

ment, professedly as a means of giving justice to claimants, was no remedy at all. The hon. Minister said, if a question of law arose, these arbitrators had nothing to do with it. Mr. Brydges had stated that this cow was killed at a crossing, and, being killed at a crossing, there was no legal remedy for the poor woman who had owned it; the arbitrator could not move in the matter because the question of law arose. True, there were no gates at the crossing, and the guards were down; yet, because the cow was killed on the crossing, they refused to consider the case. The question was whether the damages for the loss of that cow, although she was at large, could not be enforced. He held that this professed remedy, which the hon. gentleman professed to bring down for the speedy relief of those small cases, did not cover the case at all. In every case of this kind a question of law would arise, which would put it out of the jurisdiction of the inspector. What he wanted was a speedy remedy for claimants who had grievances against the Government for damages sustained by them, owing to the negligence of the officers of any public work, whether canal or railway, or whatever it might be, which was under the control of the Government. It was the duty of the hon. the Minister of Public Works to provide that remedy. It was not satisfactory to tell that poor woman that there was a question of law involved as to whether the cow had, legally, a right to be there, and that, consequently, the arbitrator had no power to deal with the question. What was required to insert in that Bill was that arbitrators should have power to deal with all cases to the extent of a thousand dollars, whether they involved a question of law or simply a question of fact; but, if every case in which there was an element of law was reserved, then there would be no justice shown to those people, and they would have to go to the Supreme Court at Ottawa, at a cost of a thousand dollars, to recover an amount of, probably, \$40. This was not a position which could be justified under the circumstances stated, and in connection with the grievances which he had related as

having arisen in the constituency he had the honour to represent. He would oppose that amendment and any Bill which, while it professed to give a remedy, really denied one, since there was not a single case of the killing of cattle or other damage done in connection with the railway in which a question of law would not crop up.

MR. PALMER said, if this Bill was made as it ought to be, it would be a great boon. On reading it over, he did not quite understand its scope. The case of the cow could not, as his hon. friend seemed to think, be carried to the Supreme Court. As the matter stood, the remedy had to be obtained from the employés, or there was no remedy. If he understood the Bill rightly, one of its principles appeared to be that the Government admitted their liability for the action of their employés, whenever such employés made themselves liable to any person by reason of their misconduct. If the employés of the road killed his hon. friend's cow, it did not follow that, because the cow was improperly on the line, the employés were not to blame. If the accident was due to gross negligence, if they wilfully killed the animal, the law made the employés liable, although the cow was wrongly on the track. If the Bill intended to determine the question of negligence, and on proof of such negligence, to indemnify the sufferer by such negligence, it would be a great boon. If the Government assumed that responsibility, and were willing to leave the question of determining to whose fault the accident was due, and whose decision in that case ought to be binding, the Bill would be a great boon and worthy of support.

MR. SMITH (Westmoreland) said there was no doubt, as the law now stood, that there was no remedy in the Supreme Court for damages sustained through any employé on the railway. He understood the hon. member for Northumberland to have said the other day that, when an enquiry was made into an accident or injury sustained by an individual, reference was made to some of the employés, perhaps to those whose negligence had caused the