

RAILWAY ACT AMENDMENT BILL.

SECOND READING POSTPONED.

The Order of the Day having been called, second reading, Bill (D), to amend "The Railway Act, 1888,"

HON. MR. SCOTT asked that the Order be allowed to stand, as he had not had an opportunity to compare the Bill with the Railway Act.

HON. MR. McCALLUM—The object of this Bill is this: the Railway Act provides that in making a drain across a railway track permission to do so must be obtained from the Railway Committee of the Privy Council. Now, that is all very well as far as important works of the kind are concerned, but this Bill only deals with minor drains—that is to say, drains costing not more than \$400. If the work involves a larger cost permission must be had, as now, from the Railway Committee of the Privy Council. Most of the Bill is law now in the Province of Quebec, but of course if the hon. gentleman wishes to let the Order stand until to-morrow I am willing to meet his view. I move that the Order of the Day be discharged, and that it be placed on the Orders for to-morrow.

The motion was agreed to.

The Senate adjourned at 8:30 p.m.

THE SENATE.

Ottawa, Thursday, 21st February, 1889.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (27), "An Act to amend the Weights and Measures Act, Cap. 164, Revised Statutes." (Mr. Abbott).

Bill (E), "An Act to permit the Conditional Release of First Offenders in certain cases." (Mr. Abbott).

DIVORCE COMMITTEE.

MOTION.

The notice of motion having been called for the appointment of the Select Committee on Divorce,

HON. MR. ABBOTT said—I have received an intimation from Mr. Haythorne, of Prince Edward Island, that it would not be convenient for him to be a member of this committee, and of course if he asks to be excused there is nothing more to be said. The principle on which this committee was composed was that every Province should be represented upon it, but my hon. friend from Prince Edward Island declining to act, and circumstances which I need not detail rendering it impossible to get a member of this committee from Prince Edward Island, I would ask the House to substitute for the name of Mr. Haythorne the name of an hon. member who has always been active and attentive to the question of divorce, the hon. Mr. Kaulbach. With that suggestion, if it be agreed to, I would move that the Divorce Committee consist of Hon. Messrs. Dickey, Gowan, Kaulbach, McClelan, McKindsey, Macdonald (B.C.), Ogilvie, Read, Sutherland.

HON. MR. KAULBACH—I do not rise to make any objection to acting on that committee, but I decidedly disapprove of the basis on which the committee has been selected. A committee of this kind, before which matters of the gravest importance, severing the sacred tie of matrimony, affecting not only the parties themselves and their families, but society at large—matters requiring the exercise of most careful consideration and deliberation—should be selected entirely apart from any idea of provincialism. The best men should be selected, irrespective of the Provinces which they represent in the Senate. The committee has very important judicial functions to discharge, involving a vast amount of searching enquiry, and its decisions should only be rendered after the exercise of great deliberation, as exercised in courts of law. It is essential, to my mind, that men brought up in the exercise of the legal profession, qualified to elicit and analyze evidence, and apply the principles of law which govern such cases, should be selected to this important committee. I have had long experience on those committees, and also in the framing of the new rules, and have come to the conclusion that members of the medical profession should be appointed. I remember last Session we had