

Company. Why is it necessary for the railway to pay that money into the Consolidated Revenue Fund? Why is it not used in the second way, that is deposited in trust?

Hon. Mr. CHEVRIER: I do not know why the alternative was given but I presume that the temporary loans will come out of the Consolidated Revenue Fund and to that extent the money should be replaced by depositing it in the Consolidated Revenue Fund.

Mr. GREEN: It would depend on the amount that had been loaned?

Hon. Mr. CHEVRIER: Yes.

The CHAIRMAN: Shall clause 7 carry?

Carried.

Shall clause 9 carry?

9. The Company is not required to fence the right of way and station grounds of the railway line and is not liable in damages by reason only of the absence of fencing.

### SCHEDULE

Location	Mileage	Estimates	
		Cost of Construction	Average cost per mile
From Sherridon to Lynn Lake, in the Province of Manitoba .....	155	\$ 14,725,000 00	\$ 95,000 00

Mr. GREEN: Mr. Chairman,—

The CHAIRMAN: We are allowing some leeway here today but when items have been carried we do not like to revert back.

Mr. GREEN: Here is a bill on which there is no contention. We are all trying to find out the facts.

The CHAIRMAN: Would you please state the clause you want information on?

Mr. GREEN: Well, you did call the clauses very quickly. Clause 9, for example, provides that the company is not required to fence the right of way and station grounds of the railway line and is not to be liable in damages by reason of the absence of fencing. Is that not an unusual provision in an Act?

Hon. Mr. CHEVRIER: I was wondering myself why it was put there and I am glad you asked the question. Perhaps Mr. Rosevear could help us.

Mr. ROSEVEAR: Mr. Chairman, the Minister, and gentlemen. I think that you will all realize that up in that country we have cariboo mostly and other wild creatures, and the company did not want to be under the usual obligation set out in the Railway Act to fence the line. Nor, do we feel in view of the special nature of this line that we should be under any obligation to pay damages because we did not fence it. That does not mean we can be negligent, but we are liable absolutely as insurers if we do not have a fence. We felt that up there nobody would be injured as it is not an agricultural country.

Mr. GREEN: Mr. Chairman, I do not think the company need worry about any damage suits by reason of running over cariboo, but it is going pretty far to write into a bill a special exemption which is unusual and does not apply in the ordinary case. There is no doubt that nearer the settlements in any event, there probably will be farms established and people will have cattle and I