

abundantly clear. I think the word 'includes' might be used instead of the word 'means'.

Mr. ALCORN. It is only by inference that transportation otherwise than by rail could be covered by the previous words of the section. I think the minister is scarcely accurate in saying that it was not the intention to include transportation otherwise than by rail; for instance, by stage. That was expressly spoken of in the committee, and was I am sure intended to be covered by these words: 'for or in connection with the sending, carrying, transporting or delivery by express of any goods, or for any service incidental thereto, or for or in connection with any or either of these objects.'

Mr. EMMERSON. My hon. friend either misunderstood me or I did not make myself clear. I said it was not my desire to control express rates where the transportation is wholly by water or wholly by teams, but where it was by water, rail and teams, or otherwise, we undertook to regulate it. The chief element to be considered was that a portion of the way was travelled by rail.

Mr. ALCORN. I was pointing out that it was only by inference from the words I read that water carriage is said to be included. I thought water carriage was sufficiently important to make it abundantly clear that it was included in any case.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. EMMERSON moved that the following words be struck out of section 1:

And the expression 'express toll' also means a toll or rate charged for transportation of goods partly by rail and partly by water, whether such water transportation be in vessels owned, chartered or otherwise used by the company.

And that the following sections be added:

8. No contract, condition, by-law, regulation, declaration or notice, made or given by any company or any person or corporation charging express tolls, impairing, restricting or limiting the liability of such company, person or corporation with respect to the collecting, receiving, caring for or handling of any goods for purpose of sending, carrying or transporting them by express, or for or in connection with the sending, carrying, transporting or delivery by express of any goods, shall have any force or effect unless first approved of by order or regulation of board.

This applies to express companies the provision in the Railway Act relating to railway contracts as respects carrying traffic. And I move further to add the following subsection:

9. The board may, in any case, or by regulation determine the extent to which the liability

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of such company, person or corporation may be so impaired, restricted or limited; and may by regulation prescribe the terms and conditions under which goods may be collected, received, cared for or handled for the purpose of sending, carrying or transporting them by express or under which goods may be sent, carried, transported or delivered by express by any such company, person or corporation.

This simply makes applicable to express companies the provisions which apply to the carrying of railway traffic by railway companies.

Mr. ALCORN. These are provisions which were embodied in the clauses I submitted in the Bill as introduced by me, and I think should meet the approval of the House.

Mr. EMMERSON moved that the following clauses be added:

10. Every company and every person and corporation charging express tolls shall make to the board an annual return each year of its capital, business and working expenditure, and such other information and particulars, including a statement of such unclaimed goods, as the board directs.

11. Such returns shall be made in such form covering such period, and at such time, and shall be published in such manner as the board from time to time directs.

Mr. ALCORN. The remarks I made with regard to the other amendment equally apply to those. My Bill contains elaborate provisions along that line.

Mr. R. L. BORDEN. What is the meaning of the expression 'the company' in the first clause of section one: 'for the purposes of this section, the expression, 'express toll' means any toll rate or charge to be charged by the company.'

Mr. EMMERSON. The company is the railway company carrying express goods. It means when a railway company makes a contract.

Mr. R. L. BORDEN. Does that mean when a railway company makes a contract with an express company?

Mr. EMMERSON. It means express companies as well.

Mr. R. L. BORDEN. If it does, it is all right. But the expression 'company' defined by the Railway Act does not include express companies, as far as I can see.

Mr. EMMERSON (reading):

For the purposes of this section the expression 'express toll' means any toll, rate or charge to be charged by the company.

That means the railway company.

Mr. R. L. BORDEN. But you have the expression 'the company' all through this section, and that is defined by the Railway Act as a railway company. How is it de-