

duties hereunder, shall be subject to a custom duty of thirty per centum of the value thereof—

Now follows what I want to call attention to :

—and if any such duty is paid by the consignor or consignee of such goods the same shall be repaid to the persons so paying, on demand by the Canadian company or companies. Any law to the contrary is hereby repealed or amended in so far as is necessary to give effect to this section.

Now, there is no provision here as to how the party who has violated the conditions is to get the money back, but there is a declaration that this joint tariff must be filed with the board, and if it is not filed, then the goods, though they are Canadian, are subject to a customs duty; even if they are free goods, they have to pay 30 per cent duty. Then it provides that on demand for refund of that money, it shall be given. What is the value of that clause as it stands? It only makes the man pay the money to-day and he may demand it back to-morrow, though he may have violated the law. It is of no value unless as a penalty imposed upon the company.

Hon. Mr. LOUGHEED—The government collect the duty, then the company have to repay it.

Hon. Mr. CASGRAIN (de Lanaudière)—The company is out of pocket by it.

Hon. Mr. LOUGHEED—The government collect the duty the same as if the goods were dutiable in the first place. Then the government, having collected the duty, the company, evidently from this section, could not recover the duty back from the government, but have to pay it themselves.

Hon. Mr. CASGRAIN (de Lanaudière)—The company pay the duty as a penalty.

Hon. Mr. SCOTT—It is by no means clear.

Hon. Mr. WOOD—I take it to mean this: The duty, I assume, is collected, not from the company in the first place, but from the consignee or consignor of the goods, and after he has paid it, the company are obliged to refund it to the consignee or consignor.

Hon. Mr. LOUGHEED—And the government is ahead the 30 per cent.

Hon. Mr. FERGUSON—And the 30 per cent is collected even though the goods would be otherwise admitted free of duty.

Hon. Sir MACKENZIE BOWELL.

Hon. Mr. LOUGHEED—It is a unique penalty, and a very substantial one.

The CHAIRMAN—There are thirty-seven clauses reserved, either in part or in whole. Does any one wish to go back to them?

Hon. Mr. POWER—I think it was the general opinion that these clauses could be better considered at a later day, when the amendments will be in print, and we have heard from the representatives of the railway companies.

Hon. Mr. FERGUSON—A large number of those were held over, not for reference to the representatives of the railway company, but simply at the request of members who wished to consider them more fully. If we could take up some of those, and get them disposed of, we could advance the work.

Hon. Mr. McMULLEN—I want to give notice of an amendment. I understand clauses 10 and 11 were reserved. I want to give notice of an amendment which will be subsection 3 of clause 11. It is as follows :

Any member of the board accepting any gift or favour for himself, or any relation or friend, not provided for in this Act, or exercising his influence on behalf of any relative or friend, with any railway company or officer for any position or favour, shall thereby forfeit his seat as a member of the board.

Hon. Mr. POIRIER—Might not the hon. gentleman at the same time give us an interpretation of the word 'friend,' and put it in the interpretation clause. It is a very vague expression.

Hon. Mr. BEIQUÉ—There is a matter of very considerable importance which the hon. gentleman from Killarney called my attention to, and I know that he intended to bring it before the House. Under this Bill the railway companies are prohibited from giving passes in order that they may not discriminate or give any advantage to certain persons over others. It is well known that railway companies give facilities which tend to help colonization. For instance, they carry freight at considerable reduced rates for colonization parties, or parties who visit the North-west for the purpose of gaining valuable information. These are matters which tend considerably to help the development of the North-west, and the country in general, and it seems to me we