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ance with my submissions. In most cases, the cartage is done by a cartage company and in other cases, the railway company does it, for local reasons, and it would not be fair to compel them to continue in this business, which is not part of the railway business proper, and while they may do it now in some places, as long as they do not discriminate as between individuals—

Hon. Mr. COCHRANE: It is discrimination if they do it in some cases and they will not do it in others.

Mr. SCOTT, K.C.: I quite agree with the Minister, but if they do it at one place, and do not do it at another, that is a condition in which possibly there is a certain amount of discrimination. If there is any question of discrimination that can be determined, but surely it should be open to the railway company not to be compelled to continue in the cartage business if they do not desire to do so, or that they should be compelled to go somewhere else and there take up the business of cartage, which is not their proper business. That, I think is forcing the railway companies out of their proper sphere.

Mr. CARVELL: The proposition is to put in these words: "as may be customary or usual in connection with the business of a carrier." We know that it is customary and usual in connection with the express companies both to deliver and to collect packages, therefore you would be giving power to the Board to say to the railway company: "You must collect and deliver freight." I do not think you can do that, it is not a part of their business.

Hon. Mr. COCHRANE: They have done it.

Mr. MACDONELL: They are doing that in Toronto, and there is discrimination.

Mr. CARVELL: Why should the Railway Board, or why should I have the right, living in the little town of Woodstock to go to the Board and ask them to compel the railway company to put on trucks and deliver freight in that town.

Mr. MACDONELL: They do that with the express companies.

Mr. CARVELL: But it is not the business of the railway companies.

Mr. NESBITT: I do not believe an express company can be included as a common carrier.

Mr. SINCLAIR: It has never been customary for a railway company to deliver packages as a railway company, consequently it does not apply.

Mr. CARVELL: As the clause is drawn, the Board can compel the railway company to collect and deliver freight.

Mr. MACDONELL: The clause drawn by Mr. Johnston does not read that way.

Mr. NESBITT: I would like to see some different provision inserted than is now covered by Section 313. I would suggest, as it is nearly time for adjournment, that Mr. Johnston should draft a clause that will be satisfactory.

Mr. JOHNSTON, K.C.: Suppose we put the clause in this shape: add the following paragraph to Sub-section 1:

(e) furnish such other service incidental to transportation as is customary or usual in connection with the business of a railway company.

Use the words "railway company" instead of "carrier."

Hon. Mr. COCHRANE: That will cover just what we are driving at.

Mr. CARVELL: That satisfies me.

Mr. NESBITT: That is acceptable to me.

Hon. Mr. COCHRANE: They would have to do it again.

Mr. CARVELL: I will leave that to the Board.

The CHAIRMAN: You have heard the amendment, shall it be adopted?

Amendment adopted.