

gers alighting until car after car was brought up to the platform. Not to say anything about the expense, it would be practically impossible to carry this out in the case of trains that stop at flag stations, where there is not usually the convenience of a station or platform. Railway companies would either have to forego stopping at these places and thus deprive the public of a great convenience, or they would have to build a platform at each station, or other stopping place, no matter how insignificant. This would be a great drawback, especially in the case of new railways. In travelling through the North West, a couple of years ago, I noticed that along the whole length of some lines there was scarcely a regular station or platform, and the passengers were glad to get out at any convenient point. Shippers had their stuff piled and discharged at such points without either a platform or station. If this Bill were law, these companies would be unable to let their passengers off where it suited them, without breaking the law, and I am sure the travelling public would consider it a great deal more inconvenient to be obliged to land on a platform perhaps miles away from the nearest point to their destination, than to be let off at such point, although there was no platform. This Bill would necessitate the building of platforms at every casual place where a train happened to stop, or the number of stopping places would have to be greatly diminished. Again, railway companies conveying excursionists often stop at different places or pleasure grounds. One year a place may be selected at which the train stops, and another year the public may resort to a different place. If this Bill became law, the company would be liable to a penalty if the passengers were discharged where there was no platform, even though the passengers desired it. Often when trains were coming into cities inconvenience would result on account of passengers not being allowed to get out at street crossings nearest home because there was no platform, and therefore the company would not leave itself liable to a prosecution for violation of the law by allowing such passengers to leave the train unless at the regular stations. I think, therefore, it will be seen how utterly impossible it would be for any railway company to keep within the bounds of this measure. That part of the Bill which relates to baggage is not so objectionable, but I understand there is a law already which provides for proper care in the handling of baggage.

Mr. TISDALE. Had the hon. gentleman who introduced this Bill taken the trouble to consult some lawyer, he would have discovered that the common law covers both the matters his Bill provides for. Last Session a great deal of time was taken up by the Committee of the Whole House in passing the general railway law, and all these matters were carefully considered, so that I cannot help thinking the hon. gentleman would consult the best interests of the country and also save the time of the House if he would withdraw this Bill. Surely after the exhaustive discussion which was given last Session to railway matters it is rather early now to bring in further amendments to the railway law. The common law meets the case. The common law requires railways to give proper accommodation to all classes of passengers. Now the common law has been the law for a great many years, and unless there is some special principle or some technical rule concerning which a statute can be framed, it is much better, according to the opinions of the great judges who have administered law in all parts of the Empire, to leave these matters to the general law than to try to improve them by some technical statute. Although, therefore, both the matters dealt with by the hon. gentleman are popular in one sense, the law is as strong in regard to them as any statute the hon. gentleman can frame. Last year we ventilated these matters very fully, and I do not see any improvement which the hon. gentleman can suggest to-day, but I can see that great detriment will be

Mr. SPOULE.

caused should his Bill pass. In the part of the country where I live, local railways were built, induced to stop at some places, and I know that a similar state of affairs exists in the hon. gentleman's section, where there were no platforms at all, not because it suited the railway companies to do so, but because it accommodates the people in the rural districts. The trains stop at road crossings where it would not pay to have a platform, and sometimes it is by considerable pressure that the company are induced to do this. On some railways in the western part of Ontario, there are over 50 stations which are an accommodation to the people. If the hon. gentleman's Bill passed, these stations would disappear and every one of them would be shut down, because it would not pay to have platforms there. The law therefore would prevent the very object the hon. gentleman has in view. It would do more harm than good, and certainly have the effect of causing great inconvenience.

Mr. BARRON. I do not profess to be as familiar with the circumstances and necessities of railways as the hon. gentleman who has just spoken. I am quite aware of the fact that he has a great deal to do with the different railways throughout our country, and is more or less interested in them, and perhaps speaks somewhat from a railway standpoint. But when he criticises my hon. friend's measure on the ground that is quite unnecessary, because the common law of the land provides a remedy, I must inform the hon. gentleman that in this respect he is mistaken. The common law simply deals with the question of negligence, and the question which would have to be decided under it would be whether the company was guilty of negligence or not. The judge would have to decide that, and he might declare that under the circumstances negligence could not be attributed to the company. But this Bill states what is negligence. It does not leave it to a judge to say what is or what is not negligence, but it provides what will be negligence on the part of a railway company, and says that, unless a railway company does this, it will violate the Statute law of the land. I think, therefore, that the point taken by the gentleman who preceded me is not well taken. I think it is well that the Statute law should provide that the railway company should deliver passengers at the station. Moreover, I think it should provide that railway companies should handle baggage more carefully than they have in the past. I ask hon. gentlemen if they have not seen again and again the employés of a railway bundling the baggage out, throwing trunks out indiscriminately and baggage being smashed by the way in which it has been thrown on the station. I suppose it is quite true that the parties who suffer might have some remedy at common law, but I think it is infinitely better that the Statute should point out that such an act is negligent rather than that it should be left to a judge to say whether the act is negligent or not. I, therefore, think the point taken by the hon. gentleman who preceded me is not a good point, and that my hon. friend from Simcoe (Mr. Cook) is right in proposing this measure.

Mr. TISDALE. I rise to make a personal explanation.

Mr. COOK. You had better occupy the whole time.

Mr. TISDALE. I rise to make a personal explanation and I think I am in order. The hon. gentleman who has just spoken (Mr. Barron) said I was interested in railway companies. I desire to state that I have not a dollar's worth of interest of any sort in any railway in the world. That is all I wish to say. In my career in this House, so far as it has gone, I have never made a reflection of that kind upon any hon. gentleman. I rely upon arguments, and, though I do not think the hon. gentleman meant to make a harsh insinuation, I object to that style of discussion from either side of the House, and I hope that in future the