

arise for damages for small amounts. He had drawn the attention of the House to the fact that, however just and impartial the decision of employés, to whom, practically, the matter was now left, would be, it would never give satisfaction to the sufferers, because they would suppose, whether rightly or wrongly, that the officers appointed to make the enquiry would feel a certain amount of interest in protecting the employés. Take the question of a horse or ox being killed, and whether the fences were in a proper state of repair. It was the duty of the Government to keep the fences in repair, and the persons who were employed for that purpose said the fences were in repair. The sufferer would say those parties were interested, and that the evidence upon which this question was decided was the evidence of interested parties. The hon. the Minister of Public Works had, no doubt, had his attention called to this subject before, and he had responded to the application to provide means by which there would be an outside and independent arbitrament called in for the purpose of investigating facts, whether on the part of employés or sufferers. They should not forget that, owning as they did a long line of Intercolonial railway, they were exposed to a very great number of claims constantly arising in connection with these matters. And while it was absolutely necessary to protect the public and individuals who were sufferers, it was also equally important to protect the Government against constant claims arising that might not be well founded. If it were to transpire that every horse and cow killed on the Intercolonial railway would be promptly paid for, the number of accidents would be much greater than at present. The first difficulty was to provide an independent arbitrament by which an unobjectionable mode of arriving at the facts would be attained. He did not see the difficulties which were seen by the hon. member for Northumberland in respect to the law. In nine cases out of ten, or probably ninety-nine out of a hundred, purely questions of fact required to be ascertained. While the Government should hesitate about placing itself in

a position to be taken every day into a Court of law and before local magistrates to deal with those questions, a great step was gained, so far as the Bill presented itself to his mind at that moment, by the proposition of the hon. the First Minister to promptly send one of the official arbitrators, an independent party, along the line of railway, and take evidence, and present any independent report to the Government. The Government would be disposed promptly to pay any amount reported to them by an independent officer, who had taken testimony in respect to the claim, and would be more liable to error on the side of improperly paying the claimant, than of throwing over the report.

MR. MITCHELL said the hon. member for Cumberland had evidently changed his mind.

MR. TUPPER said he had not changed his sentiments. All he had desired was that means should be taken to have an independent report made to the Government, such as would satisfy the public and the claimants that claims would not be ignored upon the testimony of an interested party. The present proposition, to a large extent, covered the proposal he made to the hon. the First Minister, although the Bill, when printed, might be capable of amendment and improvement. They should not, on the other hand, forget the position of the Government in regard to the enormous system of public works, and, on the other hand, they should do justice to individual claimants.

MR. POULIOT said the people of the Province of Quebec desired that all cases should be referred to the ordinary Courts of law; if that could not be done, that they should be investigated by a person outside of the Government railway employés. In many places, during the winter, the fences would be covered with snow, and the cattle strayed on the railroad and were killed. There was nothing to prevent cattle going on the track during the winter. In 1875, after the Parliamentary Session, he went through his county to see what was the position of affairs, and, in some places, there was from 12 to 15 feet of snow.