

MR. FISET said that he would like to make a few remarks *apropos* of the amendment of the hon. the Minister of Public Works. He had had some correspondence with the hon. gentleman on this subject, in the course of which he had expressed views similar to those enunciated by the hon. member for Charlevoix. He had proposed that the Intercolonial Railway should be placed on precisely the same footing with the other railway companies. This was the case with respect to commerce, and why should not the people be permitted, with regard to this question of damages, to go before the Courts. He was aware of the reason given for not pursuing this course—that it would occasion great inconvenience, owing to the fact that these complaints were very numerous; but he would sincerely say that he did not believe that there was any plausibility in this pretension. He considered that it would be much more just, and even more equitable to the parties concerned, to have these matters referred to the Courts for arbitrament. The people would always, in this respect, complain against the action of the Government. They would say that the Government did not do them justice, because these officers were appointed by the Government; and they would hold that the officer who was required to decide these matters was not independent of the Administration, while, if these cases were referred to the Courts, all these objections would disappear. For his part, as he had already informed the hon. the First Minister last year, and also under other circumstances, he shared the opinion of the hon. member for Charlevoix, and maintained that many objections would be removed if these matters were relegated to the Courts for decision, as was done in similar circumstances in the case of other railway companies.

MR. HADDOW: I would like to ask the hon. the First Minister if there is no appeal from the decision of the arbitrator

MR. MACKENZIE: Under the Public Works Act, where one arbitrator sits, the claimant can appeal to the whole four of the arbitrators. My hon.

MR. LANGEVIN.

friend will find this in that Act. We have only had, I think, one instance in my term, where such an appeal was made.

MR. SINCLAIR said he thought that the clause under consideration would be of great benefit to the country. At present it was very difficult for those who suffered loss of property, through destruction by the railway or other public works, to get satisfaction. When the Government appointed a person in this connection, he hoped that they would make a good selection, as he would stand in the position of a Judge; and, when witnesses, whether on oath or not, stated what they believed the property destroyed to be worth, he did not think that this officer would hesitate to pay such value, provided he found out that such destruction was owing to the fault of the Government or the Government's employés. But, while they should stand up for the public interests, they should also uphold the interests of the Government. As had been stated, cattle were placed on the road, which were not worth wintering, to be destroyed, in order that a claim for payment might be made; and, at other times, the people, through neglect, allowed property to be destroyed. For instance, in going backward and forward, hauling wood and other material, a farmer might leave his gates open, and allow his cattle to stray out on the road. It might happen that a man's cattle were killed because he left his gates open when they should have been shut, and the Government, in that case, were not entitled to make good the loss. He had not the slightest doubt that, when a person was sent there to adjudicate between the Government and the public, justice would be done. He fully approved of what had been said by the hon. member for Cumberland, but the House would be better able to judge of the truth of his views when the clause he suggested was printed and placed on the members' desks. He thought the Government were taking the most proper means to have the matter amicably, justly and fairly settled.

MR. MITCHELL said the hon. the First Minister had made two state-