

HOUSE OF COMMONS.

THURSDAY, 2nd June, 1887.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ST. MARTIN'S AND UPHAM RAILWAY COMPANY.

Mr. SKINNER. The Committee on Standing Orders reports that there has been no notice given with reference to the Bill to authorise the St. Martin's and Upham Railway Company to sell their railway. I wish to state a few facts in connection with the matter, and then move for a suspension of the 51st rule in relation to the publication of notices. This railway runs from Upham to St. Martin's, on the seashore in the county of St. John, a distance of about thirty miles. The railway is not in successful operation to the extent to which the people of the locality hoped it would be, and the company, acting in the interest of the concern, had made arrangements for the sale of the road to another company. The other company to which it was contemplated to sell the road obtained legislation at the last Session of the Legislature of New Brunswick, to enable them to buy railroads in the Province, and it was thought that that legislation would be sufficient to enable that company to buy the St. Martin's and Upham Railway. But, after the arrangements were thought to have reached a consummation, it was found that the St. Martin's and Upham Railway Company had not the power to make the sale. They had the power to lease their line for 999 years; they had also the power to mortgage the road absolutely, and, of course, the creditors could seize it under an execution; but the present opportunity of making the sale will be lost if the company cannot secure that object in a more direct way; and, inasmuch as it is impossible for them, since they discovered the defect, to give the notice, they have no other means than to come before this Legislature and ask for liberty to get the charter amended to the extent of enabling them to sell the road. It is a common power with reference to other railways in New Brunswick, but it does not seem to have been included in the charter to this company when the Local Legislature granted that charter. The Bill will be so framed that no person and no company can run any risk of loss in any way; creditors will be protected, and every person will be protected. It is only a simple amendment to the charter to enable them to sell at this present time. I, therefore, hope that—seeing that there are other members of this House from that locality who are able to give the same guarantee which I am able to give, that no injury can possibly arise to any person, but that care will be taken to protect the interests of all concerned—the House will consent to the suspension of that rule and allow the Bill to come in. I, therefore, move, as I understand this is the correct mode:

That the report of the Standing Committee on Standing Orders relating to the Bill to authorise the St. Martin's and Upham Railway Company to sell their railway and property, be referred back to that committee for reconsideration.

Mr. WOOD (Brockville). The Committee on Standing Orders are guided by certain rules, as to which there is no discretionary power in the committee whether they should be rigidly enforced or not. Hon. members are aware that the only notice the public have of the promoters of a measure coming to this House for any legislation, is the notice which appears in the official *Gazette* and the local papers. The practice, as I read it, not only here, but governing the committee in England, is that, if the requirements of the rule are substantially complied with, that is sufficient. But, in this case, the committee found there had not been an attempt to comply with the requirements of the rules, and

Carling,	Landry,	Scarth,
Carpenter,	Langevin (Sir Hector),	Shakespeare,
Caron (Sir Adolphe),	Macdonald (Sir John),	Small,
Chisholm,	MacDowall,	Smith (Sir Donald),
Cockburn,	McCarthy,	Smith (Ontario),
Colby,	McOulla,	Sproule,
Coughlin,	McDonald (Victoria),	Stevenson,
Ooulombe,	McDougald (Pictou),	Taylor,
Curran,	McDougall (C. Breton),	Temple,
Daly,	McGreevy,	Thérien,
Daoust,	McKay,	Thompson,
Davin,	McKeen,	Tisdale,
Davis,	McLelan,	Tupper (Pictou),
Dawson,	McNeill,	Tyrwhitt,
Desaulniers,	Madill,	Vanasse,
Desjardins,	Mara,	Ward,
Ferguson (Leeds & Gren),	Marshall,	Weldon (Albert),
Ferguson (Welland),	Maason,	White (Cardwell),
Foster,	Mills (Annapolis),	White (Renfrew),
Freeman,	Moffat,	Wilmot,
Gaudet,	Moncreiff,	Wilson (Argenteuil),
Girouard,	Montague,	Wilson (Lennox),
Gordon,	Montplaisir,	Wood (Brockville),
Grandbois,	O'Brien,	Wood (Westm'land),
Guilbault,	Perley (Assiniboia),	Wright.—105.

NAYS:

Messieurs

Amyot,	Edgar,	McMullen,
Armstrong,	Edwards,	Mallory,
Bain (Wentworth),	Eisenhauer,	Mills (Bothwell),
Barron,	Ellis,	Mitchell,
Beausoleil,	Fiset,	Mulock,
Bécharde,	Fisher,	Paterson (Brant),
Bernier,	Flynn,	Patterson (Essex),
Borden,	Gauthier,	Perry,
Bourassa,	Geoffrion,	Platt,
Bowman,	Gigault,	Préfontaine,
Boyle,	Gillmor,	Purcell,
Brien,	Guay,	Rinfret,
Burdett,	Hale,	Robertson (King's, PEI),
Campbell (Kent),	Holton,	Robertson (Shelburne),
Cartwright (Sir Rich'd),	Innes,	Ste. Marie,
Casey,	Jones,	Scrifer,
Casgrain,	Kirk,	Semple,
Charlton,	Landerkin,	Skinner,
Choquette,	Lang,	Somerville,
Cimon,	Langelier (Mont'rency),	Sutherland,
Clayes,	Langelier (Quebec),	Trow,
Cook,	Laurier,	Turcot,
Couture,	Lavergne,	Waldie,
Davies,	Lister,	Watson,
De St. Georges,	Livingston,	Weldon (St. John),
Dessaint,	Lovitt,	Welsh,
Doyon,	Macdonald (Huron),	Wilson (Elgin),
Duchéanay,	McIntyre,	Yeo.—85.
Dupont,		

Amendment agreed to.

Main motion, as amended, agreed to on the same division.

ADDRESS TO HER MAJESTY.

Sir JOHN A. MACDONALD. I move that the Address from the Senate, congratulating Her Majesty upon the completion of the 50th year of her reign, be taken into consideration on Friday next.

Sir RICHARD CARTWRIGHT. Has any special day been selected to be proclaimed as a holiday, throughout the Dominion, for the celebration of Her Majesty's jubilee?

Sir JOHN A. MACDONALD. The 21st of June has been fixed as the day. I am under the impression that the proclamation has been issued.

Motion agreed to.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to, and House adjourned at 2:25 a.m., (Thursday).

Mr. SPEAKER.