

Mr. W. F. MACLEAN. If any portion of it is carried by rail ?

Mr. EMMERSON. Yes ; if any portion of the route covered is by rail. I think my hon. friend (Mr. Alcorn) will admit that his Bill only regulated interprovincial traffic.

Mr. ALCORN. That is all the minister can do.

Mr. EMMERSON. I believe we can regulate all the express traffic.

Mr. ALCORN. He cannot carry it further than my Bill went, for it covered all express traffic within the jurisdiction of the Dominion parliament.

Mr. EMMERSON. Here is my hon. friend's Bill, and I read from section 3 :

This Act shall apply to any corporation and any association, partnership, and person, now or hereafter carrying on in Canada the business of an express company, or express business extending beyond the limits of any province or connecting any province with any other province and any such undertaking is hereby declared to be a work for the general advantage of Canada.

That limited it to interprovincial traffic, but this amendment covers express traffic within the province as well as between two provinces.

Mr. W. F. MACLEAN. And also the business of an American company coming into Canada.

Mr. EMMERSON. Certainly, any foreign company. While my hon friend's Bill was an excellent one, and while he is deserving of every credit for the time, attention and study he gave the subject, it seems to me that, in the light of his presentation of the case, the present amendment is more comprehensive and will have wider results.

Mr. W. F. MACLEAN. If the minister proceeds as he is now proceeding—and I think he is proceeding fairly—as we are now taking jurisdiction over express tolls and over telephone companies, I hope that next year we shall take jurisdiction over sleeping car companies and pipe lines if they are engaged in traffic, making the amendments in the several sections of the Act that may be necessary to cover this wider ground. So far as I can see, the minister is dealing with the matter in the right way.

Mr. ALCORN. I do not think the minister's Bill is more far-reaching as to the business it affects as the original Bill was. The Department of Justice suggested a change in the section that the minister has read, and that was the only section in which it did suggest a change. Their suggestion was that it should read :

This Act shall apply to any corporation, and any association incorporated, or any partnership or person, carrying on throughout Can-

Mr. EMMERSON.

ada, or in or between any two or more provinces, or between Canada or any foreign country the business of an express company.

This Bill cannot reach business which could not be reached under this amended section 3 suggested by the Department of Justice.

Mr. EMMERSON. If that section is agreed to, I would like to go back to subsection 6, as I have an amendment to suggest. The way it reads now is :

Or in the case of competitive tariffs filed in accordance with the rules.

I would make it read :

Or in the case of competitive tariffs, unless such tariffs are filed in accordance with the rules.

Mr. R. L. BORDEN. I would like to ask a question about that section. I understand that with two of the great railway companies of Canada, the Canadian Pacific Railway and the Grand Trunk, there are allied express companies which, although distinct corporations, are really under the same system ; they are practically, although not technically, parts of the railway corporation.

Mr. EMMERSON. They each have an express company identified with their undertaking.

Mr. R. L. BORDEN. They work together, that is what it amounts to, they are owned by the same people. The stock of the express company, I think in one case at least, is owned altogether by the railway company, and the profits of the express company go to swell the profits of the railway company. I do not know exactly what arrangements are made between these two distinct corporations. But suppose an express company should be organized to-morrow and should want to carry on an express business ; I do not know how its proposal to carry on this business would be worked out under this statute. There is nothing here to compel any railway company to do business with an express company, or to prevent any such railway company from discriminating. Perhaps it is not advisable that we should attempt to do that at present. Now suppose that the Dominion Express Company makes a contract with the Canadian Pacific Railway Company and that the railway company gives it the use of a car on certain trains. Well, it can do anything it likes with that car ; it can send it empty or put goods in it. You provide in section 6 that no company shall carry or transport any goods by express. How am I to know, or how is any hon. member to know, that doing business in that way would be called by the courts 'carrying or transporting goods by express.' The word 'express' has no legal significance, you do not define it. Do you say that