

gave notice yesterday. If the House gives leave to withdraw the motion, the amendment is perfectly in order when moved by him. That is my ruling.

Hon. Mr. LANDRY—I appeal to the House on the decision of the Speaker.

Hon. Mr. YOUNG—We shall simplify this little trouble and clear the atmosphere at once. Sir Richard Cartwright will move his third reading and some one will attend to the moving of the amendment.

Hon. Sir MACKENZIE BOWELL—There has evidently been some misapprehension as to the remarks I made. I did not take objection; I merely asked for an explanation of why it was done, and after the explanation was made by the hon. gentleman from Killarney, I said no more.

Hon. Sir RICHARD CARTWRIGHT—I move the third reading of the Bill.

Hon. Mr. YOUNG—I move the amendment of which notice has been given.

The amendment was agreed to on a division.

Hon. Mr. BEIQUE—I have no desire to move any amendment, but I wish to say that, as presently informed, I am under the impression that the point raised by the leader of the opposition yesterday is correct, that this paragraph of subsection 5 of clause 11, goes beyond the power of this parliament, as it provides that any rolling stock belonging to railway companies organized in foreign countries and brought in on provincial railways, could hardly be dealt with as is mentioned in this clause. However, as these railway companies are able to protect themselves, and there may be ground for two opinions on the point, I do not propose to do more than express my own feelings on the subject.

Hon. Mr. LANDRY—I think the hon. gentleman should go a little further and move an amendment. There is no danger of killing the Bill, because it has already been amended, and that amendment must be concurred in by the House of Commons. The hon. gentleman says there is a part of this Bill which, in his judgment, is unconstitutional. If it is, we should not pass it in its present shape, and I trust he will

move an amendment. It is a government Bill, and the government will see that the Bill shall pass. I ask the hon. gentleman as a question of right and justice, not to put those companies in a wrong position, but to come out with his amendment and we will vote for it.

Hon. Mr. BEIQUE—I am following the course of the hon. gentleman's leader, who drew the attention of the House yesterday to this very point without moving an amendment. As far as I am at present informed, the objection taken to the subsection is well founded. However, I am not sure enough on that point to take issue with the Minister of Justice on the question to the extent of moving an amendment.

The motion was agreed to, and the Bill was read a third time and passed.

EXCHEQUER COURT ACT AMENDMENT BILL.

IN COMMITTEE.

The House resolved itself into Committee of the Whole on Bill (No. 151) An Act to amend the Exchequer Court Act.

(In the Committee).

Hon. Mr. BOSTOCK—I did not take any part in the discussion on this Bill last night, because I wanted to look into the matter a little and become posted in regard to the question; but having given it some consideration, I think great difficulty will arise if this Bill becomes law. The position, as I understand it, is this: that under this Bill the Crown is to have the right to appeal to the Supreme Court of the province. The result will be that there will be a further appeal from the court of the province to the Supreme Court of the Dominion.

Hon. Sir RICHARD CARTWRIGHT—No, they must take the alternative, apparently. My hon. friend will note, the Crown would have an alternative right.

Hon. Mr. CLORAN—If the Crown takes one court, it cannot go to the other.

Hon. Mr. BOSTOCK—At all events, it goes from the Supreme Court of the province to the Privy Council. One very strong