

On clause 275,

275. No contract, condition, by-law, regulation, declaration or notice made or given by the company impairing, restricting or limiting its liability in respect of the carriage of any traffic, shall relieve the company from such liability, except as hereinafter provided, unless such class of contract, condition, by-law, regulation, declaration or notice shall have been first authorized or approved by order or regulation of the board.

Hon. Mr. SCOTT—The companies wish to add after the words 'any traffic' the words 'to which this Act applies.' It was pointed out to me that it was not intended, where goods were shipped from Europe, that that portion of the contract outside of Canada should be affected.

Hon. Mr. DANDURAND—I suppose the hon. Secretary of State could tell us what is the traffic to which this does not apply?

Hon. Mr. SCOTT—As I said before, where goods are coming from a foreign country, this Act would not apply to that portion of it affected by the ocean route. Take the case of transmission of goods to Liverpool from Toronto or Montreal—we do not take cognizance of that.

Hon. Mr. FERGUSON—But having come in an ocean ship from a foreign country, as soon as it comes within the jurisdiction of Canada this Act will apply to it.

Hon. Mr. SCOTT—Yes, it applies to all traffic within Canada.

Hon. Mr. FERGUSON—Is the hon. gentleman sure, in the case of goods coming from a foreign country, that this would not entirely except it from the provisions?

Hon. Mr. SCOTT—It applies to all traffic in Canada, whether it originates in Canada or outside.

The clause was amended and adopted.

On subsection 3,

3. Nothing in this Act shall be construed to prevent the carriage, storage or handling of traffic free or at reduced rates for the Dominion, or any provincial or municipal government, or for charitable purposes, or to or from fairs and expositions for exhibition thereat, or the carriage, free or at reduced rates, of destitute or homeless persons, transported by charitable societies, and the necessary agencies employed in such transportation; nor to prevent the issuance of mileage, excursion or commutation passenger tickets, or the carriage at reduced rates, of immigrants or settlers and their goods or effects, when coming from foreign countries, or any member of any organized association of

commercial travellers with his baggage; nor to prevent railways from giving free carriage or reduced rates to their own officers and employees, or their families, or for their goods and effects, or to members of the provincial legislatures or of the press; nor to prevent the principal officers of any railway, or any railway or transportation company, from exchanging passes, or free tickets with other railways, or railway or transportation companies, for their officers and employees and their families, or their goods and effects; provided that the carriage of traffic by the company under this subsection may, in any particular case or by general regulation, be restricted, limited or qualified by the board.

Hon. Mr. POWER—Would the United Kingdom be classed among the foreign countries? Because, if it is not, there is no power to exempt the emigrants from the United Kingdom.

Hon. Mr. SCOTT—I do not think it would be construed that way.

Hon. Mr. POWER—I should say coming from the United Kingdom or foreign countries.

Hon. Mr. DANDURAND—Could the hon. leader of the opposition tell us whether in the Customs Act the expression 'foreign country' does not include Great Britain?

Hon. Sir MACKENZIE BOWELL—In the tariff and customs regulations Great Britain is treated as a foreign country.

Hon. Mr. LOUGHEED—We might put in the Interpretation Act that foreign countries mean anything outside of Canada.

The clause was allowed to stand.

On subclause 5,

5. The company shall furnish free transportation upon any of its trains, for members of the Senate and House of Commons of Canada and for any of the members of the board, and for such officers and staff of the board as the board may determine, with their baggage and equipment, and shall also, when required, haul free of charge any car provided for the use of the board.

Hon. Mr. DANDURAND—The railway companies desire to have this subclause stand over. I think the companies insist upon adding 'members of the House of Commons and Senate and their families!'

Hon. Sir MACKENZIE BOWELL—Then if you make that provision you should say if they travel by night they should have a pullman, and if the journey exceeds six hours, they shall furnish breakfast, dinner