

the position of these words 'not provided for in this Act,' and insert them after the word 'favour.'

Hon. Mr. FERGUSON—I would suggest a more radical amendment. I think these words 'not provided for in this Act' might be left out. What my hon. friend has referred to would not be a gift or favour. It would be a right if it is included in this Act. Hauling the private car for the board would not be a favour or gift, nor would a pass be a favour or gift; both are provided for in the Act. Therefore, I think the words 'not provided for in this Act' might be left out.

Hon. Mr. POWER—I think so, too.

Hon. Mr. POIRIER—I submit the word 'friend' is altogether too vague. Who is to determine who is a friend and who is not? Any one for whom a favour would be obtained might be regarded as a friend. If we are to have the word 'friend,' it should be defined in the interpretation clause.

Hon. Sir MACKENZIE BOWELL—It seems to me that the object of this clause is to prevent the board from exercising any power or authority that they may have on behalf of any person. Therefore, the word 'friend' would cover everybody. It would leave it open to this interpretation: if the board had an enemy they wanted to punish by extending to him favours, this would cover it. I do not think the word 'friend' is open to the objection that my hon. friends have advanced. The best way is to prevent them using any influence of the kind at all. I disagree with my hon. friend from Marshfield. In this case it is just possible these words compelling the railways to grant passes may not be in the Bill when it passes. I would leave it optional with the railway company to grant passes or not.

Hon. Mr. POIRIER—I am sorry to differ from my leader, but I would rather substitute 'any person' for 'friend.' If you leave 'friend' here, this is what may happen: the commissioners are subject to a heavy penalty if they favour any person. Supposing they did, all they would have to do to clear themselves, would be to show that the person whom they favoured was not their friend according to the strict meaning of

the word 'friend,' and it certainly would leave a good deal of doubt. If the words 'any person' be substituted I can see no objection to it.

Hon. Mr. McMULLEN—I am quite willing to agree to the proposed change if it is considered best.

Hon. Mr. SCOTT—Supposing the clause read 'any person,' would not that cover it?

Any member of the board accepting any gift or favour for himself or for any other person, or exercising his influence on behalf of any person or any railway company or officer for any position or favour shall thereby forfeit his seat as a member of the board.

Hon. Mr. YOUNG—I should like to ask how far that would go? We might suppose this railway commission happens to be stuck in a snowdrift, and they are invited to take a meal at the house of a friend; that would be a favour.

Hon. Mr. SCOTT—No, that would be a charitable act.

Hon. Mr. YOUNG—We might also extend that clause to the judges and to the members of this Senate. They too should come under the very same clause, so far as relations and friends are concerned. If the medicine is good in one case, we should administer it to all who deal in public matters. If it is necessary and effective in this case, I can see no logic in not placing it in other Acts as well; I think it is a very narrow clause.

The amendment was agreed to, and the clause as amended was adopted.

On clause 195, subclause (g),

Hon. Mr. BEIQUE—I would suggest that this paragraph be struck out and be replaced by a fourth subsection which would read as follows:

Provided further that whenever any city, town or incorporated village is desirous of having lines of telegraph, telephones, or for the conveyance of light, heat, power or electricity placed underground, the board may, on the application of such city, town or incorporated village, require the company to thus place its lines or wires underground and abrogate the right given by this section or by special Act to carry lines on poles, in such city, town or incorporated village, the whole on such terms and conditions as the board may prescribe.

Hon. Mr. SCOTT—Is that to apply only in the future, or to apply to conditions in the past?