

chap. 15 of the Con. Stat., U. C., intituled an Act respecting County Courts."

Mr. BLAKE formally moved that the Bill be referred back to the Committee of the Whole with instructions from the House to repeal the Act alluded to. He said it was not his intention to press his motion.

Atty.-Gen. MACDONALD moved the third reading of the Bill.

Mr. BLAKE said he should press for a division.

The House accordingly divided, with the following result:—

YEAS—Messrs. Barber, Baxter, Beatty, Blake, Boulter, Boyd, Calvin, Cameron, Carling, (London), Carling (Huron), Christie, Clarke, Clements, Cockburn, Code, Colquhoun, Cook, Corby, Coyne, Craig, (Russell), Crosby, Cumberland, Currie, Evans, Eyre, Ferguson, Ferrier, Finlayson, Fraser, Galbraith, Gow, Grahame, (Hastings), Grahame, (York), Greely, Hays, Hooper, Lauder, Lount, Luton, Macdonald, Matchett, Monteith, Murray, McCall, (Norfolk), McCall (Elgin), McDougall, McGill, McKellar, McKim, McLeod, McMurrich, Oliver, Pardee, Perry, Read, Richards, Rykert, Scott, (Grey), Secord, Sexton, Sinclair, Smith (Leeds and Grenville), Smith, (Middlesex), Strange, Springer, Tett, Trow, Wallis, Williams, (Durham), Williams, (Hamilton), Wilson—70.

NAYS—None.

The result was received with laughter.

Mr. BLAKE said he supposed after the vote which had just been taken, it would be useless to oppose the passage of the Bill any further, because he could get no one to support him. When this measure was before the House last session he promised that he would have a division on it when it should come up again in order that the 23 who voted for it, and the 40 who voted against it last year, might have an opportunity to record their votes again. That opportunity he had given them, and the vote stood recorded.

### THIRD READINGS.

The following Bills were read a third time and passed:—

Bill (No. 35) to legalize the amalgamation of the Cobourg and Peterborough Railway Company, and the Marmora Iron Company—Mr. Rykert.

Bill (No. 59) to incorporate the Ottawa Ladies' College—Mr. Scott (Ottawa).

Bill (No. 60) to incorporate the Ontario Peat Company—Mr. Scott (Ottawa).

Bill (No. 64) to amend the Act incorporate the Wesleyan Female College of Hamilton—Mr. Williams (Hamilton).

Bill (No. 65) to authorize the closing of certain Streets in Elora, in conformity with a By-law of the said Village—Mr. Ferrier.

Bill (No. 67) to empower the Ottawa Mechanics' Institute and Athenaeum, and the Ottawa Natural History Society, to amalgamate into one corporate body, under the name of "The Ottawa Literary and Scientific Society"—Mr. Scott (Ottawa).

Bill (No. 70) to facilitate the withdrawal of the Town of Perth, in the County of Lanark, from the jurisdiction of the Council of the County of Lanark, and to provide for the liability of the Town for its share of the County debt—Mr. Code.

Bill (No. 83) to incorporate the Weston Church School—Mr. Grahame (York).

Mr. BOYD moved that all the words of the preamble be struck out after "that," and that words be inserted to the effect that it was inexpedient that legislation should take place in individual cases when there was a Bill before the House dealing with the general question. He did not intend to divide the House on the motion, but only desired to enter his protest against the measure.

The motion was then withdrawn, and the Bill was then read.

### PARRY SOUND.

Bill No. 107, to provide for the organization of the Territorial District of Parry Sound—Attorney General Macdonald.

Passed through Committee.

### SALES OF LANDS FOR TAXES.

Atty.-Gen. MACDONALD moved the third reading of Bill No. 16, respecting Sheriff's Sales for Taxes.

Mr. BLAKE moved that the Bill be re-committed with instructions to amend the third clause, to the effect that land purchasers under sales for taxes should be refunded the taxes paid since the purchase with 10 per cent. interest, and compensation for all improvements made thereon.

A division was taken on the motion with the following result:

YEAS—Messrs. Barber, Baxter, Blake, Boyd, Carnegie, Christie, Clarke, Clements, Cockburn, Cook, Crosby, Evans, Finlayson, Fitzsimmons, Fraser, Galbraith, Gow, Grahame (York), Hays, McCall (Norfolk), McDougall, McKellar, McKim, McLeod, McMurrich, Oliver, Pardee, Perry, Read, Scott (Ottawa), Sexton, Sinclair, Smith (Kent), Smith (Middlesex), Springer, Trow, Williams (Hamilton)—37.

NAYS—Messrs. Beatty, Boulter, Calvin, Cameron, Carling (London), Carling (Huron), Code, Colquhoun, Corby, Coyne, Craig (Glengarry), Craig (Russell), Cumberland, Currie, Eyre, Ferguson, Ferrier, Grahame (Hastings), Greely, Hooper, Lauder, Lount, Luton, Macdonald, Matchett, Monteith, Murray, McCall (Elgin), McGill, Paxton, Richards, Rykert, Scott (Grey), Secord, Smith (Leeds and Grenville), Strange, Tett, Wallis, Wigle, Williams (Durham), Wilson, Wood—42.

Mr. PARDEE moved that the Bill be referred back to Committee of the Whole, for the purpose of striking out the 5th clause. He said if hon. gentlemen would look at this section they would find that it provided for the opening up of past cases. As he said on a former occasion, when this Bill was under discussion, he was in favour of quieting tax titles in the cases provided for in the first section of the Bill—that was, claims based on occupation and improvement. He was also in favour of providing for all cases which might occur in future so that a man should receive not only his purchase money, and be paid in full for all improvements made; but he decidedly objected to going further than that. It might be said, with a great deal of truth, that a man who has been ejected without receiving any compensation for improvements, should be entitled to some payment, but there were individual cases of hardship, and such cases of hardship must be submitted to when the public interest demands it. It would be a great Legislative evil if this clause became law. It would be establishing a dangerous principle, for if individual cases of hardship received attention in this case, this Legislature would be expected to afford relief in all other cases of hardship. This section would amount to an Act of confiscation. Parties would be called upon to pay for improvements where the land might not be really worth the amount demanded. The

clause, if adopted, would have the effect of throwing parties out of doors, for there was no doubt there were many cases where the improvements were not worth as much at the present time as they were five years ago. Take for instance the depreciation of value in buildings from decay and other causes. The other clauses provided for cases in which the occupant had possession of the lot for four years prior to the passage of the Bill, and for the future, and that was going far enough without opening the door for such legislation as this clause proposes to initiate—for a principle which, if acknowledged, all would have reason to regret hereafter. It would be far better for the public that individual cases of hardship should be allowed to go than to relieve them as was proposed by this clause. He therefore moved the amendment.

The motion was carried, and the House having gone into Committee, the clause was struck out.

Mr. CLARKE in referring to the first division which had been taken this evening said that by the English practice in taking a division it was necessary that the motion should be dissented from. Now, in the case which had occurred this evening the hon. member for Bruce had called for a division.

Mr. BLAKE said the hon. gentleman referred to the English practice, but the simple practice in this country was that any five

members could demand the yeas and nays without declaring themselves on any side.

Attorney-General MACDONALD said that was only in case of opposition.

Mr. BLAKE moved that the Bill be not now read a third time, but be referred back to the Committee of the Whole for the purpose of striking out the word "occupation" in the fourth sub-section of the first section, and substituting instead the word "possession." He explained the legal distinction between the words "occupation" and "possession." The one implied that it was necessary that the proprietor should be seen in actual occupation of the lot, the other simply implied that he should own the lot.

The amendment having been made in Committee,

Mr. BLAKE moved that the Bill be referred back to the Committee of the Whole, with instructions to amend the Bill, that it may not affect resident owners.

The motion was lost on a division.

Mr. BLAKE moved another formal amendment to the 1st clause, which was lost on a division.

The Report was then received, and the Bill was read a third time and passed.

### TAVERN AND SHOP LICENSES.

Hon. Mr. WOOD presented the Report of the Select Committee on Bill 90, to amend the License Law.

Mr. BLAKE asked if there had been any serious amendment made.

Hon. Mr. WOOD said the amendments were simply verbal changes.

The report was received.

Bill No. 77, To incorporate certain persons under the name of the Toronto Wharf and Warehousing Company—Hon. Mr. Cameron, was read a second time and referred to Committee of the Whole to-morrow.

### PRIVATE BILLS.

Mr. FERGUSON moved that the House go into Committee of the Whole, on Bill (45), To enable D. A. Macdonald to construct a canal in the Township of Kenyon.

Mr. CRAIG moved a three months' hoist, and said he opposed the Bill from a sense of duty to his constituents, many of whom would be injured in the construction of this canal by the drying of a lake.

Mr. FERGUSON said this subject had been fully discussed in Committee, and the Bill passed unanimously. The parties interested went back quite satisfied. He explained to Mr. Craig, by the aid of a diagram, the position of the district, with a view of showing the justice of the provisions of the measure.

Mr. CRAIG then withdrew the motion, and the Bill passed through Committee.

The following Bills were forwarded a stage:—

Bill (68) to confirm certain side roads in the Township of Tilbury East, and to provide for the defining of other road allowances and lines in the said Township—Mr. Smith (Kent).

Bill (No. 69) to amend the Act 31 Vic., cap. 40, intituled "An Act to incorporate the Toronto, Grey and Bruce Railway Company," and the Act 32 Vic., cap. 82, amending the same—Hon. Mr. Cameron.

Bill (No. 88) to amend an Act, intituled "An Act for the relief of the representatives of the late David B. Ogden Ford—Mr. Fitzsimmons.

Bill (No. 95) to amend the Act of Incorporation of the Cobourg Cemetery Company, and to extend to said Company the provisions of chapter sixty-seven of the Consolidated Statutes of Upper Canada, and for other purposes—Mr. Fraser.

### SUPPLY.

The House then went into Committee of Supply.

The first votes were "aid to Toronto Hospital, \$6,400;" and \$42,510 for Hospitals and Charities.

Mr. BLAKE said in reference to this item, that he had alluded to the arbitrary manner in which these grants were distributed last session, and the hon. Treasurer had promised an amendment to the mode of distribution. He admitted the hon. gentleman's excuses on the last occasion, but he was very sorry to see that the mode was still the same. The institutions had been requested to give some returns to the Inspector of Prisons, but this was merely an indication, or rather the evidence or indication. He therefore asked the hon. gentleman whether he intended to continue the present arbitrary mode of distribution. He regretted that the hon. gentleman had not prepared another scheme.

Hon. Mr. WOOD said that during the recess these institutions were called upon to make a return of their operations for some years before, but they were indifferent, par-

## LEGISLATURE OF ONTARIO.

FRIDAY, Dec. 17.

The Speaker took the chair at 3 o'clock.

### PETITIONS.

The petitions presented included the following:—Six in favour of the establishment of a school for the blind; two in favour of granting a charter for the construction of a railway from Glencoe to Niagara River; and one for amendments in the Municipal Law.

### REPORTS OF COMMITTEES.

Hon. Mr. McMURRICH presented the Report of the Committee on the Medical Act with amendments.

Mr. BOYD presented the Report of Bill 12, Copartnership Act.

Atty.-Gen. MACDONALD presented the Report of the Committees on Standing Orders and Railways.

Several other Reports of Select Committees were presented.

### ADDRESSES.

Hon. Mr. CAMERON presented the Annual Report of the Commissioner of Public Works for 1869;

Also, the Bursar's Statement of cash transactions for the year ending 30th June, 1869, of the Upper Canada College; Also for the University of Toronto, for the same period.

### THIRD READINGS.

The following Bills were read a third time and passed:

Bill No. 105, To extend the time for the Registration of Conveyances to Religious Institutions in Ontario.—Mr. Evans.

Bill No. 79, To authorize the Church Society of the Diocese of Huron, to sell certain Church Land in the Township of Goderich.—Hon. Mr. Carling.

Bill No. 78 to confirm and legalize a sale and conveyance by the Church Society of the Diocese of Huron, of certain premises in the town of Galt, to the Rev. Michael Boonar, D.D.—Hon. Mr. CARLING.

### COUNTY COURTS.

Atty.-Gen. MACDONALD moved the third reading of Bill No. 103, to amend an Act passed in the 32nd year of the reign of Her Majesty, intituled, "An Act to amend