

member for North Victoria, his full sessional allowance, with mileage, his absence being owing to illness."—Carried.

THE MERCER ESTATE.

Mr. MOWAT moved "That the House will, on the second session to-day, resolve itself into a Committee to consider a certain proposed resolution respecting the Mercer estate."—Carried.

TILE DRAINAGE.

The House went into Committee and made a slight amendment to the Bill respecting tile drainage.

BRIDGES IN VILLAGES.

Mr. MOWAT moved the second reading of the Bill respecting bridges in villages.

This bill was to give villages power to acquire from county municipalities bridges which should be free from toll.

The motion was carried and the Bill was read the second time.

THE REVISED STATUTES.

Mr. MOWAT moved that the House go into Committee on the Bill to make certain amendments to the Revised Statutes.

Mr. SPEAKER, with reference to the amendment proposed to the Bill in Committee on Friday by the hon. member for London, said he knew of no authorities showing that there could be an appeal from a Committee to the Speaker, and the rules of the Legislative Assembly seemed to be clear that such could not be done. If the decision of the Speaker were the decision of the House, there might be an appeal from the decision of the House to the House, which was of course absurd. He quoted from May to show that the practice was to appeal from the decision of the Chairman of a Committee of the Whole to the House; the Speaker might be asked his opinion, but there was no case in which the appeal was made to him. With reference to the question of the relevancy of the amendment proposed, it was of course to a large extent a matter of judgment. The usual practice was that where an amendment not relevant to the subject matter of a Bill was proposed the House should give power to the Committee to deal with it. That an amendment was merely on the same general subject as the Bill did not necessarily render it relevant; it was shown by May that it must relate to the particular purpose of the Bill. He could not see that the amendment in question had particular relevancy to the Bill. It would have been more regular to move that the House give instructions to the Committee to make such an amendment than to move it in Committee.

The House then went into Committee on the Bill.

Mr. MOWAT defended the section giving joint stock companies power to issue preferential stock on a unanimous vote of the shareholders. It would be a manifest injustice to the minority if a majority of shareholders were empowered to bind them by their decision; the practical effect of such a provision would be to wipe out the stock of some parties, unless they took up preferential stock, which they might be unable to do. Believing that an *ex post facto* law should not be passed on this subject, he asked the House to agree to the section as it stood.

The section was passed.

Mr. MOWAT said that since the discussion that had taken place on the fifteenth section, providing that railway bondholders should not have a prior claim to working expenses, he had come to the conclusion that it might interfere with the rights of debenture holders, and he thought it would be better to postpone legislation on the subject. The only two railways which would be affected by this measure—the Canada Southern and the Midland—had themselves provided against the evil anticipated by the Bill, and the discussion which had taken place in the House would probably deter any other railways from getting into the position which these railways had got into. He should not have introduced the section had he expected that it would provoke discussion. He had an amendment to the section prepared, but he moved that it be struck out altogether.

Mr. CLARKE (Norfolk) strongly objected to the clause being struck out. Many people had been taken advantage of and wronged by railway companies.

Mr. PARDEE said there was now no practical grievance, since the two roads referred to had removed the difficulty relating to themselves. As the cause of the injustice which called for the measure existed no longer, nothing should be done which would be an injustice to those who had invested their money in the railways of this country.

Mr. MERRICK contended that the House should pass this section, or something similar, to protect the rights of the public against railway companies.

Mr. FRASER said the protection of the public was not involved in the matter; it was simply a question between individuals and railway companies. The public right was that the credit of the public of this country should not be impaired. There was no need of special legislation at present, for the people could protect themselves against railway companies. Those who provided them with supplies, being warned, should sell only for cash.

Mr. WILSON said that most of the bonds of Ontario railway companies were held by capitalists in this country. The Canada Southern Railway Bill was at present before the Dominion Parliament, and the provisions of it were of such a nature that he did not believe it would be passed. The capitalists who invested in railway companies were the few, but their creditors were the many, and he thought it was the duty of the Government to give them some redress.

Mr. PATTERSON (Essex) said it was of more importance that our credit should be protected in the English market than the interests of individuals who supplied a railway with cordwood. A measure of this kind would affect not only railway bonds but other securities.

Mr. DEROCHE took a similar view.

The motion to strike out the section in question was then put and carried by a vote of 35 to 16.

Mr. MOWAT proposed to insert a clause in the Bill to be substituted for section 12 of chapter 28, and providing that an appeal from a county judge, a Surrogate Court, or a stipendiary magistrate to the Court of Appeal should be heard before not less than two judges, and from a Superior Court before not less than four.

Mr. MEREDITH rose to a point of order. This amendment was subject to the same objection as the one he proposed.

Mr. MOWAT admitted that it was open to objection. He moved it by consent of the House.

The section was adopted.

Mr. MACDOUGALL (Simcoe) called attention to the law which allowed a husband, from whom his wife was living apart, to convey property without her dower, and allowed him also to deprive her of alimony. He alluded to the celebrated Campbell case, in which an application was being made before the Court of Chancery with the object of depriving Mrs. Campbell of her dower, although the Senate of Canada had refused to grant her husband a divorce. He proposed, therefore, that it should be provided that a wife should be deprived of her dower only when she had abandoned and was living apart from her husband.

Mr. MOWAT thought the House could hardly deal with that subject at present.

It being one o'clock, the Committee rose, and the House adjourned.

SECOND SITTING.

The Speaker took the chair at three o'clock p.m.

COMMITTEE REPORTS.

Mr. CLARKE (Wellington) presented the seventh report of the Standing Committee on Printing;

Also, the eighth and final report of the same Committee;