

than inserting the word 'unreasonable' between 'that' and 'delay.'

Hon. Mr. POWER—That is the hon. gentleman's opinion; but we shall let the vote decide.

Hon. Sir MACKENZIE BOWELL—Yes, and he has as good a right to it as the hon. Speaker has to his.

The House divided on the amendment, which was lost on the following division: Contents, 20; non-contents, 13.

Hon. Sir MACKENZIE BOWELL—As there is a division in the cabinet, the Secretary of State voting one way and his colleague (Hon. Mr. Templeman) the other, I should like to ask the hon. Secretary of State what course he intends to take on this very important question?

Hon. Mr. TEMPLEMAN—We will take a recess.

Hon. Sir MACKENZIE BOWELL—We know difficulties have arisen in the past, and two or three resignations have taken place on account of differences of opinion. What are we to expect under the present circumstances. I hope the Secretary of State will retain his position as it will be no loss particularly to the other hon. gentleman if he loses his position, because there is no salary attached to it.

Hon. Mr. SCOTT—The Secretary of State intends to take a reasonable view of the situation.

The subclause was adopted.

On clause 214, subclause 3,

214. The company shall, according to its powers, furnish, at the place of starting, and at the junction of the railway with other railways, and at all stopping places established for such purpose, adequate and suitable accommodation for the receiving and loading of all traffic offered for carriage upon the railway,—and shall furnish adequate and suitable accommodation for the carrying, unloading and delivering of all such traffic,—and shall, without delay, and with due care and diligence, receive, carry and deliver all such traffic, and shall furnish and use all proper appliances, accommodation and means necessary therefor.

2. Such traffic shall be taken, carried to and from, and delivered at such places, on the due payment of the toll lawfully payable therefor.

3. Every person aggrieved by any neglect or refusal in the premises shall, subject to this Act, have an action therefor against the company, from which action the company shall not be relieved by any notice, condition or declaration, if the damage arises from any negligence or omission of the company or of its servant.

Hon. Mr. FERGUSON.

Hon. Mr. POWER—The hon. gentleman from de Salaberry asked me to move an amendment on his behalf, to insert before the word 'notice' in the 13th line the word 'contract.'

Hon. Mr. SCOTT—I do not know what the effect of that would be. I would not like to consent to that.

Hon. Mr. POWER—I do not think the managers of railway companies should be allowed to vote on these questions.

The clause was adopted.

On clause 220,

220. A check shall be affixed by the company to every parcel of baggage, having a handle, loop or suitable means for attaching a check thereupon, delivered by a passenger to the company for transport, and a duplicate of such check shall be given to the passenger delivering the same. 51 V., c. 250, Am.

2. In the case of excess baggage the company shall be entitled to collect from the passenger, before affixing any such check, the toll authorized under this Act.

3. If such check is improperly refused on demand, the company shall be liable to such passenger for the sum of eight dollars, which shall be recoverable in a civil action. 51 V., c. 29, s. 251, Am.

Hon. Sir MACKENZIE BOWELL—What is the meaning of 'improperly refused'?

Hon. Mr. POWER—It is the old law.

Hon. Mr. FERGUSON—How is the excess of baggage to be determined? Is that left to the will of every company?

Hon. Mr. SCOTT—No, there are regulations.

Hon. Mr. FERGUSON—But what is the amount of baggage?

Hon. Mr. SCOTT—I do not think there is any statutory provision on the subject.

Hon. Mr. FERGUSON—Should not the board have jurisdiction?

Hon. Mr. SCOTT—I assume they would have.

Hon. Mr. FERGUSON—So that there would be uniformity in that respect?

Hon. Mr. SCOTT—Yes.

Hon. Mr. YOUNG—The board have to fix the toll, so they would regulate that.

Hon. Mr. DANDURAND—Subclause 2 speaks of excess baggage. What is that excess baggage?