

# ONTARIO LEGISLATURE.

## THIRD PARLIAMENT--SECOND SESSION.

FRIDAY, Feb. 23,

The Speaker took the chair at 3 p.m.

### RETURNS.

Mr. Wood presented a number of returns respecting railway companies.

### CORRECTION.

Mr. HAY said he desired to call the attention of the House to a report in one of the city newspapers of a debate that took place last night. He was reported to have said that he was opposed to the Government policy of providing supplies for colonization roads. He wished to say that he had made no remarks at all on the subject, and that if he had said anything he would have approved of the Government policy. (Hear, hear.)

### TORONTO STREET RAILWAY.

On the order for the third reading of the Bill respecting the Toronto Street Railway Company,

Mr. CAMERON moved, "That the Bill be referred back to Committee of the Whole with instructions to amend by striking out the amendment made in the first clause by said Committee."

Mr. FRASER said that it was not until this morning that he had learned that the Bill as it came from the Railway Committee contained three instead of two clauses. The third clause had no particular bearing on the matter in dispute, and when his attention was drawn to the matter he had expressed his intention, so far as it was possible to repeal anything, to embrace all the clauses. The object of the motion of which he had given notice was that all the proposed legislation as contained in the Bill as now before the House should be struck out and a new clause inserted in lieu thereof, doing away with all the legislation of last session in regard to this subject. He was here to-day to move what he had suggested in a previous speech, that these two parties—the Corporation of the city of Toronto and the Toronto Street Railway Company—should be put back in their original place, and that the bargain which had been made between the parties should be left in full force and effect. If there was any dispute as to the original meaning of the contract let that dispute be settled in the ordinary Courts of the country. The Legislature had no more right to undertake to settle a dispute between the city of Toronto on the one hand and the Toronto Street Railway Company on the other, than it had to settle a dispute between John Brown and John Smith, or between any other two men or two corporations in the country. He had heard it stated within these walls, and in the lobbies of the House, he had read it in the journals of the city of Toronto that the Toronto Street Railway Company, had come to the Legislature to have a certain interpretation put upon their contract. He had taken the trouble to look back upon the legislation of the House with regard to this matter. In 1861, prior to Confederation, the original Company was incorporated by Act of Parliament. The next Act was one of 1868-69, by which the Street Railway Company of that day, and certain trustees who held a mortgage upon it, asked to have power to sell the railway under the terms of that mortgage. The special Act that was passed to enable that sale to be accomplished expressly said that the original agreement between Easton, the original owner, and the city of Toronto should remain in full force and effect. They therefore found that in this case the Messrs. Kiely had come to the House asking that the original agreement should be binding upon them, and that if any one should purchase the railway they should purchase it under the obligations involved in the first bargain. The next Act was asked in 1873 by those who had continued to be shareholders in the Street Railway Company; and that Act had simply incorporated the present shareholders as a new Company, leaving the original agreement still binding. It had, therefore, happened on two occasions that the Toronto Street Railway Company had come to the Legislature asking that the original bargain should continue in force. The next measure was the one of last session, and it was not brought in by the Street Railway Company, but by the citizens of Toronto, through their solicitors.