

ditches and enlarge their culverts in order that the adjoining lands may be relieved of the surface water.

HON. MR. FLINT—I took particular notice of this measure when it came up last year. I believe it is a Bill in the right direction, and I am as much in favor of railways and will do as much to facilitate their operations as any member of this House; but I am also desirous of protecting the farmers through whose lands the railways pass. There are instances within my own knowledge in which the railway embankments act as dams to hold back the surface water. The result is that the water sours the land and saps the foundation of the road. If the railways would build culverts in such places to carry off the water it would be an advantage to the farmers' lands and to the railway embankment. Therefore I think this legislation is necessary in the interest of the railway companies, as well as in the interest of the farmers whose lands adjoin railway tracks.

HON. MR. POWER—The first objection taken by the hon. member from Ottawa to the second reading of the Bill was that it was a measure which should emanate from the Government. I do not think that is an objection which will have much weight in this House.

HON. MR. MILLER—Coming from the leader of the Opposition!

HON. MR. POWER—The Government are simply a committee of Parliament, rendered necessary because Parliament is too big to sit throughout the year and to do all its business itself; but I do not think that any member of Parliament, who has proper respect for the body to which he belongs, should take the ground that it is not quite proper for a private member of Parliament to introduce any measure which does not tend to impose taxation upon the subject. That is the only limitation to the right of private members to introduce legislation. I regret that the hon. member from Monck, in moving the second reading of this Bill, did not give its history. I suppose he did not consider that it was necessary, not anticipating any opposition to the Bill. The act is that two years ago, when the Bill consolidating and amending the Railway Acts was before this House, the hon.

member from Monck urged that the provisions contained in this Bill should be inserted in that measure. The leader of the House intimated that there was not time and opportunity just then to frame the amendment necessary to carry out the views of the hon. member from Monck, but he promised that at the next Session he would assist in perfecting a measure which would do what the hon. member from Monck wishes to accomplish, without unduly interfering with the rights of the railway companies. Last session the hon. member from Monck introduced his measure. It was read the second time, and referred to the Railway Committee, of which the hon. leader of the House was a member. The Railway Committee referred the Bill to a sub-committee, of which the leader of the House was, I think, the chairman. I had the honor of being a member of it, also, and I can testify to the very great pains which the members of that sub-committee, and particularly the leader of the House, took in framing this measure. It cannot be said that the interests of the railway companies were not properly represented; the leader of the House is largely interested in railways, as is the leader of the Opposition, who was also a member of the Railway Committee and of the sub-committee, and was present. This measure was carefully considered by the sub-committee and adopted by the Committee on Railways, reported to the Senate and passed by a very large majority; and, as the hon. gentleman from Monck has informed us, died in the latter part of the Session in the Railway Committee of the House of Commons. Under these circumstances, I do not think that there should be any objection at any rate to the second reading of the Bill. If, after all the labor that was bestowed upon it last Session the Bill is not quite perfect, there will be an opportunity in the committee for removing its defects. If, as I think will be the case, it should be found difficult to improve on the measure, we shall send it to the House of Commons, who are supposed more directly to represent the people, and if they choose to amend or reject it they have a perfect right to do so, and we shall have done our duty. As to the merits of the Bill, it is not perhaps necessary to say much. I understand that in the part of Ontario from which the hon. gentleman from Monck comes the need of this legislation is felt