the present High Court of Justice has not decided the same thing over again. It simply shows what can be said if it is not desired to pass a Bill in the public interest. Counsel for the railways insisted on the objection to the Bill that it would not continue to them the protection of the old orders and when that provision was inserted to save them expense, they got the senators to say that this provision showed that our legislation was hasty and that we did not know what we were doing. The 214 members of this House have unanimously agreed in two consecutive sessions that this legislation is just what the people want These members, coming from all parts of Canada, are the best judges of what the people want, as was correctly said by the Hon. George W. Ross, when speaking in the Senate last year in support of the Bill, in opposition to the majority of the Senate. His speech will be found at page 910 of last year's Senate 'Hansard,' and I commend it to the attention of hon. members of this House, as Mr. Ross has recently come from the people and has not forgotten their wishes. If the Senate had returned the Bill to us with an amendment and said : We do not think that is the right remedy and will suggest another in its place, I could perhaps agree that there was some excuse for their course ; but when they do not amend that Bill as they should under the constitution and propose an alternative recommendation to this House, admitting that they cannot suggest any better remedy for the evil than this, and can offer no other reasons for their rejection of our proposal than that the legislation was hasty, the proper course for this House to adopt is to send this Bill back to them every session and let them wrestle with it until they understand it, and either suggest a better remedy or back down and say: We cannot suggest anything better and therefore leave this matter to be dealt with by your 214 members of the House of Commons. I have here 50 pages of evidence taken before the Railway Commission in 1905 at the instance of the railways. No evidence was taken on behalf of the people, none was necessary; hon. gentlemen in this House knew the evil, knew what the people wanted, but the railways had to give sworn evidence to show that the hon. gentlemen in this House did not understand what they were talking about, and were proposing, according to the Senate, hasty legislation. Members of parliament knew what the evidence in favour of the people was, from five minutes' conversation with their constituents. On the expression of opinion, unanimously coming from the ranks of both sides of politics and all over the country, the House concluded to pass the Bill as it now is. Then before a special committee of seven, an equal quantity of the evidence of engineers was given showing the difficulty and showing it to them to what end? In order to prove that if the railways put up gates and appointed watchmen to open and close them, that would cost so much money as to cripple the companies, and besides it was not necessary in all cases. If we made the railway companies do the ideal thing, if we made them abolish level crossings, that, they claim would financially ruin them. They pretended that electric bells might be sufficient at certain places and that some particular crossings, although within the territory described in the Bill, did not need any protection at all because of the peculiar advantageous geographical position and that in such cases all that was necessary was the warning signs: 'Railway crossing.' This Bill, therefore, was so drawn that they need not do either the one thing or the other, provided they got permission from the Railway Commission to dispense with either. Should they be able to convince the Railway Commission that a certain class of crossings did not require any particular protection, that certain other crossings required only electric bells and certain others required only watchmen, and that others again required to be taken off the level either by an overhead bridge or by a cutting beneath the level, all they have to do is to comply with the order of the commission. That is just what this Bill calls for. It establishes the principle that the railway companies must protect the public, but they can go before the Railway Commission and, on proving to the satisfaction of that body, that a certain class of crossings do not require protection, they are not bound to go to the expense of providing it. Where then is the injury or the unfairness to the companies of such legislation? All they have to do is to convince the Railway Commission that a certain kind of protection is all that is necessary and the Railway Commission will issue an order to that effect.

But to come back to first principles, who owns the public highway ? Who has the first right upon the public highways in cities, towns and villages ? The railway companies do not lease these highways or buy them. They are the King's highways, belonging to the King's liege subjects, and the railway companies are permitted, by a general clause in the Railway Act to cross these highways without paying any compensation. Whenever they cross private properties, they have to pay compensation for the usage, but they are allowed to run freely, without paying any compensation, over the King's highways. But, it is said, we must have railways and we must give them the privilege of crossing the public roads. That is all very well ; but we do not want these companies to be allowed to kill people when crossing these highways, which they are allowed to use, absolutely free of toll or rent or any other compensation to the people who own them. Is it too much to ask, under these circumstances, that these companies shall protect the public at