

stray on to the track and be destroyed, and then be in a position to collect damages.

Mr. WHITE (Cardwell). I regret very much, Mr. Speaker, that I cannot agree with the argument just advanced by the Minister of Railways on this subject. I do not know a subject on which there is a stronger feeling in the rural districts among farmers than on this question of fences guarding railway tracks from the district adjoining. The argument which the hon. Minister advanced is that it would entail very serious loss upon railway companies to compel them to put up these fences. The cost of fencing a railway in addition to the cost of building a railway seems to be so infinitesimal, it can hardly be said to be a question which arises in discussing a question of public policy. The building of fences is a very small matter indeed. But the argument is that farmers sometimes now drive their cattle on the track for the purpose of having them slaughtered, so as to obtain a better price from the railway company than they could secure if selling them in the ordinary manner. It seems to me that the proper way to prevent this is to give public notice through an Act of Parliament to the railway companies to establish sufficient fencing to prevent people sending their cattle upon the track. I am bound to say that I think, in the interests of the railway companies themselves, in the interests of life and property in connection with railway travel, that it is a matter of the greatest possible consequence that railway tracks should be so guarded by fences on each side that by no possibility, without an act of absolute wrong-doing on the part of the farmers, can cattle stray upon the tracks. If you leave railways going through settled districts without fences on each side of their tracks, you jeopardise the lives of the people travelling by those railways. Cattle will stray upon them; and if you lay down the doctrine, as it has been laid down by the Minister of Railways, that it can be prevented by a mere notice on the part of the farmer to the railway company, that he requires fences to be put up, you at once, I think, answer the objection he made in the first instance of the cost to the railway companies. I am decidedly in favor of having a notice put in an Act of Parliament, and I sincerely hope the Minister of Railways will be able to meet the views, as I believe them to be, of an overwhelming majority of the people in the rural districts of this country, in favor of having railways properly guarded by fences on each side of them.

Mr. SPROULE. I think the amendment proposed is a step in the right direction. I cannot understand the force of the argument advanced by the Minister of Railways, that farmers and others interested have only to give notice to a railway company to put up fences. It is well known that farmers are not generally posted in the laws of the country. I have known several instances where damage has been done on account of cattle straying away. The farmers know nothing about the law until they endeavored to obtain compensation for the loss sustained, and then it was too late. If such an amendment as is proposed were made, and railway companies were compelled to put up fences, they would know what responsibility rested on them. With respect to the statement of the hon. Minister of Railways, in regard to farmers driving cattle on the track, it has no great force in many parts of Canada, because, I believe, the experience of private individuals in endeavoring to recover compensation has not been such as to hold out inducements to them to drive their cattle on the railway track for the purpose of endeavoring afterwards to obtain compensation. I know in many parts of the country railways run through large pasture grounds, to the great disadvantage of the farmers, who are unable to use their wild lands as they would wish to do. They have learned by experience that if loss is sustained by cattle being killed on the track there is little chance of obtaining compensa-

tion. I would be very much pleased, in the interests of the people of the rural districts, if the amendment suggested should become law.

Bill read the second time; and the House resolved itself into Committee.

(In the Committee.)

Sir CHARLES TUPPER. I desire to insert in the first clause after the word "railway" the words "except Government railways." The House is aware that there is an express Statute providing for the management of Government railways, and it will only lead to confusion if the Government railways were brought under the jurisdiction of the Consolidated Railway Act, because everything is provided for in the Government Railways Act. In the next section, I propose to give three months to make the profile, because the ground plan is deposited for the purpose of expropriating land, and leave them three months after that to deposit the profile. Then I propose to amend the third section, which provides for the avoidance of doubts touching the working expenditure, so as not to charge the company with the working expenses on the leased line, as the rental for the leased line will be borne by the returns from the leased line. This clause is for the purpose of providing fully what shall be working expenses; and for fear that anything will be omitted or left out, it is provided that the above shall be specified in all cases with relation to railway companies, regarding what is usually carried to the debit of revenue as distinguished from capital account.

Mr. BLAKE. I did not understand that this clause was for the purpose of defining working expenses except for one single purpose, and it requires a great deal more consideration, if it has the wider effect which the hon. gentleman has just implied. If I understand the section of the Consolidated Railway Act of 1879, it describes the statistics which railways shall return under the head of working expenses only, and this exposition affects what are deemed working expenses, for the purpose of statistical returns. It will be a very serious thing indeed to define that working expenses should be charged in a certain rank on the gross earnings of the railway, and if the hon. gentleman means that, I say it will be very objectionable. I object to the last clause, regarding all charges, which, in the cases of English railways, are usually charged to the debit of revenue as distinguished from capital account, as introducing vagueness and not precision. Why cannot the hon. gentleman, who has access to the various English railway accounts, and knows what other charges, if any, in the case of English railways, are usually carried to the debit of revenue as distinguished from capital account, state what other charges should be inserted in the Bill. He will find, when he calls upon his railway companies to supply returns, that this will be an element of uncertainty with them. Some will contend that the usual practice in England is to do so-and-so; and others, that it is so-and-so. What is the usual practice? I find that one or two leading lines adopt one, and a good many the other. Where will you draw the line? What will you put in, and what not? If there is one thing important in obtaining full returns above another, it is that all the returns should be based on the same line, and it is quite certain that for comparative purposes, the same elements should be taken into account. Each railway company should make the same returns. I submitted to the hon. gentleman that before the third reading he should cause his officer to ascertain, if he has not yet ascertained, what is usually inserted in English railway companies' returns, as he puts it, to the debit of revenue account, and add in the clause, the further items. There is one case of making the leased lines—I admit the general statement of the hon. gentleman that if a railway leases another line, it pays the toll or rent