

Sir FREDERICK BORDEN. Section 127 is the same as section 118 of the present law. Section 128 is practically the same as section 119 of the present law. Section 129 is the same as section 120 of the present law.

Mr. SAM. HUGHES. I think we should strike out that part of the provision which requires the posting of notices on the door of every place of public worship. There are many places of public worship, the congregations would not want to have defaced by these posters being pasted on the doors.

Sir FREDERICK BORDEN. I will look into that. They might be put on the fence.

Mr. R. L. BORDEN. That might give offence.

Sir FREDERICK BORDEN. Section 130 is the same as section 121 of the present law, and section 131 is the same as 122. 132 is the same as section 123 of the present law except that the expression 'Governor in Council' is substituted for 'Her Majesty.' Section 133 is the same as section 124 of the present law, and 134 is the same as 125. The last section, section 135, repeals certain acts.

Mr. A. T. THOMPSON. Before we leave the consideration of this Bill, I do hope that the suggestion of the hon. the leader of the opposition will not be overlooked and that an unusually large number of to-day's 'Hansard' will be printed. Like many other members, I have received requests for copies of the Bill, and the discussion we have had upon it this afternoon is undoubtedly a complement of the Bill as printed. I hope that a sufficient number of copies of to-day's 'Hansard' will be printed to enable each member to have twenty or thirty, if possible.

Progress reported.

On motion of Sir Wilfrid Laurier, House adjourned at 10.15 p.m.

HOUSE OF COMMONS.

WEDNESDAY, March 23, 1904.

The SPEAKER took the Chair at Three o'clock.

RAILWAY ACT, 1903, AMENDMENT.

Mr. W. F. MACLEAN (East York) moved for leave to introduce Bill (No. 6) to amend the Railway Act, 1903.

Rt. Hon. Sir WILFRID LAURIER. Explain.

Mr. FITZPATRICK.

Mr. MACLEAN. Mr. Speaker, this Bill proposes to amend the Railway Act of last session in several directions. The first amendment I propose is one to bring express companies within the jurisdiction of the Railway Commission. The express companies have an intimate relationship with the business community and the public at large. They make extensive charges for their services, and as the tolls and tariffs of railway companies come within the jurisdiction of the commission under the Act, I think the tolls and charges of the express companies ought also to come within the control of the commission, especially as the express companies are owned by the railway companies. I tried to have this amendment introduced last session. The question has been discussed since then, and the public have expressed themselves as being in favour of the jurisdiction of the commission applying to express companies, and I propose to make another attempt to have this made the law this session.

Another clause has reference to a question which was discussed last session, and deals with the two cents a mile passenger rate over all railways in this country. I do not propose to go any further into that question to-day, but I do propose to explain two other clauses that I am bringing in to-day.

Section 10 of the Act reads as follows:

Not less than two commissioners shall attend at the hearing of every case, and the chief commissioner, when present, shall preside, and his opinion upon any question, which in the opinion of the commissioners is a question of law, shall prevail.

In my amendment I propose to take away that special jurisdiction of the chief commissioner, and give complete jurisdiction on all questions to the three commissioners. I base my argument in favour of this proposed amendment on the decision given by the commission the other day in regard to the telephone question that came before it. The chief commissioner arrogated to himself the right to be the sole judge of the law, and his co-commissioners lacked the courage to disagree with him. I believe that as the Act stands they were fully competent to disagree with him, and I say that they should have disagreed with him on the ground that it was not a question of law so much as it was a question of policy. The decision of the two other commissioners which they gave in favour of the public should have overridden the opinion of the chief commissioner, and they should have taken the ground that if there was a question of law, it was involved in the public interest, that they were competent judges of what the public interest demanded, and I believe that under these circumstances the opinion of the two commissioners should have overridden that of the chief commis-