

names of over five hundred electors on the last revised assessment roll shall elect one Deputy Reeve.

He briefly explained the object contemplated by the resolutions. The Government being about to introduce a Bill to consolidate the municipal law, the present was an excellent opportunity, he thought, for discussing this question. The course proposed by his resolutions would, he thought, have the effect of electing the best men and of preserving harmony in the township.

Dr. BOULTER considered that part of the resolution referring to the division of the townships into wards was sound and practical.

Mr. TROW said there had been no complaints from his district concerning the present system. The present machinery was somewhat cumbersome, and the idea of lessening the number of representatives was a good one. The business done by that House might well be done by half the number of representatives.

Mr. GRAHAM (Hastings) was opposed to the establishment of wards in townships. A councillor elected by a whole township would be more likely to attend to his duties than one who was elected by a ward only.

Mr. RYKERT said he was in favour of a continuance of the old system, which he considered to be the best. Although it had caused a great many differences in the townships, there had been no complaints presented against the system. It might perhaps, be better to allow townships to divide themselves into wards, if they pleased to do so, though in his opinion they might let well alone, and continue the present system.

Mr. SEXTON argued against the principle of the resolutions, but thought that the division of townships into wards might be beneficial.

Mr. PERRY said that with regard to the motion before the House, it was proposed that certain counties should not be represented in the County Council. He thought that it might, perhaps, be better still, as had been suggested, that we should go back to the old ward system, and allow township councils to elect their own heads.

Mr. GALBRAITH said that the present system of electing councillors was much better than the Ward system.

Hon. M. C. CAMERON said some sections of the country were in favour of the present and some in favour of the Ward system. He hoped that the resolution would be withdrawn; and the present system maintained.

Mr. CURRIE said the present system caused much dissatisfaction; and proceeded to defend his resolution.

Mr. EVANS said it would save the time of the House to have the matter referred to the special committee, as was suggested by the Provincial Secretary.

Mr. CURRIE withdrew his motion.

MUNICIPAL LOAN FUND.

Mr. OLIVER resumed the debate on Mr. Blake's resolutions concerning the Municipal Loan Fund. He said that the House knew how the people in the country parts could be led away by sharp railway speculators going through the rural districts and inducing the residents to take stock. If this were the case now, it was much more so in old times. Municipalities were duped into investing money in certain railways, and into becoming security to the Government for that money. Then, when the railway schemes were exploded, writs were placed in the hands of sheriffs as against the municipalities. The matter had been before the courts, and it had been decided that the municipalities had been swindled in such a manner that the case went in their favour. Now, when the Court of Chancery had decided that these municipalities were entitled to relief, he put it to the House if the House should not take their case into consideration. (Hear, hear.)

It being six o'clock, the House rose for recess.

GRAND JUNCTION RAILWAY.

After recess,

The House went into Committee on the Bill to enable the municipalities along the line of the Grand Junction Railway Co'y to grant aid thereto, and legalize certain by-laws granting aid to the said company. Mr. Coyne in the chair.

Mr. BLAKE considered it extremely improper that municipalities should pass a by-law, knowing it to be beyond their power, and then come to the House and ask their action to be legalized. There might be some cases of doubt, but such a system was most mischievous in its general effects.

Attorney-General MACDONALD said the evidence before the House was that the parties thought the by-laws now in question were within their power to pass. There was a technical question raised, however, and the present application was consequently necessitated.

The Committee then rose and reported the Bill.

NORTH GREY RAILWAY COMPANY.

The House went into Committee on Bill to incorporate the North Grey Railway Company—Mr. Gow in the chair.

The several clauses having been passed, with an amendment to protect minorities in townships, the Bill was reported as amended; the report to be received to-morrow.

PROTECTION TO GAME.

Mr. TROW moved the second reading of the Bill to amend 31 Vic. chap. 12, for the better protection of Game in Ontario. He said that for a long time six months was permitted for the hunting of deer, elk, and cariboo. This act was repealed three years ago by the Bill of the late Sir Henry Smith, and the period limited to three months. He had received information from sportsmen that three months was too short a time for the hunting of these animals. As to duck and other game of that kind, the Bill abridged the time when they should be taken.

The Bill was read a second time, and referred to a special committee.

ABOLITION OF IMPRISONMENT FOR DEBT.

Mr. BLAKE rose to move the second reading of his Bill to abolish imprisonment for debt. He said the operation of the Bill was confined to that class of cases in which, according to law, Division Court Judges had the power, if a party failed to obey an order to pay, to order that person to be imprisoned for a period not exceeding forty days. He was prepared to concede that there were some cases in which debts were recovered by this law which would be irrecoverable if the law did not exist. But he was also prepared to say that the advantages obtained exceptionally by the operation of this law were far more than over-balanced by its disadvantages and its injustice. The law should not exist on our statute book because it represented a repudiated principle of legislation—namely, that a man who did not pay should be incarcerated in prison for the poverty of his purse. Since he had the honour of a seat in this House he had been on several occasions pressed—not by persons themselves interested—but who stated themselves to be aware of instances of very grievous hardship, in which for non-payment of a sum monthly out of his scanty revenue, a poor labourer had been imprisoned, while his wife and family were left without the little means of support derived from his labour. He believed such cases did exist, and he believed it contrary to the spirit of our laws that a man should be subjected to imprisonment for non-payment of a debt—imprisonment without the verdict of a jury. There was another objection to our present law, in this respect—that it was a species of class legislation. He admitted that, in theory, it was not class legislation, and applied to every one who, having contracted a small debt, should disobey the order of the Judge. But in practical operation the law was class legislation, because it left a class of persons who did not choose to pay debts coming within the competence of the division free of imprisonment. He knew of men, who had incomes of \$4,000 and \$5,000 a year, and who declined to pay their debts; and the creditor was unable to recover, because the debt exceeded the sum that came within the competence of the Division Court.

Hon. J. S. MACDONALD.—(Hear, hear.)

Mr. BLAKE—These men with the large incomes did not pay their debts.

Hon. J. S. MACDONALD—We ought to have a law to make them pay.

Mr. BLAKE said that these men out of their abundance could not be ordered to pay anything; and so the law did not apply to them; but it did apply to the poor labourer, who was unable to pay out of the earnings of his daily bread. This was a state of the law very indefensible. This law could not stand still; it was utterly impossible that we should have a law which reached the poor labourer, and was silent as to the man with a large income. His own opinion was that there was a wholesome public feeling in favour of the repeal of this law. He believed, moreover, that the law in favour of the creditor might well be extended, and he believed there were many clauses—amongst

them the garnishee clause—in favour of securing the rights of the creditor. He was willing to initiate or support a measure to provide that whatever a man had he should be obliged to give in payment of his debts. (Hear, hear.) But we ought not to go further, and say that a man should be put to gaol if he has not the means to pay. It might be said that a great many debts might not be recovered if this Bill became law. He believed, however, that the operation of the Division Court with regard to small debts was injurious, and that the measure he proposed would remedy this injury; for country merchants, those who dealt with poor men, would exercise that praiseworthy prudence put in force by large merchants who were dealing with large customers; for those country merchants would know that they could not put a man in gaol who was unable to pay. This was all he (Mr. Blake) proposed to do at present—namely, that if country merchants or other tradesmen allowed men to contract debts, they would not be able to put these men in gaol for non-payment—the creditor, however, being allowed to take in satisfaction of payment whatever a creditor had, subject to the exemption the law provided. He was not willing to admit that in this country, at this time of day, a man should go to gaol for a debt he had contracted. (Hear, hear.)

Atty.-Gen. MACDONALD said that before the hon. member for South Bruce could be considered to have made out a case, he must find greater evidence than he could produce. They had a large body of Division Court Judges, and evidence should have been obtained as to the manner in which the law now worked. A different course might have been pursued in this matter. A committee might have been asked for to consider the question. It appeared to him that the House would not be prepared to adopt the sweeping condemnation of the present Act which was contained in this Bill. The present system had been in operation for years and it had not been complained of, but the hon. gentleman came down with this abstract resolution to occupy the time of the House. The hon. gentleman had argued very well, but there was no evidence to support his case. The spirit of the present law was that a man who had committed fraud, and had contracted a debt which by the exercise of his ingenuity he endeavoured to escape from the payment of, though able to do so, should be liable to imprisonment. The hon. member had said that he was not aware, personally, of any cases of hardship, and only said that he had been informed of a few cases. The Bill was a condemnation of the humane judges who had abstained in the past from committing a man when there was any doubt whatever as to his intent in not paying his debts. The Attorney-General here read a copy of the summons issued, and claimed that it reached everything, and that no one could be sent to prison under it except through fraudulent intent. A man might have money in a savings' bank in Montreal, or hold stocks in the States, and how could a garnishee apply to that? If it were not for the Act, the man with such funds would go scot free. The sympathy of the hon. gentleman was apparently with the rogue.

Mr. BLAKE—Hear, hear.

Attorney-General MACDONALD said this was the natural conclusion to be arrived at in the Bill.

Mr. BLAKE—Provided that the judge shall have power to order the debtor to execute an assignment of such funds. (Hear.)

Attorney-General MACDONALD—Yes; and if he refuses to do this, why you must send him to prison. (Hear.) He had a letter from the clerk of the Division Court of the county of Wellington, stating that there had been but eight committals, and these were parties who were able but would not pay. He did not know the name of the judge.

Mr. BLAKE—Judge Macdonald.

Attorney-General MACDONALD—That is a good name. (Laughter.)

Mr. WOOD—Rather uncommon, though.

Attorney-General MACDONALD said that there being this want of evidence in favour of the proposed Bill, he considered it not required, and should, if necessary, make a motion that the order should not prevail.

Mr. SCOTT (Ottawa) was glad to see this question taken up by the hon. member for South Bruce, and felt sure that if now unsuccessful, he would re-introduce it at a future time, and continue it until successful in removing what was a dark blot on the statute-book of the Province. Cases of great hardship had come under his own observation, and there was an urgent necessity for the carrying of some such Bill as that now before the House. The letter of a clerk