

APPENDIX No. 2

all human beings, and we all know this, that the big Railway Companies—I do not include the Government, let them do as they have a mind to—hold their officials absolutely accountable for any accident. If a train goes off the track somebody pays the penalty, and naturally there would be a feeling on the part of the railway men to protect themselves as far as possible. I would have some doubt as to the wisdom of the Board being compelled to accept the very first report sent out by the men who are operating the road. I would not mind if you say the superintendent or some such official, but to ask a conductor, engineer or trackman or men similarly circumstanced to send a report, I would have some difficulty in accepting it.

Mr. NESBITT: They simply send the report and the Board investigates it.

The CHAIRMAN: The amendment requires that a report of the accident be transmitted to the Board and followed up with a telegram.

Hon. Mr. COCHRANE: Would it not have the same effect if they telegraphed it to the head?

Mr. CARVELL: No, because as a matter of fact the divisional superintendent makes an investigation on his own account.

Mr. BEST: I would like to offer one word in reply to what Mr. Carvell has said. One of the strongest reasons why the railway employees are advocating this amendment is that the evidences of a railway accident are often removed, and neither the Board nor any person outside of the railway company or its officers has an opportunity to investigate them. It is true, as Mr. Carvell points out, that it may be necessary for the employee himself to report the accident; a conductor, if he is in charge of a train, and if an engineer, if he is in charge of a light engine, or if the accident happens in the shop, the locomotive foreman or other officer. In such case he will be the employee referred to in the subsection. But the important point is that at present the evidences of the accident are removed and the Board, which should investigate the accident, have not an opportunity of determining what brought it about.

The CHAIRMAN: What objection have you to the word "head" being struck out?

Mr. BEST: It would not serve the purpose at all, simply because the same opportunity would exist for removing the evidences of the accident, and for the Board not having an opportunity to deputize an officer to go to the scene and investigate how the accident happened.

Mr. CARVELL: But would not the physical evidences of the cause of the accident be removed whether the report was sent in by the official or by the head office? What is the difference? The physical evidence of the accident would have to be removed in many cases in order to permit the track to be repaired.

Mr. BEST: In some cases it would be necessary to remove the causes of the accident in order to get the main line clear, but in many cases it is not necessary to do that, providing everything in connection with the train is clear of the track. Then it is only necessary to investigate the causes of the action by inspecting all the rolling stock itself which is in the ditch as to whether there was a broken wheel, or broken draft rigging, or broken brake rigging. As things now are, the evidences may be entirely removed before the Board's officer ever gets to the scene, and, as a matter of practice, they often are.

Mr. MACDONELL: If we are going to require that a duplicate of the report sent to the company by the officer shall be forwarded to the Board, do you need, in addition to that, that there shall be a wire to the Board as well?

Mr. BEST: We think it is essential to have telegraphic communication sent to the Board immediately an accident occurs, not merely from the viewpoint of the men alone, but it is a question of the public interest, and the public interest demands that it should be done.