

# ONTARIO LEGISLATURE.

FIRST SESSION -- THIRD PARLIAMENT.

MONDAY, Dec. 13.

The Speaker took the chair at three o'clock.

## BILLS INTRODUCED.

The following Bills were introduced and read the first time:—

Mr. Hodgins—Bill to authorize an addition to the capital of the Canada Landed Credit Company and for other purposes relating to that Company.

Mr. Patterson (York)—Bill for the relief of the Vaughan Plank Road Company.

Mr. Williams—Bill to incorporate the Hamilton Gaslight Company.

Mr. Pardee—Bill to legalize and confirm two by-laws passed by the town of Sarnia respecting the erection of water-works.

## NEW PARLIAMENT BUILDINGS.

Mr. BELL asked whether it was the intention of the Government to introduce this session any measure having in view the erection of new Parliament Buildings for the use of this Province, and if so, whether any sum would be inserted in the estimates for the present year for that purpose?

Mr. MOWAT—It is not the intention of the Government to introduce this session any measure having in view the erection of new Parliament Buildings.

## ELMA CROWN OR SCHOOL LANDS.

Mr. HAY moved for a return showing the number of original sales of Crown or School Lands cancelled and re-sold in Elma, with date of cancellations and sale, price realized at such sale, and price of original sale. He said that in the year 1858 the township of Elma had contracted a debt of \$25,000 for the building of gravel roads, the money having been expended in opening up the lands to which the motion referred. In 1867 the Township Council had petitioned Parliament to resell the lands, inasmuch as a difficulty had existed in determining the question of the right to sell under the original settlement Act, and in that year the original sales were cancelled, and the lands ordered to be re-sold. The Council in petitioning had desired that the taxes accruing against the land should be refunded. They hoped that at least that portion of them on what was known as the gravel road fund should be refunded. He was aware that the objection might be urged against the refund that it would open the door for many other applications of the same kind, but he thought the case of Elma was exceptional in the largely increased value of the lands. The object of the motion was to ascertain the price realized at the first sale, and the other circumstances connected with it.

Mr. PARDEE said the original sale had been made in 1854, and it was cancelled in 1868, and re-sold by public auction. If he understood his hon. friend aright the building of the gravel roads had rendered the land much more valuable; that taxes had accrued against the land prior to the subsequent sale, and that the sale had realized a very much larger amount at the second than at the first sale, and that therefore a refund should be made to the Council on account of the taxes. The fact was that if the Council should recover in this case, municipalities and individuals throughout the whole Province, in cases where sales had been cancelled, would come to the Government and ask for a refund. The value of the lands might increase from various causes—by ditches or drains made by parties who had bought the surrounding lands, and in various other ways. The Government had a perfect right to re-sell the lands, and as applications of this kind might be made by so many municipalities and individuals, who had just as good a right to a refund as the township of Elma, he hoped his hon. friend would withdraw the motion, as the information would be useless, since the Government could not under any circumstances make such a refund.

The motion was withdrawn.

## QUESTION OF PRIVILEGE.

Mr. MACDOUGALL said that before the Orders of the Day were called he desired to bring before the House a question of privilege. The House was aware that early in the session a Committee was appointed for the purpose of revising the rules of the

House, and submitting such amendments as might be thought desirable for its government. He found in one of the daily papers of this city on Saturday last an article two columns in length upon the subject of those rules. They certainly were presented to the House on Friday evening by the hon. Attorney-General, but he (Mr. Macdougall) apprehended that no copies were sent abroad, and how that newspaper came into possession of a copy of those rules so as to enable a long article to be prepared upon them was a question which it might be well for the Committee to enquire into. He complained that the article was predicated, not upon the rules agreed to by the Committee, but upon a draft of amendments suggested to the Committee from a source altogether outside of the Committee. Looking at the question from a public point of view, from the view of the privileges of the Legislature, and of the people through that body, he confessed that many of the objections taken by that journal to the proposed draft of amendments were well founded, and some members of the Committee urged the same views (and thereby succeeded in inducing the Committee unanimously to agree to modifications of the draft. He called the attention of the House, in the first place, to the proposed alteration of the rule with respect to motions for the adjournment of the House and for the adjournment of the debate. Under the existing rule of that Legislature, and every similar legislative body founded on the English system, the minority, when they desired to prevent the majority from overriding their opinions, had the power by a sort of *senatus* process to make long speeches on all manner of subjects to prevent a tyrannical majority from carrying their motion. But as that privilege might be abused, it was proposed by the Committee to limit the time, while at the same time affording a reasonable time for speaking on the main question. Whether it would be found an advantageous change or the contrary, experience would only tell. But that now appeared in the rules laid on the table of the House. There was another alteration, however, proposed, and which read as follows:—“When a Bill has been amended in Committee of the Whole House, or by any select or standing Committee, it shall be reprinted as amended, except in cases where the Speaker decides that the amendments are few and unimportant;” and quite a long paragraph in the article in question was devoted to the dangerous and unjustifiable character of that proposed amendment; but when no such rule appeared in the rules adopted by the House, the objectionable clause was struck out of the draft, but the effect of the article was to hold up the Government before the country as a more tyrannical body than he believed they were on that subject. Another proposal on which considerable comment was founded, was that “in the event of the Commissioners of Estates Bills reporting that, in their opinion, it is not reasonable that the Bill submitted to them should pass into law, such Bill shall not be further considered by this House.” The fact that the article was based on the draft amendments was proved by the circumstance that the words “this House” did not appear in the rules adopted by this House. Another proposal referred to in the article was that of the appointment of a permanent chairman of committees, and the Confederation Act and an Act of the Legislature were quoted to show how very absurd and unconstitutional the proposal was. Such a proposal was embodied in the original draft, but when the Committee came to consider its legality, it was struck out, yet by that newspaper article the country was led to believe that the Committee proposed to violate the Confederation Act in that matter. When newspapers obtained those favours at the hands of some one, he hoped they would be furnished with the proper documents, and not allow the people to suppose that the Committee had recommended dangerous innovations for the approval of the House. He did not know how the draft had got abroad; he left his copy of the proposed amendments lying on the table of the Committee-room in charge of the Clerk, and did not give it to any one. There were questions enough of a legal and substantial character to discuss without journals taking up the crude suggestions of persons outside of the Committee and founding long arguments thereon, and arousing the country against dangerous proposals alleged to have been made to the Legislature. He called the attention of the House to the facts he had recited, whereby he, as a member of the Committee in question, had been placed in a false position. He suggested that the

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