

that the Standing Order was very guarded, and much more restrictive than gentlemen seemed to suppose. It referred to railways, and not to canals, and provided that interest should not be paid out of capital except in such cases as the Committee on the Bill might think fit to allow. Therefore, to allow the payment of interest out of capital was, according to the Standing Order, a question to be decided by the Committee. The scheme for constructing the canal on a certain financial basis was agreed upon by the House last year, and passed through Committee. That financial basis was going to be materially altered, and the question was whether the House should commit the Bill to an ordinary Committee, but restricting their attention to this particular question of the financial basis. If the noble Lord's proposal for rejecting the motion for second reading was defeated or withdrawn, then he would move that the Bill be referred to a Committee, to be nominated by the Committee of Selection, and that all petitioners have leave to be heard before the Committee against so much of the preamble and clauses as related to the payment of interest out of capital.

Sir J. MOWBRAY said that the Chairman of Ways and Means had suggested that every one who presented a petition against the Bill should be allowed to be heard before the Committee.—(Mr. COURTNEY: Merely on the financial question.)—He did not understand how a person presenting a petition could be prevented from entering upon other questions. His right honourable friend had not at all exaggerated when he said that the illness of Mr. Forster was due to the overpowering labours of the Committee on the canal last session. Let them not have another similar Committee. It was well known that no better work was done than in the case of unopposed Bills by the Chairman of Ways and Means, assisted by some experienced persons. If that honourable gentleman invited two experienced persons to assist him in considering the financial question, an interminable inquiry might be got rid of.

Mr. L. COHEN (who rose amid cries of "Divide") said that all the House wanted to inquire into was the narrow point whether interest should or should not be paid out of capital. That was a question which the House was perfectly competent to decide for itself. They did not require a Special Committee for the purpose.

Lord C. HAMILTON said that if the Committee was allowed, as suggested by the Chairman of Ways and Means, he would agree, on behalf of the petitioners against the Bill, to exclude both the engineering and commercial questions, and to limit the inquiry to the question of finance. He would also undertake that the opposition of the Corporation of Liverpool, and that of the Dock Board, should be merged into one.

Sir W. HARCOURT pointed out that it was impossible to "remit" the question to the Committee, because the Committee was extinct, and, for aught he knew, many of its members also. Of course they might constitute a new Committee; but why should they constitute a Committee to decide the simple point of finance whether interest was to be allowed on capital? That was a question of general principle on which the House could very well form its own opinion; and he hoped the House would take that course, and not send the Bill to a Committee.

Mr. SCLATER-BOTH submitted that the Bill must go to a Committee according to the Standing Orders; and the only question was what sort of a Committee it should be. They had no security that a matter of great public policy would be fairly fought out unless the Bill went before a Committee, by which all the parties interested could be heard on that question.

Mr. FORWOOD, as bearing on the question whether this Bill technically came within the Standing Order, which applied directly to railways, quoted the following words of the right hon. gentleman the senior member for Bradford (whose absence and its cause they all deplored), uttered when the matter was under discussion before the Committee: "I think we all of us feel that, whatever were the grounds upon which Parliament has made this concession for railways, certainly if they had foreseen such a canal as this they would have made the same restrictions for that canal. It is clear it must be viewed according to its merits as a question *pari passu* with a railway." If the House did not grant the opponents the modicum of fair play they asked it would be placing a premium upon promoters coming to the House one year with clauses drawn in a certain way, and returning to get some of those clauses cancelled next year, when the opponents could not be heard in reply.

Mr. SEXTON said he held in his hand a list of fifteen members of the House, one of whom was a director of the Lancashire and Yorkshire Railway; six were directors of the London and North-Western Railway; four were directors of the Manchester, Sheffield, and Lincolnshire Railway; and four were directors of the Midland Railway. He asked the Speaker, considering the nature of the Standing Orders as to pecuniary interest, and also bearing in mind the fact that the proposal was one to facilitate the construction of a canal which would compete with all those lines of railway and affect their receipts and dividends, if any of those fifteen members were entitled to vote.

THE SPEAKER.—That is entirely a matter for the individual judgment of members concerned, always bearing in mind the fact that it is a question of railway directors and their interest in the concern. The House will be a judge of the directness of that interest.

Mr. SEXTON gave notice that if he saw any of those fifteen gentlemen coming back after a division he would call attention to the subject.

On the question being put, the amendment was negatived without a division, and the Bill was read a second time.

Lord C. HAMILTON then moved, That the Manchester Ship Canal Bill be referred to a Committee to be nominated by the Committee of Selection; that all petitions against the said Bill already presented, or which may be presented not later than three clear days before the sitting of the Committee, be referred to the Committee, and that such of the petitioners as pray to be heard by themselves, their counsel, agents, and witnesses be heard upon their petitions if they think fit, and counsel heard in favour of the Bill against such petitions.

Mr. FORWOOD seconded the motion.

Sir J. FERGUSON hoped the House would not agree to the proposals of his noble friend. He submitted that the order of reference ought to be closely narrowed, so as to exclude the engineering and other questions that were debated at such length before the Committee of last session.

THE SPEAKER pointed out to the honourable baronet that his amendment would come on after the amendment of the noble Lord.

Sir J. MOWBRAY said the Committee of Selection did not wish to shrink from any duty which might come before it, but he thought it would be inadvisable to pass any resolution of this kind. He wished to point out that any person having a right to present a petition would present it, and then, if it was found that there was a *locus standi*, the Bill would become an opposed Bill, and would be referred to a Select Committee. If it was found to be an unopposed Bill, then it would come before the Chairman of Committees, who would be perfectly able to deal with it.

Mr. HIBBERT said the suggestion made was to smother the Bill altogether, and he hoped therefore the Bill would not be referred to a Select Committee.

The House then divided, and there voted—For the motion, 61; against, 375: majority against, 314.

Mr. SEXTON moved that the votes of Mr. Plunket and Mr. Tipping be disallowed, on the ground that they were directors of the London and North-Western Railway Company.

Lord C. HAMILTON called attention to the fact that Mr. Houldsworth, a director of the ship canal, had been a teller in the division.

Mr. PLUNKET, while submitting himself humbly to the decision of the House, did not wish to argue the question out. This precise point had been raised against him three years ago, and a division taken, with the result of a majority in his favour of 256 to 36.

Mr. TIPPING observed that under similar circumstances he would go into the lobby again. The action of the honourable member for Sligo was simply a form of boycotting.

Sir W. HARCOURT said it might be well if he laid before the House the course that had been taken for many years on occasions of this kind. In the book to which they always referred as the authority on these questions it was stated that on the 16th June, 1846, objection was taken to the vote of a member who had voted against the Dumfries and Carlisle Railway Bill on the ground that he was a director of the Caledonian Railway, and had a pecuniary interest in protecting the latter railway from the competition of the proposed new line; yet the vote was allowed. On the 15th May, 1845, objection was taken to the vote of one of the tellers in a division against the Bristol and Gloucester Bill on the ground that he had a pecuniary interest in voting against the Bill since it would injure his property; yet the motion for disallowing the vote was withdrawn. Similar cases occurred in 1872 with regard to the Birmingham