

The clause, as amended, was adopted.

Hon. Mr. YOUNG—Before considering clause 28, I would like to call attention to the section in the Act where a complaint is made against an elevator—section 67 of the original Act. I am referring now rather to an amendment which would come in before you reach clause 28 of this Act. I propose that the following subsection be added as subsection (e) to section 68 of the Act.

Hon. Sir RICHARD CARTWRIGHT—This is a new clause entirely.

Hon. Mr. YOUNG—Yes.

Hon. Sir RICHARD CARTWRIGHT—I would ask the hon. gentleman to adopt the course I suggested to the hon. gentleman from Prince Albert.

Hon. Mr. YOUNG—Certainly. My proposed amendment reads as follows:

Upon receipt of such complaint the Commissioner shall notify the owner of the country elevator or warehouse and furnish him with a copy of the complaint and the date and place of holding the investigation.

It is obvious that it would not be fair to try the case without the owner of the elevator having an opportunity to be heard. He should in justice have notice from the commissioner when and where the investigation was to be held. That is all my amendment proposes to do.

Hon. Sir RICHARD CARTWRIGHT—Let it stand as notice for an amendment when we go into committee again.

On clause 30,

30. Section 89 is repealed and the following substituted therefor:

89. An applicant may order a car or cars according to his requirements, of any of the standard sizes in use by the railway company, and in case he requires to order any special standard size of car shall have such size stated by the station agent in the car order book, and the railway company shall furnish the size ordered to such applicant in his turn as soon as a car of such specified capacity can be furnished by the railway company at the point on the siding designated by the applicant in the car order book. In the event of the railway company furnishing a car or cars at any station and such car or cars not being of the size required by the applicant first entitled thereto, such applicant shall not lose his priority but shall be entitled to the first car of the size designated which can be delivered at such station at such applicant's disposal as aforesaid.

Hon. Mr. YOUNG.

Hon. Mr. WATSON—I am not prepared to accept an amendment to this clause, but it appears to me it is a mistake to provide the size of the car. I know lots of people who order 40,000-pound cars, and the company may supply 60,000 or 80,000-pound cars. I would rather have seen a provision that where a small car was asked for, if the company could not furnish a car of the size ordered, they should not charge for the larger size. There are plenty of farmers who could provide freight for the 40,000-pound car but not for a car of a larger capacity. As a matter of fact, the 40,000-pound cars are going out of use.

Hon. Mr. PERLEY—If so, it is possible the companies will not have cars of that size at all and they should not be obliged to furnish them.

Hon. Mr. WATSON—This clause means that cars of the size asked for must be furnished, and the shippers will have to wait until they get them. Very often in the Northwest they will have to wait weeks for a 40,000-pound car.

Hon. Mr. DAVIS—This provides that a man may order a car according to his requirements. If an elevator man is allowed to order a car according to his requirements he might order all the cars available.

Hon. Sir RICHARD CARTWRIGHT—It does not in the least interfere with the existing arrangements as between the elevators and the farmers.

The clause was adopted.

Hon. Mr. OWENS, from the committee, reported that they had made some progress with the Bill, and asked leave to sit again to-morrow.

The Senate adjourned until to-morrow at three p.m.

### THE SENATE.

OTTAWA, Wednesday, June 3, 1908.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.