

diction unless practically the rails were removed and they started over again. In order to give the board the power to deal with such cases in the past, but not in the future, this amendment is introduced.

The second section is to provide that railway companies may appoint vice presidents with certain prescribed duties although those persons are not members of the Board of Directors.

The third section is to expedite the passing of wires for telegraph, telephone, or electric light purposes over railways without waiting for an order of the board.

Section 4 deals with the question of the necessity of a brakeman riding on the rear end of a locomotive when it is passing over certain portions of the line. The employees of the railway companies complain that while they have no objection to being on the rear end of the locomotive while it is engaged in shunting, for the necessary protection of the public, in some cases where they have to run many miles, there is no protection to the public and it is very severe on the men, particularly in cold weather.

Section 5 provides that the railways in Canada may give transportation, if they wish, to an ex-employee of a railway company, or to members of the Inter-state Commerce Commission.

Section 6 amends the clause in the existing Act, which provides that working agreements between telephone companies must be approved by the Board of Railway Commissioners by extending the application of the clause to telegraph companies.

Section 7 is to correct what seems to be an error in the statute of 1909. In that statute in the section referring to the protection of level crossings by railways to be constructed in the future, the words 'constructed after the passing of this Act' are used. This interpreted would mean after the passing of the Act of 1903, and it is to make it clear that this is after the passing of the amendment of 1909.

Motion agreed to, and Bill read the first time.

PRIVATE BILLS.

DOMINION MILLERS' ASSOCIATION.

House again in Committee on Bill (No. 111) respecting the Dominion Millers' Association.—Mr. Harris.

On section 2,—objects of the association.

Mr. A. H. CLARKE. The Bill was referred by the Private Bills Committee to a sub-committee of which I was a member. That clause was discussed to a considerable extent and it is practically the same clause as was in the Act incorporating the company in 1892.

Mr. GRAHAM.

The members of this company are not confined to shareholders but are confined to millers generally; the present Bill extends it to farmers so that farmers may become members of the company as well as millers. The only difficulty the members of the committee had with this section was in connection with the subsection providing that they should have no power to fix the price to be paid. That was put in at first at the instance of the Grangers or the Patrons of Industry. There was another question as to whether it should go further and forbid them to fix the selling price, but it was thought that that was sufficiently guarded by the general law against combines.

Mr. SPROULE. Is this the association that settles disputes between millers and those from whom they purchase grain? For instance if a miller brings grain from Port Arthur and there is a shortage of the shipment, it has been complained that I think this association sometimes acts in an arbitrary manner.

Mr. A. H. CLARKE. They can only arbitrate when both parties agree to have them arbitrate.

Mr. SPROULE. I am supposing that I am not a member of the association, but am ordering through them, and they have heretofore exercised rather arbitrary powers in the judgment of some, in saying just how much they should give you.

Mr. A. H. CLARKE. That point was considered by the sub-committee. It is not intended that this Bill should give the company power to arbitrate so as to bind persons who are not members of the association. This Bill cannot bind any one unless they agree to submit their differences to the board.

Mr. R. L. BORDEN. The arbitration is not compulsory?

Mr. A. H. CLARKE. I think it is compulsory on those who become members and agree to that regulation, but it is not compulsory on outsiders. In that respect there is no change in the law.

Mr. OLIVER. This Bill is peculiar in that the previous Act was an Act to provide for an association of millers, but this Bill, purporting to be an amendment, establishes that association as an ordinary business enterprise. Therefore, by the Act now in force, and by this present Bill, the parties concerned have the benefit of legislation which establishes them as an association and also as a business enterprise. Whether there is any serious harm actually in the Bill or not, as it reads, it would indicate to me that it is an attempt to secure legislative authority for a merger