

THE PRIVILEGES OF MEMBERS.

MESSAGE FROM THE LIEUTENANT-GOVERNOR

The Speaker presented a Message from His Excellency the Lieutenant-Governor, containing a copy of a minute of the Privy Council of the Dominion of Canada, of the 26th of Nov., 1869, together with a copy of the certificate of the Governor-General, in relation to the disallowance of the Act of Parliament passed by the Legislature of Ontario, entitled "An Act to define the Privileges, Immunities, and Powers of the Legislative Assembly, and to give summary protection to persons employed in the publication of sessional papers." The minute of the Council sets forth that the Minister of Justice laid before the Governor General in Council the said Act, and reported that he was of opinion that it was not competent for the Legislature of the Province of Ontario to pass such an Act, and therefore recommending that the said Act should not receive the confirmation of the Governor-General.

"His Excellency the Governor General therefore, by and with the advice of His Privy Council, has been pleased to declare the disallowance of the said Act."

The announcement was received with ironical cheers, &c., on both sides.

PRIVATE BILLS.

The following Bills passed through Committee and were read a third time.

Bill (No. 53), To amend the Act to incorporate the Peterborough and Haliburton Railway Company. Mr. Carnegie.

Bill (No. 47), To legalize and confirm the Survey made by F. F. Passmore, Esquire, Provincial Land Surveyor, of the first, second, third and fourth concessions (old survey) of the Township of Melancthon, in the County of Grey. Mr. Lauder.

Bill (No. 104), To amend An Act passed in the session held in the Twenty-sixth year of the reign of Queen Victoria, and chaptered forty. Mr. Paxton.

The following Bills were read a second time and referred to a Committee of the whole:

Bill, (No. 66), To incorporate the Nazrey Institute. —Mr. Smith (Kent),

Bill (No. 84,) Amending the Acts relating to the Port Whitby and Port Perry Railway Company. —Mr. Paxton

Bill (No. 83), To incorporate the Inland Water Transportation and Navigation Improvement Company.—Mr. Paxton

Bill (No. 63), To authorize the construction of a Railway from the city of Hamilton to Caledonia —Mr. Williams (Hamilton)

REGISTRARS.

Mr. BOYD proposed the following resolution:—"That this House do resolve itself into a Committee of the Whole on to-morrow, to authorize Registrars to exact under the Registration of Co-Partnerships Act 1869, the sum of _____ cents, for filing declarations of Co-Partnership, if the same do not contain more than two hundred words, and at the rate of _____ cents per hundred words for all above that number."—Carried.

COUNTY JUDGES' CRIMINAL COURTS

Atty.-Gen. MACDONALD moved that the House should resolve itself into a Committee of the Whole to-morrow to consider a resolution respecting Fees to Sheriffs, Clerks of the Peace, and County Attorneys in the County Judges' Criminal Courts. Carried.

THE AIR LINE RAILWAY.

The House resumed in Committee on "Bill (No. 43) The Canada Air Line Company," on the question of the suspensory clause in the Bill.

Hon. Mr. RICHARDS was about to speak when cries of "yeas," "nays," stopped him. He, however, persisted, and said that it must be understood that the clause, if defeated, would interfere with the existing rights of Mr. Thomson.

Dr. MCGILL objected to further discussion, and

Mr. MCKELLAR made a few remarks.

The division was then taken, with 35 against 30 as the result.

Mr. MCKELLAR said that the hon. Commissioner of Public Works was not entitled to vote. He was interested in the Great Western as a stockholder and director. (Oh!)

Mr. HAYS also raised some objections, but they were overruled, amid cries of "chair," and the decision was sustained.

The clauses 3 and 4 were agreed to, and on clause 5 as follows:—"From and after the passing of this Act, the said Honourable William McMaster, James F. Joy, Henry P. Baldwin, Christian H. Buhl, Donald McInnes, the Honourable John Carling, Aquila Walsh, David Thompson, Joseph A. Woodruff, Colin Munro, Thomas Arkell, Thomas M. Nairn, James M. Beatty, Gervaise Goodwin, Angus P. Macdonald, E. M. Schooley, James M. Williams, John Charles Rykert and George Sefell shall be provisional directors of the said Company."

Mr. MCCALL (Norfolk) moved the omission of several names from the list, but amid some laughter the amendment was lost without a division, and the clause passed.

Clauses up to 13 were agreed to.

On clause 14,

Mr. COYNE moved an addition to the clause, requiring the deposit of the share list, &c., and other matters in order to secure the bona fides of the undertaking. The object was to make the Company a reality.

Mr. RYKERT suggested that the two years allowed by the clause for the commencement of the railway should be altered to one year. He moved an amendment to that effect.

The clause, as amended, was then agreed to.

On clause 17,

Mr. BEATTY moved the rejection of the clause. The clause was not in the original scheme as first introduced. The clause would place this Company under the control to a very great extent of the Grand Trunk Company. It was manifestly unfair to the district of the country through which the line passed that the charter came into operation thus trammelled. It was opposed to the sentiments of the promoters of the Bill.

Mr. SCOTT (Ottawa) said the clause had

been accepted in the Committee by the supporters of the charter, and it was very unjust and unfair to endeavour to effect an alteration in the Bill now. The line of the Grand Trunk Railway over this section of country was quite sufficient to carry both traffics. The clause was fair to both lines.

Hon. Mr. WOOD said the Air Line was placed on an equal footing with the Buffalo and Lake Huron Line, by their power of appointing arbitrators, &c. There was no reason why a double track could not be laid on the existing line. It would be hardly fair upon the municipalities along the line to place another road along their line.

Mr. SECORD did not think that they should place themselves under the control of the Grand Trunk Railway. He wished for an independent Air Line, and should be sorry to see the Grand Trunk exercise a monopoly over the entire district.

Mr. BLAKE considered that it would be a breach of faith to the parties who passed the Bill, on the understanding that this clause should be inserted to now upset this arrangement. If the clause had been carried without discussion, he did not think that it was good faith on the part of the promoters to now oppose it. If it had been discussed and had been decided adversely against them, then they might raise this discussion.

Mr. SCOTT (Ottawa) explained the course taken by the Committee.

Hon. Mr. McMURRICH said, as faith had not been kept with the House on one clause, he felt at liberty to vote as he pleased on this. He wished to see both Companies equally clear of influences.

Mr. WILSON said he believed that the Province would not consent to the road being placed at the mercy of the Grand Trunk. They already had sufficient power.

Mr. COYNE said this question was agreed to on all sides. He heard no one object to it.

Mr. BEATTY—I objected to it.

Mr. COYNE exceedingly regretted that this course should have been adopted.

Atty-Gen. MACDONALD said that the clause had been adopted in Committee, and passed without a vote being taken upon it.

Mr. McDUGALL said the hon. member for Welland (Mr. Beatty) had, he remembered, raised an objection in Committee, and did not withdraw it. He should feel at liberty to vote upon this question as he thought most correct.

Hon. Mr. CAMERON understood that the hon. gentleman had, after hearing the explanation given, acquiesced in the clause. The arrangement was a compromise, the interest of the public not being injured by it in the least. The smaller the cost of the railway the greater chances of the railway being built.

Mr. RYKERT said he should have liked that the Bill should have passed without the clause. But he accepted it as the Committee had carried it. He was therefore in duty bound to support the clause, but he should make an addition to it to the effect that the decision of any arbitration should be open to re-arbitration and revision during the next following five years.

Mr. SECORD said that there would be no benefit whatever to the district if this junction was formed at Canfield, and then to Buffalo. The line would be of no benefit to them.

Mr. CALVIN said that he went in for free trade in railroads. In respect to this arrangement, he thought they would find that there was "another dog to be hung yet." (Laughter)

Mr. BEATTY said he should press it to a vote, for he would consider it an iniquitous proceedings. He thought that the House should not be bound by the arrangements come to by lobbyists. With regard to the breach of faith, the House had not always considered that it was incumbent upon them to sustain the Committee. They had already expunged one addition adopted by the Committee. The Company would inevitably be brought into an arrangement with the Grand Trunk Company, but they could not tie the Grand Trunk, since it was not under their jurisdiction. The clause was placed in by compulsion.

Hon. Mr. CAMERON was understood to say that Mr. Joy had decided in favour of the clause.

Mr. BEATTY did not think that he so understood the clause. He said he had no objection to some arrangements being made.

Mr. BLAKE said the question was an important one. So far as a Committee was acting in regard to private right, it was acting in a quasi judicial aspect, and if any matter was pressed to a decision, then it was to be decided upon by them; the question, however, being open to revision by the House. But where an agreement has been entered into by both competing parties, and if the clause was not adopted, it must either be sent back to the Committee, or thrown out altogether. Of course, neither the Committee nor the House were bound by what was done outside, but it was adopted by them, and he should vote, therefore, against his own opinion, in favour of the clause, or for anything which would give the Committee another opportunity for arriving at a reasonable, deliberate conclusion.

Hon. Mr. WOOD said that it would be disreputable on the promoters of the Bill, if the clause was withdrawn, not to withdraw the Bill entirely. He believed that there were vested rights in the matter, and the House had no right to further injure the property on the existing line, by allowing a further line running parallel.

Mr. HAYS should vote in favour of the clause, although he thought the junction between the Grand Trunk and Great Western Railways which was cropping up was most serious.

Mr. WILSON supported the clause.

Mr. BAXTER alluded to the difference between the gauge, as constituting a difficulty.

Hon. Mr. WOOD explained that the difficulty was obviated by the arrangements made.

Hon. Mr. McMURRICH said, that nothing that had been said had changed his opinion that he was perfectly free to vote

LEGISLATURE OF ONTARIO.

MONDAY, Dec. 20.

The Speaker took the chair at 3 o'clock.

PETITIONS.

The following petitions were received:

Two for the erection of a School for the Blind.

Three for, and one against, the granting of a charter to Wm. McMaster and others, for the construction of a railway from Glencoe to the Niagara River.

One for the extension of the Erie and Niagara Railway.

One for the appointment of certain persons to act as Magistrates.

REPORTS OF COMMITTEES.

The Committees on several Bills, and the Standing Committees on Railways and Standing Orders, presented Reports.

FIRST READINGS.

Mr. BEATTY introduced a Bill to repeal an Act passed in the 32nd year of Queen Victoria, respecting the Registration of Births, Marriages and Deaths. To be read a second time to-morrow.