

The MINISTER OF RAILWAYS AND CANALS. Why 'express companies'?

Mr. KEMP. Because they are closely allied to railway companies, and this Bill should control express companies as well as railway companies.

The MINISTER OF RAILWAYS AND CANALS. It would never do to say that all the provisions we are making in this Bill with regard to railway companies should apply to express companies. If the hon. gentleman wants a certain control exercised over express companies by the Railway Commission, it will be open to him to ask the committee to adopt some provisions with regard to that subject.

Mr. KEMP. But should not that come properly under paragraph C, which defines what the expression 'company' means?

The MINISTER OF RAILWAYS AND CANALS. Paragraph C provides that whenever the word 'company' is used alone, it means a railway company, and that is in the law as it stands to-day. If you want to make any enactment with regard to express companies, it is quite open to you to do so, but such enactment would not be germane to the subject we are now discussing.

Mr. KEMP. Is there any other place in the Act where I can bring this point to the attention of the committee?

The MINISTER OF RAILWAYS AND CANALS. The present law provided that express companies should be given every facility, and that no discrimination should be exercised regarding them by the railways. We are not changing that.

Mr. MACLEAN. Does the hon. minister intend to take jurisdiction over the rates of express companies?

The MINISTER OF RAILWAYS AND CANALS. I hope the hon. gentleman will not bring that question up now.

Mr. MACLEAN. I am reserving the right to bring it up later on and am simply asking the hon. minister whether he has taken such jurisdiction.

The MINISTER OF RAILWAYS AND CANALS. When we come to that phase of the Bill, we will discuss that point.

Mr. MACLEAN. When we come to that phase of the Bill, we will find no provisions for express companies and may overlook the matter.

The MINISTER OF RAILWAYS AND CANALS. My hon. friend is not likely to forget. Do not let us be drawn into a discussion as to whether the Bill should include express companies when we are dealing simply with explanatory clauses.

Hon. Mr. HAGGART. This clause is different from the old Act. The present law

says: 'Which any company is authorized to construct under a special Act.' You make it read: 'Which the company is authorized to construct.' You leave out the words 'under a special Act,' and change the word 'any' to 'the.'

The MINISTER OF RAILWAYS AND CANALS. I can well understand why we should not put in any reference to a special Act. It makes no difference whether the Act is special or general, under which a company is authorized to construct. What particular service would there be in adding these words 'under any special Act'?

Hon. Mr. HAGGART. I do not know why they are in the present law or what effect they had, but I am asking simply why they were left out.

Mr. BARKER. I think I understand the reason. They are properly left out. Branch railways of six miles are now constructed under the general Act, and it is necessary that this clause should cover these as well as those constructed under a special Act.

The MINISTER OF RAILWAYS AND CANALS. It covers all.

Mr. BARKER. I am arguing in favour of the section. I say that the reason is, the word 'railway' must apply to other railways than those constructed under special Acts, because every railway branch of six miles comes under the general Act.

Hon. Mr. HAGGART. No, it does not. The company gets power under a special Act to construct additions to the road, and the provisions of the general Act are made to apply to this special Act. I do not know that it makes any difference, but I could not understand why these words were left out.

The MINISTER OF RAILWAYS AND CANALS. If they have power to construct a railway, it does not matter whether that power is given in a general or a special Act.

On section 2, subsection V:

The expression 'rolling stock' means and includes any locomotive, engine, motor car, tender, snow plough, flanger, and every description of car or of railway equipment designed for movement, on its wheels, over or upon the rails or tracks of the company.

Hon. Mr. TISDALE. That is an entirely new clause and requires particular care. It may have a financial effect. There are many decisions as to what constitutes rolling stock, because rolling stock is often held under lien and may be liable for the payment of bonds. Why should it be necessary to make this definition at all?

The MINISTER OF RAILWAYS AND CANALS. It has been found in actual experience, and in conferring powers upon the Railway Commission with respect to furnishing this description of rolling stock