

there was nothing left to them but to report to this House as they did. I believe the committee have no objection to reconsider the matter and suspend the 51st rule of this House, because that is the only way in which the case can be met. I desire, however, to take this opportunity to beg hon. members of this House in the future, or so long as this Parliament exists, to see that there will be at least an attempt to comply, in a substantial way, with the requirements of the rules of Parliament, because otherwise it becomes a very difficult matter for the committee to do anything else than they have done in this case.

Sir JOHN A. MACDONALD. I quite agree with my hon. friend, the chairman of the Committee on Standing Orders, that there should be some attempt, some substantial attempt, made to carry out the regulations and the rules of Parliament, and to give the requisite notice in reference to private Bills. There are so many interests, individual or collective, which may be involved in every private Bill, that it is not fair that a Bill should be promoted or pressed through Parliament without an opportunity being given to every person who may be interested, immediately or remotely, in the Bill to defend his own interests. I do not know anything about this measure, except the name, which says it is a Bill to authorise a certain railway company to sell their railway. I do not know what evidence will be laid before the Committee on Standing Orders or the Committee on Private Bills, but certainly I should say that every shareholder ought to be consulted, and I think the creditors also should be consulted, and their approval obtained before such a measure could properly pass through Parliament. Here is a measure which, according to the name, gives the power to the directors to sell the railway. That is a very extensive order indeed.

Mr. SKINNER. One of the objects of making this sale is to meet one of the points referred to by the right hon. the Premier, that is, to pay off the creditors. We intend to have this amply protected in every particular, to see that every creditor is protected, and that the consent of the stockholders is obtained as well.

Mr. WELDON (St. John). This was a local Act. They presumed there was no difficulty, in regard to the Act passed last year, for the new company to make the arrangements; but it appears that this company comes under the general clause introduced some years ago into this House, and is a railway for the general advantage of Canada, and, therefore, it is considered that it would come under the control of the Dominion. Considering the great interest that parties have in this measure, I think it forms an exceptional case.

Mr. O'BRIEN. I think the motion now in your hands hardly answers the purpose. What is the use of referring this Bill back to committee for further consideration? We have given all the consideration we can, and we find no reason whatever for suspending the rule. If the House chooses to direct us to suspend the rule, of course we will obey the mandate. I, as a member of that committee, am not going to reverse the conclusion I arrived at this morning, and refer this Bill back for reconsideration. If the House is willing to assume the responsibility of saying the rule ought to be suspended, let it do so; but merely to refer it back for reconsideration, seems to me a useless proceeding.

Mr. SKINNER. One word in explanation. When I drew the resolution, I put in the words "and that the committee be requested to report in favor of a suspension of the rule." But it was thought at the Table that probably I had better not leave that in, though now, if the House is willing, it might be wise to allow these words in the resolution as I originally drew it, and that will satisfy the committee,

Sir JOHN A. MACDONALD. We do not know anything about the Bill; we have not got the facts before us. The Bill has not been discussed; and how can we instruct the committee to do a thing which may be a great wrong?

Mr. O'BRIEN. There is a case before us now—the South-Eastern Railway Company—where a very substantial notice had been given, and yet the rule of the committee had not been complied with. It was a very much clearer case than this; in fact, it was one in which exception might fairly be taken. Yet what did we find? Although we were sure, when that Bill was before the committee, that all private rights would be protected, this House has been flooded with petitions with reference to that measure. Yet, here we are asked to pass, without a single notice, a Bill which may be, apparently, a very important one. I say if the House is willing to direct us to suspend the rule, I, for one, will obey it, but I will not vote to send the Bill back to committee merely with a request to reconsider it, because that would be a mere waste of time.

Motion agreed to.

#### BILLS WITHDRAWN.

Bill (No. 23) to incorporate the Emerson and North-Western Railway Company.

Bill (No. 28) to incorporate the Brandon, Souris and Rock Lake Railway Company.

Bill (No. 36) to incorporate the New Westminster Southern Railway Company.

Bill (No. 37) to incorporate the Regina and Wood Mountain Railway Company.

Bill (No. 56) to incorporate the Alberta and British Columbia Junction Railway Company.

Bill (No. 70) to incorporate the Alberta Railway Company.

#### REPORT.

Annual report of the Department of Fisheries, for the year 1886.—(Mr. Foster.)

#### DOMINION CONTROVERTED ELECTIONS ACT.

Mr. THOMPSON moved for leave to introduce Bill (No. 126) to amend the Dominion Controverted Elections Act. He said: The object of this Bill is to meet any inconvenience which has been found to exist in the Province of Ontario, by reason of a large proportion of the petitions being filed in one division of the High Court of Justice and in the Court of Appeal. This is to enable the judges of the High Court of Justice to make a distribution of the petitions among the various judges.

Sir RICHARD CARTWRIGHT. I would like to ask the Minister of Justice if he proposes, in amending the Controverted Elections Act, to take greater precaution by which, what I suppose I may call, without any impropriety, the scandal caused by the irregularity of the *Gazette* returns may be corrected in future, because, if not, I would commend that matter to his attention; and, also, I think that he may profitably direct his time to seeing whether such matters as those that we were discussing last night might not be prevented from occurring in future.

Mr. EDGAR. I would like to ask the Minister of Justice if the judges of the courts of Ontario have suggested this division?

Mr. THOMPSON. Various suggestions in this direction have been made by three judges, and the arrangement made by the Bill seems to be the most convenient of those which were suggested.