

ONTARIO LEGISLATURE.

THIRD PARLIAMENT—SECOND SESSION.

MONDAY, Feb. 5.

The Speaker took the chair at three o'clock.

PETITIONS.

The following petitions were presented:—

By Mr. Cameron—Of Christie, Brown, & Co., and others, for amendments to the Bill before the House for the incorporation of the Peoples' Gas Company.

Also, of Neil C. Love and others to the same effect.

Also, seventeen petitions praying for the incorporation of the Peoples' Gas Company.

By Mr. Miller—Ten petitions to the same effect.

By Mr. Bell—Several petitions to the same effect.

By Mr. Macdougall (South Simcoe)—Ten petitions to the same effect.

By Mr. Lauder—Twenty-three petitions to the same effect.

By Mr. Macdougall (South Simcoe)—Of the County Council of Simcoe, praying for certain amendments to the Municipal Act; also, respecting the Ontario Ship Canal; also, four petitions for the incorporation of the Orange body.

By Mr. Widdifield—Of D. Sutherland and others, of Newmarket, praying for amendments to the Municipal Act; also of J. Fleury and N. Gerban to the same effect.

By Mr. Kean—Of W. B. Bennett, praying that the Bill before the House to extend the limits of the town of Odessa should not pass.

REPORTS BY COMMITTEES.

Mr. Fraser presented the 10th and 11th reports of the Private Bills Committee.

BILLS INTRODUCED.

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

Mr. Mostyn—To amend the law for the protection of game and fur-bearing animals in Ontario.

Mr. Mostyn—To amend the law for the protection of insectivorous and other birds beneficial to agriculture.

THIRD READINGS.

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

Respecting the North Simcoe Railway Company—Mr. Macdougall (Simcoe.)

Respecting the Toronto, Grey, and Bruce Railway Company—Mr. Cameron.

Respecting St. John's Church, Iroquois—Mr. Bond.

Respecting By-law No. 240 of the town of Windsor.—Mr. Patterson (Essex).

To legalize a by-law of the county of Simcoe—Mr. Long.

To amend the Water-works Act of the city of Ottawa—Mr. O'Donoghue.

To incorporate the Standard Fire Insurance Company—Mr. Williams.

To legalize a by-law and certain debentures of the city of Toronto—Mr. Cameron.

PRIVATE BILLS.

The following Bills passed through Committee:—

To incorporate the Leamington, Comber, and Lake St. Clair Railway Company—Mr. Wigle.

To incorporate the William Hall, Peterboro', Protestant Poor Trust—Mr. Scott.

Respecting the Huron and Quebec Railway Company—Mr. Scott.

To incorporate the Missionary Society of the Methodist Episcopal Church in Canada—Mr. Wilson.

CREDIT VALLEY RAILWAY.

The House went into Committee on the Bill respecting the Credit Valley Railway Company.

On the second clause,

Mr. MILLER moved to insert a provision leaving it to the discretion of the Council of a municipality to submit a by-law to the electors. He pointed out that the people were represented in the City Council of Toronto by twenty-eight members, who were well qualified to pronounce on this subject. If this Act allowing a by-law to be submitted any number of times were passed, it would have to be extended to other municipalities. The friends of the

road in the city were opposed to this clause, which compelled the Council to submit a by-law on the requisition of fifty ratepayers.

Mr. BELL favoured the Bill as it stood, and contended that the Council should not stand in the way of the people voting on a by-law.

Mr. ROBINSON said this House ought not to try to control a City Council which represented the people of the city.

Mr. O'DONOGHUE agreed with the member for West Toronto.

Mr. LYON supported the Bill, on the ground that it only allowed the Council to submit a second by-law. He knew many cases in which a Council had stood in the way of submitting a by-law when the ratepayers were in favour of it.

Mr. HODGINS said that the result of passing the Bill in its present shape would be that the Council could be compelled on the petition of 50 ratepayers to submit a by-law. Supposing this by-law were rejected and another application were made for its submission, the Council would again be bound to submit it, and so on until, perhaps, the municipality was worried into passing it. He believed that the Council should be compelled to submit it upon the first application but not upon every subsequent one.

Mr. SCOTT contended that the Council of a municipality should not be allowed to stand in the way of the wishes of the people with regard to the passing of such by-laws. A Council might represent the sentiments of the people at their election, but they could not be said to represent any change of opinion which might result from altered conditions and other circumstances.

Mr. MACDOUGALL (Simcoe) hoped that the Bill would pass in its present shape. It was often the case that two or three members of a Council might stand in the way of the wishes of the ratepayers. The rights of the people demanded that they (who paid the money) should themselves pronounce upon matters of these kinds. This submission of the by-law stood exactly on the same footing as the original one.

Mr. WILSON thought that the rights of the people should be respected just as much in the second or third submission of the by-law as on the first. Hon. members knew that the very vitality of this important road depended upon the help they received from Toronto, and he was surprised to find the member for West Elgin placing any obstruction in the way of its ultimate completion.

Mr. MASSIE held that the relations existing between the ratepayers and their representatives in the Council were such as to render the latter fully competent to judge of the propriety of submitting the by-law.

Mr. ROSS thought it preposterous that 50 ratepayers should have more power than the 28 members of the City Council of Toronto in a matter of this kind. He might be in favour of say one-fourth of the whole number of ratepayers exercising the compulsory power; but otherwise the Council should stand between the people and the machinations of railway speculators.

Mr. PAXTON supported the amendment, on the ground that it would be harsh to give 50 ratepayers the power of overriding the wishes of the Council.

Mr. MACDOUGALL (Simcoe) protested against the use of such opprobrious terms as had been employed by the last speaker against men who had spent their time and money freely in advancing a project which would prove, when completed, one of the greatest advantages, not only to the Province, but to the entire Dominion, by forming a link of another through chain of railways to be built without foreign aid.

Mr. ROBINSON said, if the suggestion of the member for West Durham were adopted, with regard to one-fourth of the ratepayers petitioning for the submission of the by-law, he would support it, but he thought it absurd that fifty ratepayers should have such powers.

Mr. SCOTT said that allowing fifty ratepayers to compel the Council to submit a by-law could not be said to override the Council, as the Council were not elected for any such purpose as pronouncing upon this by-law.

Mr. CLARKE (Norfolk) supported the Bill in its original form.

Mr. MASSIE pointed out that in the county of Wellington, after a by-law had been defeated, a re-arrangement of townships and parts of townships had been made, so as