

necessary. A very large number of claims were paid as a matter of course. Whenever the claim was clear, it would be wrong to delay payment. He did not think that they were, at present, in a position rendering it advisable to go to the ordinary Courts with all the cases that might come before them relating to these damages. The hon. member for Kingston had suggested that it might be desirable—and in this he thought that the hon. gentleman was right—to establish some sort of a Court which would take cognizance of particular claims in the future. This was a matter which the Government would no doubt consider. It would, before the next Session of Parliament, make enquiry into this matter; but he was not at all disposed, from the information he had, to go further than he proposed to do, as he had explained to the House. They had a very great deal of difficulty in resisting improper claims. Many which were exceedingly improper were made. They had had abundant proof that, in a number of instances, cattle and horses were literally turned on the railroad to be killed, in order that compensation might be demanded; and in these cases it was absolutely indispensable that they should be exacting. They desired to place themselves simply in the same position as an ordinary railway company. There was no fear of any arbitrator doing an injustice merely because he had been appointed by the Government. Judges were appointed by the Government, and no one thought that any Judge on that account would deliver a wrong judgment; and, although an arbitrator might not be in some sense a judicial officer, still he was occupied with judicial functions, and would discharge judicial duties, even if he were not a lawyer. He had no doubt whatever but that the remedy would be found a fair one. Many of these complaints he considered without foundation, and many of them might be just. He felt that the necessities of the Government of the country required that they should protect themselves to that extent, and he thought that the present Bill, taken in conjunction with the Act respecting public works, in its other provisions,

would afford a fair and sufficient remedy in connection with these cases. He could not agree with the suggestion of the radical character mentioned by the hon. member for Charlevoix (Mr. Langevin); but, if, after the Bill was printed, verbal alterations were proposed, of course he would be very glad to have the assistance of any hon. member with the view of improving the measure to such an extent as might be desirable in order to carry out the idea with which he had started.

MR. LANGEVIN said it was because the Arbitrator did not occupy the independent position of a Judge that he made the suggestion in question. If the Arbitrator could be in the position of a Judge and quite independent of the Government, this would give confidence to the public; but, when they knew that this officer could be removed at any time and was entirely in the hands of the Government, such would not be the case, no matter how honourable the Arbitrator might be. The suitors should have the same confidence in the decision and action of this officer as if the matter was investigated before a Judge. He did not suppose that the Judge would prostitute his position because he was appointed by the Government, and he hoped that such a view would never be entertained in this country. He thought that the hon. gentleman saw that there was a great deal of force in his observations, as he seemed inclined to consider, during recess, the question of bringing such claims before the Courts as was suggested the other day by his hon. friend the leader of the Opposition.

MR. MACKENZIE: Yes; but I do not suppose that such a thing could be applicable to these small claims.

MR. LANGEVIN said he hoped that this question would at all events remain over for consideration. Perhaps the hon. gentleman next year might see his way to the settlement of these claims before the Courts, or before some tribunal in which the public would have more confidence than in mere arbitration. He trusted that the hon. gentleman would reconsider the amendment.