies.

Hon. Mr. RICHARDS said the fact was that the Great Western had been for eighteen years striving against this line, but Mr. Thomson had forced them to take the matter up. The hon. Provincial Treasurer had

brought into the question a certain character of logic, which was of such a description that he (the Commissioner of Crown Lands) could only say that it was not for such logic that he had joined him as one of his colleagues. He argued that the House would stultify itself by passing this Bill. But what was the fact? Did not the hon. gentleman know that the opinions of a committee on one Bill did not show their opinions on the other Bill? Did he not know that there were other members of the House, who were not present on this Bill, who might be present now? It would be in the hon. Treasurer's opinion beyond the power of the House to oppose a Bill that had gone through a Committee. They all knew—

Hon. Mr. WOOD—I said you cannot pass the Air Line Bill.

Hon. Mr. RICHARDS could not understand the logic of the hon. gentleman. He believed that it was perfectly inconsistent to introduce a Bill one day and to vote against it the next. It was the fault of the Committee that there should be an opportunity for greater freedom of speech, which allowed his hon. friend the Treasurer to have the opportunity of speaking two or three times, as he had done that evening. It was something beyond the hon. Treasurer's usual position and logic in that House.

Mr. STRANGE—Oh, he is Grand Trunk to night.

Hon. Mr. RICHARDS contended that they were the first in the field, and had cleared the ground to a considerable extent. They had drawn the public attention to this measure, and a considerable time had been spent by Mr. Thomson in various quarters, and he had produced evidence that he would be able to make this line. He might ask whether there was ever a railway company that had not come in, two or three years after its charter was originally granted, to have some alterations effected in its charter. The Welland Canal and the Northern Railway had come again and again to the Legislature to ask for alterations and extensions to its charter. The result had been the same in all railways, and he did not think that they should refuse the right of constructing the line, when the opponents of the Bill admitted that every effort had been made to secure the success of the scheme, and for securing for it a certain amount of success. He believed that there was a prospect of success before them, and he therefore thought that it was very reasonable in the promoters to ask for a little extension of time.

Mr. RYKERT said, that he did not object to the extension of the time, but he insisted on the promoter's showing that he had the ability to build the line. His hon. friend had said that he was able to obtain \$200,000 and they had evidence that he could not obtain one single dollar from the Michigan Air Line Company. They could not use one single dollar in constructing the road. The laws of the State of Michigan did not allow them to spend one single dollar in a foreign country.

Mr. STRANGE—"Louder."

Mr. RYKERT said that word was the first they had heard from the hon. member since he had been in the House. If the evidence showed that Thomson could not build the line, then they ought not to grant him this charter. If they granted the wishes of Mr. Thomson, he believed that the district of country, where a road is greatly wanted, would be without one for years. The House had already admitted that the district ought to have railway accommodation, and they ought therefore to refuse to grant such charters as would never be fulfilled. They ought not to encourage Mr. Thomson to come here and get railway charters, if they wished to see the country ever served by railways.

Mr. CLARKE said the first objection was that two companies should not hold the same line of road. He thought no railway company should object to another getting a charter to build a line which would be a competing line, but he did not think that two charters should be granted for the same line. This House had this night declared that what was considered an exclusive privilege should be given to another company, and now the Hon. Provincial Treasurer, after doing so, agreed

that the extension should not be granted to the old company, because it would interfere with the new one. The question then, as regarded the double line was, whether this House had a right to say we will grant a charter to this Great Western Company, from Glencoe eastward, over the line of an existing charter, but we will not allow another company to extend eastward, because it will interfere with the rights of the new company. The House should be, at least, consistent, and grant the same privileges to one as had been extended to the other.

Hon. Mr. CAMERON believed the hon. member for Grenville had been napping recently. The very arguments which he had been making use of in favour of this Bill before the House, only proved that the Great Western Railway Bill should alone be passed. The Committee had decided, from the evidence laid before them, against the Bill now before the House.

Mr. McCALL said the Committee would remember that the Railway Committee rejected the preamble of the Bill, and sent it up to the House without any evidence for their rejecting it. The House accepted the preamble and referred the Bill back to the Committee. Now, there had been great opposition shown to the Bill by the Great Western Railway and the Grand Trunk Railway. It was evident these two companies had united to oppose it. The result would be that the people of the South-Western Peninsula would not get a line at all. It was against the interests of these two great Corporations to construct a competing line, and their only object in opposing Mr. Thomson's line was for fear of its injuring themselves.

Mr. McKellar referred to the manner in which the Bill had been treated by the Railway Committee. It was the intention of that Committee to burk the Bill.

Mr. FERGUSON rose to a point of order. He objected to the last remark of the hon. member for Bothwell.

Mr. McKellar believed he was perfectly in order. Now, in the Railway Committee, the Bill had been thrown back a week by unfair means. In order to obtain a report from them, he had withdrawn some objectionable clauses

with the distinct understanding that they would be discussed by the House when the Bill should be considered in Committee. He considered now was the right time to discuss them.

Mr. OLIVER said when Mr. Thomson asked for his charter three years ago he stated to the Committee that he would commence operations within six weeks and have cars running on the road within six months. Now, Mr. Thomson must have known at that time that the gauge would interfere with his enterprise, and that was his time to have obtained the narrow gauge if it was necessary to success.

Mr. CLARKE said this House was called on to exercise certain power without any evidence before them on which to act. The question seemed to be the capacity of the parties to undertake the work. He desired some information on this subject on which to give his vote. He found that the majority of the representatives of the country through which this route lay were in favour of the scheme. Petitions had been presented asking for it, and numbers in opposition to the rival scheme—none against the scheme before the House. It was true there were some hon. members opposed to this measure, but it was from a liking for the Great Western Railway Company, and not from any dislike to the other scheme, or any proof of the incapacity of Mr. Thomson to construct the road. All the evidence before the House was in favour of the capacity of Mr. Thomson to undertake the work.

Mr. LAUDER said it was not the fault of the Committee that evidence had not been taken. In justice to all parties interested, it should be stated that this clause was withdrawn by the promoters of the Bill in Committee. Why did they not allow it to be discussed there—the proper place for the discussion?

Mr. HAYS wished to know if the Committee had not rejected the preamble, and the House had not considered it as proven, and sent it back to the Committee.

Mr. LAUDER said the Bill had been sent back for the evidence.

Mr. LYON said the hon. member for Grey had assented to the acceptance of the preamble, for he had voted to have it referred back to the Committee. The House sent back the Bill, and told the Committee it had done wrong. The House should, therefore, not take into consideration whether Mr. Thomson was able to build the line or not, they had decided in the affirmative before, and they should now discuss the details. For his (Mr. L.) part, he could see no reason for refusing to give Mr. Thomson a charter to build a line from St. Thomas to St. Clair River. It could not interfere with any line but the Grand Trunk, and there had been no objection urged against it on that ground. The sole objection was that Mr. Thomson was incapable of building it. Now the House, in accepting the preamble, had negated that objection, and there remained nothing more to be done, but to consider the details.

Mr. GOW, as a member of the Committee, had come to his decision of voting against the Bill, because he had strong doubts from the evidence as to Mr. Thomson's ability to build the road. Nevertheless, he believed in extending fair play to all. Mr. Thomson had met with much opposition from the outset, and had been saddled with a gauge which had seriously interfered with his enterprise.

Mr. FERGUSON objected to the action of the House in the first place in reversing the decision of the Committee. It was unfortunate that they had not taken the evidence, for, if the same evidence which had been brought before them had been submitted to the House they would have come to the same decision as the Committee. But the House, in a light handed manner, had taken upon itself to reverse the decision of the Committee, without having heard a particle of the evidence. The hon. member for Leeds on these facts, took the ground that the charter should now be granted. The question of Mr. Thomson's ability to construct the road had been fully discussed by the Committee. The most complete evidence on this point had been taken, and Mr. Whitbeck, a most intelligent American, had declared that the American Company with which Mr. Thomson had been dealing, would give him \$200,000 after having constructed their own line, on certain conditions. Now, this was a very indefinite promise. The declared object of the American Company was to obtain the entire control of Mr. Thomson's charter at once and forever.

Hon. Mr. McMURRICH—I never heard of such a condition.

Mr. FERGUSON said he had heard this condition stated by Mr. Whitbeck in giving his evidence. It was true that Mr. Thomson had afterwards endeavoured to deny the facts. The effect was to hand over the right of running a line through our country. To give Americans a right over our own people. And this advantage was to be conferred on people who would not enter into reciprocity of trade with us. Now, he did not believe in granting such conveniences and privileges; it was prejudicial to the people in whose interests this House had met to legislate. He objected to the ingenious trick (order, order) of the hon. member for Bothwell to withdraw this important clause from the Bill in Committee in order to get it through, and now to introduce it into the Bill again. Such a course was without precedent in Parliamentary practice. The hon. member had asserted that he did this because he knew the Committee would do justice in the premises. Such an assertion was a slur on 37 members of this House. It was imputing to them unfair motives—motives with which he was convinced no member of this House could be influenced. He did not wish to deprive the people of this road, and for this reason he opposed this Bill.

Here Mr. Ferguson was interrupted by the members rubbing their desks and calling "Question."

Mr. FERGUSON moved that the Committee do now rise and report. Lost.

Mr. BLAKE suggested that the amendment be read.

The amendment was then put.

Mr. FERGUSON insisted that he still had the floor.

Mr. BLAKE said the hon. member could