

Proceedings on Adjournment Motion

said on those occasions. Like the hon. gentleman, I am concerned about the failure of some of these financial institutions because I believe that even if these failures are not in a sphere over which the federal parliament has control, nevertheless it reflects upon the reputations of all Canadian financial institutions. I have urged the provinces to do what they can to improve their laws and I have promised that as far as the federal government is concerned in its laws relating to federal institutions, we intend to do likewise.

In conclusion I would like to say again that the North American General Insurance Company, which capsized when the Prudential Finance Corporation went into bankruptcy, was the first failure of a federal insurance company in 40 years. I do hope we will have no more, but I think that the record of our federally incorporated and federally supervised insurance companies has been most remarkable.

CANADIAN NATIONAL RAILWAYS—INQUIRY
AS TO REMUNERATION FOR FIRE DAMAGE

Mr. A. D. Alkenbrack (Prince Edward-Lennox): Mr. Speaker, I beg leave to rise this evening to intercede on behalf of some 18 farmers and others in my riding in the township of Richmond and in the township of Tyendinaga. Last Thursday I put a question to the Minister of Transport and it appears at page 12264 of *Hansard*. I asked him a question pertaining to a fire which took place along the right of way of the C.N.R. in Richmond and Tyendinaga townships last July 20. This fire was set by the rolling stock of the railway, and the farmers along the line sustained considerable damage to crops, fields and fences for which they have not been reimbursed by the C.N.R. I asked the minister when these farmers might expect to receive satisfaction in this matter.

● (10:20 p.m.)

This unfortunate fire happened more than six months ago. The C.N.R. has sent in inspectors and investigators. They promised the farmers satisfaction in this matter, but nothing has been done toward reimbursing them for the damage done to their fences, pasture lands and crops. The fire was set from a train. One of the C.N.R. claims agents saw it, for it so happens that he was in the area in process of settling a previous claim for damages caused by an earlier fire in April or May.

Officials of the C.N.R. have suggested that the fire may have been caused by a passenger on the train throwing out burning material,

[Mr. Sharp.]

such as cigarette butts or matches. This does not make the railway any less liable. The railway is liable for the actions of its passengers. It is also liable for damages caused by mechanical equipment. This fire was set by a hot-box, which is mechanical equipment. The fire took place during a very dry time last summer, in drought conditions.

It was the east bound flyer which set the fire. The train crossed the boundary road between Hastings and Lennox and Addington counties at about 11.45 A.M. standard time. In a few minutes the whole south side of the railway was on fire. The Napanee fire department records show that they were called at 12.06 p.m. standard time. The first sign of fire and the emergency and alarm calls sent in are all in timing with the passage of the aforementioned train across the area. Damage was heavy and serious. The following is a list of the names of owners who have sustained damages:

John Sexsmith, R.R. 2, Shannonville; V. Ryan, R.R. 2, Shannonville, \$90; Holy Name of Mary Church, Marysville, \$200; Mrs. Bernard O'Sullivan, R.R. 1, Deseronto, \$45; Eldridge Rosenblath, R.R. 5, Napanee, \$150; Mr. Ross Oliver, R.R. 6, Napanee, \$208; Walter Hudson, R.R. 6, Napanee, \$500; Mrs. Ola Dillenbeck, R.R. 6, Napanee, \$300; Mr. Ralph Hawley, R.R. 6, Napanee, \$100; Mr. Fred Mowbray, R.R. 1, Deseronto, \$125; Mr. Claude Nugent, R.R. 1, Deseronto, \$100; Mr. Cecil Root, R.R. 5, Napanee, \$200; Mr. Reginald Badgley, R.R. 1, Deseronto, \$640; Mr. E.L. Hinchey, Shannonville, \$200; Mr. Harold Moon, R.R. 1, Deseronto, \$190; William Stewart, R.R. 1, Deseronto, \$125; Eric Root R.R. 5, Napanee, \$50.

The total of these figures amounts to \$3,223 and we hold the railway liable for these damages for more than one reason. The railway did not burn the grass along the right of way in the spring of 1966 as they should, and usually do. The result was a heavy growth of hay on the railway property which, under the drought conditions, conducted the fire set by the train to the farmers' fences, fields and crops.

Another obvious factor which indicates the fire was set by the train is that the fire was only present and damages sustained on one side of the right of way, namely the south side, without exception and right across the parched, dry countryside. The fire resulted in chaos and disorder in this rural area because of the destruction of fences. As a result, farmers could not pasture their fields and those