

should read, 'for the purpose of their undertaking.'

Mr. PUGSLEY. I think 'business' is rather more applicable to a company of this character than 'undertaking,' particularly as, in other sections of the Bill, 'business' is the word used. For instance, section 3, subsection (a) authorizes the association to carry on the 'business of purchasing, selling,' and so on.

Mr. LENNOX. I cannot see it in that way. What I called attention to the other night is that in the case of railway Bills, the object is to confine them to the business they undertake, and in these Bills we say 'for the purposes of their undertaking.' This form of words has acquired a definite signification in connection with railway charters, and it seems to me very much better to adopt the same form of language in connection with a Bill of this kind. Of course, if the government think otherwise, I have nothing more to say.

Mr. PUGSLEY. It is like chips in porridge.

Mr. LENNOX. Well, chips in porridge are uncomfortable.

Mr. PUGSLEY. But they do not change the taste.

Mr. LENNOX. Very true, but they are very inconvenient. For my part, if it is legislative porridge, I would rather have the chips out. And, if I may express an opinion on the subject, I think we are not quite as particular as we ought to be in reference to legislation that we pass. The observations I offer from time to time—they are very infrequent as it happens—are with the object of making legislation better where possible. However, I recognize the fact that the government take the responsibility. Still, I do not regard this as a 'chip in porridge,' but as a matter of substantial importance. We should bear in mind that our legislation gets into the courts from time to time, and, if we have one phraseology in one statute and another in another statute, in cases in which the meaning is substantially the same, we inevitably lead to litigation and to confusion. And that, as I say, is not a matter of 'chips in porridge,' but a matter of substantial importance.

Mr. NESBITT. I agree with the Minister of Public Works (Mr. Pugsley). The hon. member for South Simcoe (Mr. Lennox), of course, is quite right when he says that we use the word 'undertaking' in relation to railway matters. But this is a different thing, and I think what we wish to say is better covered by the word 'business.' It is a technical point, and really it would be hard to tell the difference, but

there is a difference. The railway is an undertaking; this says: 'Business or businesses.' I think the words: 'For the purpose of its business,' covers the object better than the words: 'For the purpose of its undertaking.'

Mr. SPROULE. If that be the case, why do they put the same words in a power company? Because we passed one or two Bills last year, and we have one before us now, and the same words are in them.

Mr. NESBITT. That is also a power company, it is an undertaking, and it defines the undertaking. The charter defines the undertaking.

Mr. SPROULE. It is an undertaking that proposes to do the same thing. It is to have a wharf, docks and vessels. If you went before a court with two statutes, one for a power company and the other for a millers' association, surely the court would decide that there must be some difference of meaning between a business and an undertaking; and if they both mean the same thing, would it not be better to have one phraseology applying to all? Then there would be no doubt, it would be understood both by the people and by the court.

Mr. PUGSLEY. Section 3, paragraph (a) says:

Carry on the business of purchasing, selling, storing, shipping, &c.

If you were to say, 'carry on the undertaking of purchasing, selling, storing, shipping, &c.' the word 'undertaking' would not be apt, it would not be a proper word to use in that connection. Therefore we are, in the first place, authorizing this company to carry on the business of selling,—that is ordinarily spoken of as a business; we do not speak of a railway undertaking as a business in the same sense as merchandizing. Then when you come to paragraph (b) you provide that for the purpose of enabling the company the better to carry on its business, which by the previous clause it is authorized to carry on, it may charter vessels, &c. Therefore the word 'business' is much more apt, it seems to me, than the word 'undertaking' in a Bill of this character.

Mr. ROCHE. I would ask the Finance Minister in reference to subsection (a) of section 3, the latter part:

May construct, acquire, operate, hire, lease, sell or otherwise dispose of elevators for elevating wheat, grain or other products, and acquire, lease, and utilize hydraulic, electric or other power for the purpose of the said business, and generally may carry on an elevator or storage business.