

tablished, and that the words 'public schools' should be omitted from this Bill. This action of the government should raise a protest from all those provinces, and I certainly shall insist upon my amendment that the words 'public schools' be restored. I would further point out that separate schools are public schools. That a Catholic population in any district can organize a separate school which is a public school within the provisions of the Acts dealing with education. As I have said, this fund has not been withheld from those schools, but has been distributed proportionately among them. With the numerous races going into the west, all seeking to establish racial schools of their own, I protest against any disturbance of the law which for so long has been on the statute book and which is to-day being carried out with the greatest degree of satisfaction to Catholics and Protestants and as to which there is no difference of opinion. I protest against any diversion of this fund, or any change whatsoever being made in the terms of the school lands trust.

Hon. Mr. SCOTT—We are leaving it to be distributed by the governments of the provinces for the support of schools organized and carried on in accordance with the laws of those provinces.

The committee divided on the amendment, which was rejected, contents 3, non-contents 15.

Hon. Mr. LOUGHEED—I give notice that on the third reading I shall move this amendment again.

The clause was adopted.

Hon. Mr. COFFEY, from the committee, reported the Bill with amendments which were concurred in.

Hon. Sir MACKENZIE BOWELL—I desire to call the attention of the Senate to the fact that nearly half the time that we have been discussing this most important Bill with 104 clauses there has not been a quorum of the House, and the question is whether that practice is to be continued. If there is anything in the world which would bring the Senate into contempt it would be the manner in which we have rushed this Bill through. I will not say railroaded through.

Hon. Mr. LOUGHEED

because that expression has been ruled out of order in the other chamber.

#### RAILWAY ACT AMENDMENT BILL.

##### SECOND AND THIRD READINGS.

Hon. Mr. SCOTT moved the second reading of Bill (204) An Act to amend chap. 38 of the statutes of 1907 in amendment of the Railway Act.

Hon. Mr. LOUGHEED—Can my hon. friend explain the object of this Bill?

Hon. Mr. SCOTT—It is repealing one section of the Railway Act. The section repealed deals with filing of mortgages, hypothecs and other securities, but I do not know why it has been repealed.

Hon. Mr. LOUGHEED—As the hon. member is not able to explain the object of this Bill, I will have to do so. The Minister of Justice in introducing this measure in the House of Commons, pointed out that this clause was put in by mistake last session; that the power which we seek to exercise here is exercisable only by the provinces; that it would be very much in the shape of a chattel mortgage; and the rolling stock, not coming practically within the Railway Act, it being personal property, therefore it was thought to be misleading, and as a matter of policy, it was considered advisable by the Department of Justice to strike out.

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

#### JUDGES ACT AMENDMENT BILL

##### SECOND AND THIRD READINGS.

Hon. Mr. SCOTT—The explanation of this Bill is as follows:

Section 1, by substituting the words 'sixty-nine' for 'sixty-seven,' provides for two additional district judges in Ontario (provisional districts of Fort Francis and Sudbury). Section 2, by substituting the word 'eight' for the word 'seven,' provides for one additional county court judge in Manitoba. The object of section 3 is to secure to the chief or assistant chief commissioner of the Board of Railway Commissioners any time served by him previously as a judge which would entitle him to a pension. On the death of Mr. Justice Killam, when the position was offered to Mr. Justice Mabee, he pointed out that he would by assuming the office forfeit any right that