

WATER CARRIAGE OF GOODS—*Con.*

*Sinclair, J. H.* (Guysborough)—8004.

It is practically the same Bill, 8004. If he has exercised due diligence and there is a latent defect, he has a right to be relieved, 8005. It would be unreasonable to hold him liable for loss under such circumstances, 8006. We deprive him of right to contract with the owner of the goods, 8007. The House ought to accept the Bill, unless something very improper in the language, 8008. Asks where the clause is that enables a shipowner to employ an incompetent captain, 8010. In every charter party and bill of lading he is careful to contract himself out of liability, 8011. The courts have always held a man liable for the consequences of his own negligence, 8012. Fire is the only one which might be his fault, 8013. It was intended that the shipowners should not be liable, 8016. Not at the present rates of freight, 8017. We would then be guilty of a crime, 8021. He is taking a step that is very likely to destroy the Bill altogether, 8024. Thinks that is proper contract for him to make, 8026.

*Sproule T. S.*—(East Grey)—8007.

Thought they had to find the value on the bill of lading, 8007. The shipper is obliged now to sign the bill of lading presented to him 8012. Should parliament not exercise its judgement in enacting law, 8022.

## WATER CARRIAGE OF GOODS.

First reading of Bill 25. Hon. L. P. Brodeur, 258.

*Brodeur, Hon. L. P.* (Minister of Marine and Fisheries)—258.

Almost word for word the Bill passed by the Senate last year, 258.

## WATER CARRIAGE OF GOODS.

Motion for second reading of Bill, 25. Hon. L. P. Brodeur, 1299.

*Brodeur, Hon. L. P.* (Minister of Marine and Fisheries)—1299.

The most important feature of the Bill; quotes a clause in a Bill of lading, 1299. Should provide that such clauses in a Bill of lading should be illegal, 1300. Cases recently decided in the Supreme court; senate Bill of two years ago similar to this, 1301.

## WATER POWERS IN BRITISH COLUMBIA RAILWAY BELT.

Bill 187 in committee, Hon. F. Oliver, 6373.

*Borden, R. L.* (Halifax)—8722.

It would be better to have the matter until there is an actual certainty as to what the actual rights are, 8722. A court might find great difficulty in endeavouring to interpret that clause, 8723. All that debates to do can be better done without legislation, 8724.

*Bradbury, G. H.* (Selkirk)—8435.

I would like to have some explanation of what that means, 8435. Would like to

WATER POWERS IN BRITISH COLUMBIA RAILWAY BELT—*Con.*

*Bradbury, G. H.*—*Con.*

know if this Bill takes the control of these water powers from the local government, 8436.

*Burrell, M.* (Yale-Cariboo)—8438.

I am informed that there is a possibility of the Privy Council taking up this case next fall, 8438. A large portion of this territory is in my own riding, so this Bill is of great interest to me, 8443. Asks the minister's position as to lands which have passed from the Dominion government control, 8721-2. The minister seems to be afraid that attempts will be made in the meantime, 8724. No one would dispute it until the decision of the Privy Council is given, 8725.

*Congdon, F. T.* (Yukon)—8444.

The Dominion can only exercise those rights with due regard to the rights, as an ordinary proprietor could, 8444-5. Another reason which requires this Bill to become law immediately, 8710. This Act does not interfere with any homesteader who has now acquired his rights, 8711. Surely this parliament alone can legislate with regard to it, 8712. The section only declares that the water is in the Crown, 8715. That must be read in connection with the next section, 8723. The section is merely descriptive, 8728.

*Currie, J. A.* (North Simcoe)—8712.

Asks if there has been any clash of authority in granting lands, 8712.

*Doherty, C. J.* (Montreal, St. Anne)—8437.

If the Privy Council reverses the judgement, our legislation will be nugatory, 8437. This question will have to remain open until the Privy Council decides it, 8452. The minister seems to think it is difficult to grasp because it is a question of water rights, 8453.

*Goodeve, A. S.* (Kootenay)—6373.

Asks the general purpose of the Bill, 6373. Asks that the Bill be allowed to stand for the arrival of Messrs. Cowan and Barnard, 6375. This Bill might be left over for another session, 8715. Instead of being an advantage, it would create further difficulties, 8716. By doing what you propose you would put us in a position where capital would not invest, 8717. He would have to go to the province first and then come to the Dominion, 8718.

*Guthrie, H.* (Wellington S.)—8439.

I have had occasion to look into it with more care than I would usually bestow upon a matter affecting rights in British Columbia, 8439. The interests involved are almost innumerable. In the first place there are those people who own land in the railway belt, 8440. But there is another clause in the Bill which might wipe out the effect of any judg-