

barrassing. No man in this House knows better than my hon. friend (Mr. Foster) that I was speaking of clause 16 as it is in the present Act and that my hon. friend the Minister of Finance was speaking of clause 16 as it is to be amended.

Some hon. MEMBERS. Oh, oh.

Mr. FITZPATRICK. And my hon. friend is perfectly well aware—

Mr. R. L. BORDEN. May I ask my hon. friend—

Mr. FITZPATRICK. Now, now, now. My hon. friend (Mr. Foster) whose reputation is well established in this country as a most expert dialectician knows perfectly well that if his remarks are to be read by the people they will also be curious enough to look at the text from which he spoke, and they will consider what has been said by my hon. friend the Minister of Finance and myself, with the result that he will find out that his remarks will not have the effect that at the present time they may appear to have.

Mr. FOSTER. Let us have dinner now.

Mr. R. L. BORDEN. I would like to ask my hon. friend the Minister of Justice one question. Has he, after all, come around to the view of the hon. Minister of the Interior that there is a very pronounced difference between the original and the amended clause 16?

Mr. FITZPATRICK. We will consider that at the right time, but I must make this observation and I make it in all seriousness: I am sorry to see that my hon. friend has turned away from the good training he had at the bar, because if he were still at the bar he would never have thought of proceeding in such an illogical manner. I must insist that he shall be relieved at the earliest possible moment from the position which he now occupies so as to enable him to go back to the bar and maintain the magnificent reputation that he there made for himself. Shall we dispose of section 2, or are we going to have another discussion on separate schools?

Mr. FIELDING. I cannot be here at eight o'clock and I will have to deny myself the pleasure of hearing that discussion.

Mr. SAM. HUGHES. Is the hon. Minister of Finance going to bolt again, now that he finds that separate schools are really to be established?

Mr. FIELDING. No, the bolt is on the other side.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. FITZPATRICK.

PRIVATE BILLS.

OTTAWA AND NEW YORK RAILWAY.

House again in committee on Bill (No. 92) respecting the Ottawa and New York Railway Company.—Mr. Pringle.

On the preamble.

Mr. PRINGLE. I might say a word or two with regard to this Bill. Under chapter 57 of the statutes of 1897, the Ottawa and New York Railway Company was incorporated and a railroad was built from the town of Cornwall to the city of Ottawa. On the American side of the line there is a continuation of that railroad which extends from the River St. Lawrence, southwards to Tupper Lake Junction in the Adirondacks. At the time the railroad was incorporated the directors were, I think, largely residents of the United States. They received from the Dominion government the usual subsidy of \$3,200 per mile, but there was expended on the railroad some \$750,000 of American capital, part of which may have been expended on the bridge that was built from the north to the south shore of the St. Lawrence at the town of Cornwall. At the time these American capitalists invested their money, they were working under the provisions of the Railway Act, 1888, which permitted a majority of the directors to be aliens, and when the Railway Act of 1903 was passed, clause 109 contained a similar provision. In 1904, by section 5, of chapter 32, it was enacted:

The majority of the directors of any company which has heretofore received, or hereafter receives from the government of Canada by any Act of the parliament thereof, aid towards the construction of its railway or undertaking or any part thereof, shall be British subjects, provided that this section shall not until the 31st of January, 1905, apply to any company the majority of whose directors are not British subjects when this Act comes into force.

This law was passed when we were considering the construction of the Transcontinental Railway and up to that time there was no prohibition against aliens being directors of a railway company in Canada. The Ottawa and New York Railway is only some 56 miles in length, and it would be a great hardship to compel the New York Central Railway Company which has now acquired this railroad, to have a majority of its directors British subjects. Unfortunately the Ottawa and New York Railway has not paid, and it fell into the hands of a receiver and was sold and acquired last fall by the New York Central. The condition of the road at the present time is not good and it is necessary that a large amount of money should be expended to put it in proper condition, in fact to put it in safe condition for traffic. The New York Central people are anxious to start this work as soon as possible. This is simply a Canadian branch of the New York Central, and I cannot see that it