

APPENDIX No. 2

have the figures compiled for the Canadian Pacific Railway for, I think it was, 1915, and, I think, there were about ten times the number of trespassers killed along that line than there were of other persons who were properly on the grounds of the railway company.

Mr. CARVELL: But if you had a sidewalk running alongside the track you will eliminate altogether that danger.

Mr. SCOTT, K.C.: That may be the case in some instances, but you have not sufficient traffic in the country districts to have walks constructed on each side of the railway; and even where there are walks, if a man wants to cross from one walk to another he will cut across the railway tracks. The railways are making a special effort to keep people away from the railway tracks; in Ottawa and other places, the company is spending large sums of money to prevent people trespassing on their lines, with a view to avoiding accidents. The proposed legislation will have the effect of attracting a large number of people to the railway tracks who would not otherwise be there, and it is better to leave it to the municipalities and the railway companies to make amicable arrangements where the necessity arises.

Mr. MACLEAN: There is one aspect of the case that both counsel for the railways have not submitted to us. They have given us their side of the case, but they do not deal with the particular principle that the municipalities are not able, in many cases, to build bridges where it is far too big a proposition for them to handle, because of the amount of money involved. These municipalities would like to have the right to co-operate with the railways in the erection of a new bridge, or in the reconstruction of an old bridge. I see no objection to that contention, in fact I may say that I am an advocate of their rights in that respect. In cases of this kind there ought to be co-operation and not a waste of money in erecting independent bridges where there is no necessity for them; the railway company should in such cases be compelled to co-operate with the municipalities to prevent this waste of money. While there is this danger of people trying to cross the tracks under present conditions, where there is co-operation between the railways and the municipalities, there should be imposed upon the municipality, by the board, that a foot path, or a subway, which costs very little, should be provided for the people to cross the tracks, so that the danger of accidents would be removed in cases where the Board thinks it is wise to make that order. In that case the railway company can always come to the Board and say, "If you impose this provision for a foot path on the main bridge, you must make it safe by providing a subway," and the cost of that will be imposed upon the municipality.

Mr. CARVELL: One thing struck me about Mr. Chrysler's argument with regard to the hanging of a foot path on a bridge. The Bill only provides that the municipality shall pay for the extra cost of hanging. I think there is something in his argument, but after all the main superstructure has to be built by the company and that is the chief cost.

Hon. Mr. COCHRANE: They are not doing that in Toronto. They are doing it for themselves. They have to do it.

Mr. CARVELL: Mr. Chrysler suggests that they should pay something on the capital cost of the main superstructure as well.

The CHAIRMAN: In addition to the original cost.

Mr. MACLEAN: They have been largely bonused and give great franchises and privileges, and while they accommodate the public, the public are their main clients and the source of all their revenue. If I were in business, I would like to have roads leading to my front door.

Mr. NESBITT: That is not applicable to this case. People would like to see the bridges joined on terms. I have confidence in the Dominion Board doing justice to the railways, and when we find them doing injustice, we will change the Board.