

*Railway Act*

the direction of the motion and I want to support the mover and the seconder in having this matter examined further.

● (1740)

**Mr. Ernie Epp (Thunder Bay—Nipigon):** Mr. Speaker, I appreciate the opportunity to say just a few words about this motion. I appreciate, first, the manner in which the motion has been taken up by several Members of the governing Party, including the Parliamentary Secretary to the Minister of Transport (Mr. Kilgour). This response to the concern which the motion expresses is appreciated by us in our group and I want to recognize that explicitly.

The comments made by my colleague, the Hon. Member for York East (Mr. Redway), dealing with the potential for various kinds of fires leads me to direct my attention for just a moment to the motion itself in that it does respond to changing circumstances in its way. It looks to legislation to amend the Railway Act to provide for increased compensation to victims of fires set by railway operations in order to reflect current replacement costs of items lost through property damage. That language does generalize the matter a good deal. It recognizes the reality of various kinds of railway operations. As I listen to this very interesting debate I muse over the fact that a clause in the existing legislation begins by saying:

The company shall at all times maintain and keep its right of way free from dead or dry grass, weeds and other unnecessary combustible matter.

I have driven through northern Ontario along rail lines and looked at the right of ways that have been burned clear. One of the things railways do and are required to do is to keep them clear. There is the possibility for fires to spread from those railway operations. We have an additional factor involved in the risk that property owners run.

I want to note that, as the Hon. Member for York East has suggested, people in the cities and towns face dangers. I might suggest that in addition to farmers there are owners of woodlands traversed by railways which might also experience losses that should be provided for.

The main contribution in my few comments deal with the question of the level of cost that might be considered in this consideration if the motion is carried to a favourable result in our vote this afternoon.

It was suggested by the Hon. Member for Winnipeg North Centre (Mr. Keeper) that price indices would suggest that the original level of \$5,000 might today represent a cost of \$68,000. I think that amount is quite inadequate, and a careful comparison of some income figures would suggest that \$68,000 or \$70,000 is not really the appropriate contemporary ceiling that might be put on cases of loss where the railway is not negligent. I note in some material that my friend passed on to me that one of the comparisons that can be made is to the parliamentary sessional indemnity, the salaries, if you will, that Members of Parliament receive. Those were \$1,500 in 1905. That means the level was about three and one-third at \$5,000 of what Members were paid. If the current level is about \$55,000, clearly the appropriate comparative figure as a

ceiling on loss in cases where there is not negligence would be into the range of \$170,000 or so.

I would like to suggest the possibility that it could be even more than that. My own research into the early industrial history of Canada during those years would suggest that a skilled labourer might well earn something like \$500. It could be a bit more than that by the end of the decade, but if one were to take the figure of \$500 per year as a skilled labourer's income, I would think that today one might say \$30,000 to \$35,000 was a fair figure for a skilled labourer to be earning. I am open to correction by others. If then the figure in those days was 10 times that, we would have a basis for urging consideration of a ceiling on these claims where there is not negligence of \$300,000 to \$350,000. That seems to me to be getting us into the right league, the league which the Hon. Member from York East was pointing to when he talked about the Mississauga derailment.

With these comments on the wisdom of the motion and support on my own part, I move, seconded by the Hon. Member for Ottawa—Vanier (Mr. Gauthier):

that the motion be amended by deleting the words in "in the opinion of this House, the Government should consider the advisability of" and substituting the words "the Standing Committee on Transport be empowered to study the advisability of the Government".

**The Acting Speaker (Mr. Paproski):** Shall the amendment carry?

**Some Hon. Members:** Agreed.

Amendment (Mr. Epp, Thunder Bay—Nipigon) agreed to.

**The Acting Speaker (Mr. Paproski):** The question is on the main motion, as amended, which reads:

That the Standing Committee on Transport be empowered to study the advisability of the Government introducing legislation to amend the Railway Act to provide for increased compensation to victims of fires set by railway operations in order to reflect current replacement costs on items lost through property damage.

Is it the pleasure of the House to adopt the motion?

**Some Hon. Members:** Agreed.

Motion, as amended, agreed to.

**Mr. Kilgour:** Mr. Speaker, this is Private Members' Hour and we are all here as private members. I would like to put on the record that the only member of the Transport Committee who is in the House right now did not object to the amendment, which means it was agreed to unanimously.

**The Acting Speaker (Mr. Paproski):** Shall I call it six o'clock?

**Some Hon. Members:** Agreed.

**Mr. Gauthier:** Mr. Speaker, I rise on a point of order. Since you have called it six o'clock and we have people listed for the adjournment debate, which we call the late show, who are not