

could not be responsible for what might occur if he had not more help. The help was not given, and he resigned. A green man was put in his place, and the accident occurred shortly afterwards. This provision is for the purpose of ensuring the safety of everyone who is travelling, and if the Railway Board find that the track is not being maintained as it should be, that court will have jurisdiction.

Hon. Mr. McSWEENEY: How many section men are there to a mile as a rule?

Hon. Mr. ROBERTSON: It depends very largely on the volume of traffic on the road, and the season of the year. At some seasons of the year there is only one man to about 9 miles of track.

Hon. Mr. BEIQUE: For my part, I am always willing to provide the necessary machinery for such cases, but we must not be carried away because of individual cases and take the management of the railways out of the hands of the railway companies. I take it that this clause means that it will be the duty of the Board of Railway Commissioners to interfere with the management of the railways, and it places an undue duty upon them which will tend to increase considerably the staff of the board if they carry out the spirit and the letter of the law. If the Act is amended to the extent proposed, it will be very expensive to the country, and will seriously interfere with the management of the railways by the companies. I suggest that this is a matter which should not be dealt with in the dying hours of the session, but that it should be left for future consideration.

Hon. Sir JAMES LOUGHEED: I must take exception to the interpretation which some honourable gentlemen seem to place upon this amendment, in saying that it means that the maintenance of way must pass from the hands of the railway companies to the Railway Board. That is not the case at all. We entrust the Railway Board with responsibilities which are much greater than this, and it seems to me that the fact that amongst the higher officers of the roads, particularly, say, divisional superintendents, and under them section foremen, and so on, there is more or less emulation in the exercise of economy in order to receive recognition at the hands of the company, frequently results in an absence of the necessary expenditure to keep the track in proper condition. This provision simply gives the board authority to pass regulations, not in any way to interfere with the management. Take, for instance,

the case of train employees going over a certain section of road. Their attention may be directed to a portion which demands immediate attention. They will hesitate about saying to one of their superior officers that it should receive immediate attention, and that a certain expenditure should be made upon it. If they should do so, they would be told that it is none of their business. Is it unreasonable that a method of this kind should be adopted in order to determine whether the road at any particular place is being maintained as it should be maintained? It seems to me that the safety not only of the public but of the employees demands it, and frequently it would enure to the advantage of the railway companies, because where very serious accidents occur the damages which they are called upon to pay infinitely exceed the amount of expenditure involved in keeping the road in proper shape.

Hon. Mr. BEIQUE: The board has already in other clauses the power to do all that is necessary for the safety of the employees and of the public; but this paragraph provides that the board may make any order with respect to the length of the sections required to be kept in repair, and also as to the number of employees required for each section. I claim that that is interfering with the management of the company, and I think the Senate should not concur in it.

Hon. Mr. CHOQUETTE: I am bound to say that I think those companies whose consciences are uneasy on this matter are opposed to this provision. I do not see why any company that is doing its real duty should object; but I know that companies like the Quebec and Lake St. John Railway, which forms part of the Canadian Northern, is not maintaining its track so as to prevent accidents. If a road has sufficient men to protect the public I do not see why it should object to this amendment, which will be severe only on those companies that are remiss in their duty. We need not suppose that the Railway Commission will be harsh with any company. They are interested only in protecting the public. Some companies do not care as long as they can make money, and if no accident occurs they neglect to see that the line is in a good state of repair; but if an accident happens they wake up and try to put the responsibility upon their employees. I do not see any harm in giving the board power to compel the companies to do what they ought to do them-