

The Globe.

TORONTO, SATURDAY, FEB. 10.

SECOND PARLIAMENT---FIRST SESSION.

FRIDAY, Feb. 9.

The SPEAKER took the chair at three o'clock.

PETITIONS.

By the Hon. Mr. Cameron—the petition of George Flint and others, also the petition of Henry Faircloth and others, all of Toronto, severally praying for the establishment of an Inebriate Asylum.

By the Hon. Mr. Carling—the petition of the London Board of Trade also the petition of John Binell and others, of London, severally praying that the Bill to extend the Canada Southern Railway from some point in Elgin to London may pass.

By Mr. Webb—the petition of the County Council of the united counties of Northumberland and Durham, praying that the sale of spirituous liquors be done away with in Ontario; also from the same, praying that certain amendments be made in the School Law.

By Mr. Prince—the petition of the Town Council of Sandwich, praying that the Bill for the construction of the Sandwich and Windsor street railway pass, but not upon the route now proposed.

By Mr. Monteith—the petition of the County Council of Perth, praying for certain amendments to the Drainage Act.

By Mr. Baxter—the petition of Johan G. Bosch and others, of Canboro', praying that the Bill to authorize a re-survey of certain lots in Canboro' may not pass.

By Mr. Clarke, (Norfolk)—the petition of Edward Mathews and others, of Waterford, praying that no further acquisition of territory be granted to the Long Point Company.

BILLS PASSED.

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

To further secure the independence of the Legislative Assembly.

To make debts and choses in action assignable at law.

To consolidate the debenture debt of the city of Toronto.

To authorize the Law Society of Ontario to admit Edward Stonehouse as a barrister.

SCHOOL LANDS.

The House received the report of the committee on the resolutions regarding Common School Lands.

Mr. SCOTT (Ottawa) introduced a Bill founded on the resolutions, and it was read a first time. Second reading on Tuesday next.

MECHANICS' INSTITUTES.

Mr. McKELLAR moved the reception of the report of the committee respecting Mechanics' Institutes.

The motion was carried.

DRAINAGE.

Mr. BLAKE moved the reception of the report of the committee on the resolution respecting drainage.

The motion was carried.

Mr. BLAKE moved that the resolutions be referred to the committee to which Bill 16 (Mr. Rykert's Bill to amend the Agricultural and Arts Act) was referred. Carried.

MARRIED WOMEN'S RIGHTS OF PROPERTY.

The House went into committee on the Bill to extend the rights of property of married women, Mr. Hodgins in the chair.

Mr. CAMERON thought the permission proposed to be given to a married woman to insure her husband's life, was offering a premium to a woman to make the insurance and then get rid of her husband.

Mr. BLAKE was not afraid of such a result in this portion of the continent.

Mr. LAUDER said this was a Women's Rights Bill, and he did not see why the Attorney-General did not go further and give women a right to vote and to hold offices. (Hear, hear.)

Mr. CORBY suggested that the Attorney-General should insert a clause allowing a woman to give three days' notice of an action for divorce. (Laughter.)

Mr. BLAKE—My hon. friend does not see the difference between women's rights and women's wrongs. (Renewed laughter.)

Mr. FERGUSON thought this Bill was reversing the order of things altogether.

Mr. CAMERON, remarking that there was more importance in this measure than hon. gentlemen seemed to think, asked the Attorney-General to consent to the committee reporting progress, and asking leave to sit again.

Mr. CROOKS consented, and progress was accordingly reported; committee to sit again on Monday.

ELECTION OF MEMBERS TO THE LEGISLATIVE ASSEMBLY.

Mr. BLAKE moved the House into committee (Mr. Perry in the chair) on the Bill to make further provision touching the election of members to the Legislative Assembly.

The committee reported the Bill without amendments. The report was received, and on motion by Mr. Blake the Bill was ordered to be read a third time on Monday next.

PROOF UNDER OATH FOR THE PURPOSES OF THE ASSEMBLY.

Mr. CROOKS moved the House into committee on the Bill to allow matters to be proved under oath for the purposes of the Legislative Assembly. Mr. Hodgins in the chair.

The object of the Bill was to allow oaths to be administered by Select or Standing Committees to which any private bill should be referred.

Mr. CAMERON moved to amend the Bill by extending the power to committees for any purposes.

Mr. BLAKE consented and the Bill, as amended, was reported. Third reading on Monday.

LAW FEES IN TERRITORIAL DISTRICTS.

Mr. CROOKS moved the House into committee (Mr. Hodgins in the chair) on Bill to make provision for the payment of law fees in territorial and judicial districts by means of stamps.

The committee rose and reported the bill with amendments. Third reading on Monday.

PETITION OF RIGHT.

Mr. BLAKE moved the second reading of the Bill to provide for the institution of suits against the Crown by petition of right, and respecting procedure in Crown suits.

In explaining the Bill,

Mr. BLAKE said that the theory of the English constitution was that in cases against the Crown the subject had the right of asserting his legal claims by petition. The practice, however, had become obscure, but had been simplified by an English Bill, on which the present one was modelled, with such changes as were adopted to the circumstances of this country. The present Act left it in the power of the Lieutenant-Governor on the advice of his responsible Ministers, to say what answer should be returned to a petition of right; so that while the subject was entitled to present his claim for a petition of right, and was entitled to have that claim submitted to the consideration of the Lieutenant-Governor, the Lieutenant-Governor was entitled, acting on the advice of his Ministers, to say yea or nay. If the subject were aggrieved by the answer given, the Bill provided him with means of redress. There was no doubt that in this country, as in England, there was a necessity for a mode of procedure of this kind. There was equally no doubt that there was a large class of cases which, both for the Crown and subject, were better and more economically administered by a department, or by a particular person, than by legislation. He referred to the Crown Lands claims. There was no intention by this Bill, directly or indirectly, to withdraw from the jurisdiction of the Commissioner of Crown Lands any power he had heretofore exercised, or might hereafter exercise under the law. There were also other classes of cases in which it would be extremely convenient that there should be a means of ascertaining what the legal rights of the subject were as against the Crown. The Bill would also provide for them. He had introduced the Bill on a former occasion, but it had been referred to a Select Committee, where it died, but it was a necessity then as well as now. He might add that there were many cases in which there was a failure of justice, owing to want of jurisdiction, and this measure would obviate them. Such a case was that of the late Col. By. In this case, which was concerning lands in Canada, there was no mode of procedure here, by petition of right, and the petition was presented in England. But it was there held that the Crown in England had no right to deal by petition with matters in Canada. He thought that we ought to provide for the adjudication of these cases in our courts.

Mr. E. B. WOOD asked if the Bill would provide a remedy for grievances under the excise and custom laws. A man's whole property might be seized, and he not know where to find a remedy. If there was a mode of relief for such persons, it would be a great boon to the community, for if an unfortunate wight fell into the hands of the officers of custom and excise, he sometimes found that he was bound with iron thongs.

Mr. CAMERON apprehended that this Legislature could not interfere with the rights of the Crown, being the Government of the Dominion, so he presumed that only matters relating to the Government of Ontario were intended to be dealt with by this Bill. It would, he thought, be better that trial in the cases to which the Bill referred should not be by jury, but by the courts.

Mr. BLAKE said that question would receive consideration from the Government. With regard to the observation of the hon. member for South Brant he had understood that

the rule was in these cases to give parties the option of trial, by a jury or by the courts. He agreed with the member for East Toronto that the Bill could only apply to the Crown in Ontario.

The Bill was then read a second time. Committee of the whole on Monday.

REGISTRATION OF BUSINESS FIRMS.

Mr. CROOKS moved the second reading of the Bill to further provide for the registration of co-partnerships, and of other business firms. The present law, which provided for the registration of co-partnerships, did not apply to one person carrying on business under a style or title including other names. This Bill supplied the deficiency. Carried. Committee of the whole on Monday.

REGISTRY OFFICES IN RIDINGS.

Mr. BLAKE moved the second reading of the Bill respecting the establishment of registry offices in ridings, and to amend the Registration of Titles (Ontario) Act. The Lieutenant Governor in Council had formerly possessed the power of establishing registry offices in ridings, but the hon. member for Cornwall considered that the power had been abused and it was taken away. Subsequently it was restored, but it had not been well or wisely exercised in most, if any cases. There were loud complaints out of doors, and it seemed that the interests of the community had not been the only objects looked at in the exercise of that power. As a general rule it was expedient that the registry office should not be removed from the place where the treasurer's office and the sheriff's office were situated. They thought it better to deprive the executive of the power, and leave it for Parliament to deal with, in any special cases which might be brought before it. This Act would not be retro-active. It was competent for any member to introduce a public bill to repeal the Order in Council under which such a separation as that to which he had adverted