

ONTARIO LEGISLATURE.

Third Parliament—Third Session.

LEGISLATIVE ASSEMBLY,
Tuesday, Feb. 5.

The Speaker took the chair at 3 o'clock.

Prayers were read by the Rev. Father McCann.

ESTATE BILLS.

Mr. SPEAKER presented a report of the Commissioners on Estate Bills, conveying their opinion on certain private Bills.

PETITIONS.

The following petitions were presented:—

By Mr. Cameron—From the County Council of Ontario, praying that certain parties may not be granted possession of the marsh lands abutting on Lake Scugog, for the purpose of draining the same.

By Mr. Wilson—From the County Council of Elgin, praying that school property, churches, &c., may remain exempt from taxation.

By Mr. Macdougall—From the County Council of Simcoe, respecting the restraint of cattle running at large.

By Mr. Code—From the Town Council of Perth, praying that the Municipal Act may be so amended as to establish equality of taxation.

REPORTS OF COMMITTEES.

Mr. PARDEE presented the third and fourth reports of the Committee on Railways, which were adopted.

Mr. PARDEE, in the absence of Mr. Fraser, presented the fifth report of the Committee on Private Bills, which was adopted.

THE MAGISTRACY.

Mr. MOWAT introduced a Bill respecting the magistracy, which was read the first time.

PRIVATE BILLS.

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

Respecting the Belleville and North Hastings Railway Company—Mr. Boulter.

Respecting the Toronto Club—Mr. Bethune.

Respecting the Hamilton Girls' Home—Mr. Williams.

Respecting the Whitby, Port Perry, and Lindsay Railway Company—Mr. Paxton.

RELIGIOUS INSTITUTIONS ACT.

The House went into Committee on Mr. Crooks' Bill to extend the Religious Institutions Act to the Church of England in Ontario, and reported the same without amendment.

SUPPLY.

The House went into Committee of Supply.

On the item of \$11,400 for Departmental Examinations,

Mr. CROOKS thought it would be appropriate to make some explanations with regard to the recent Commission of Enquiry conducted by Mr. Justice Patterson. As our educational system was a matter which deeply concerned everybody in the Province, anything connected with it should be very fully discussed by the representatives of the people in the House. Hitherto he had no cause to complain of the spirit in which his labours in the cause of education had been regarded by hon. members on both sides, but on the contrary, there had been much to encourage him. At the same time he thought it desirable that everything in connection with the Department should be fully understood throughout the length and breadth of the country, and that there should be nothing transacted in the Department which should not receive the widest publicity. The circumstances which induced him to recommend the Commission in question were of course familiar to all hon. members, and he had considered

that if there was even a reasonable ground for preferring the charges which had been made an immediate enquiry should be instituted. The Central Committee was that part of the machinery of the Department on which its usefulness mainly depended. Its chief functions were to examine annually candidates for teachers, and to confer upon them credentials as required by the law and the regulations, and unless confidence prevailed in the honourable way in which the Central Committee discharged these duties, it would be impossible for the head of the Department to carry on his work with satisfaction. The charges made were not against the scholastic attainments of these gentlemen, but affected their personal honour and integrity. As to how the enquiry should be conducted was of course a debatable question; but he believed that any other course than the one he had taken would have been a wrong one. It was necessary that the enquiry should be conducted by some one entirely above every possible influence, politically or otherwise, and who had no concern as to the result of the enquiry. Such a person, he thought, was found by common consent in the person of the Hon. Justice Patterson. And what was the enquiry? It did not deal with the misconduct of officials in the Department, but it involved not only the standing of these gentlemen on the Central Committee, but their positions in other spheres. The Chairman and two or three other members occupied positions of the highest responsibility, with regard to which their usefulness should not in any sense be impaired, and they were therefore entitled to the fullest investigation. They had been nominated for their positions on that Committee, because of their special qualifications for them, and it would have been difficult to have made better selections. What had been sought in the charges made against them was to blast for ever the reputations of these gentlemen, not only as members of the Central Committee or as connected with the Education Department, but as men of integrity and honourable principles in every respect. It was a question in which the whole country was interested, which could not have been satisfactorily investigated by any head of Department, but only in the manner which, after full consideration, he had decided upon. So far as the result of the enquiry by Mr. Justice Patterson was concerned, no one could say that it had not been arrived at after the most pains-taking investigation. The charge which affected the personal honour and integrity of the members of the Central Committee was abandoned during the progress of the investigation. The matters relating to that charge formed the most serious part of the enquiry. The other, which affected the position of Dr. McLellan individually, was the only one in reference to which the learned counsel who appeared on behalf of those who were laying the accusations considered there was even room for argument. That was a question which the learned Commissioner himself determined. It was not necessary to go over the ground again in connection with the second charge. It had been answered in such a way that there was no room to hold an opinion contrary to that of the learned Commissioner. It involved the reputation of Dr. McLellan on the one hand, and that of a High School master on the other, and had been probed to the bottom by the assistance of the evidence of the examiners, experts, and others. Every possible view of the question had been examined carefully and impartially by the learned Commissioner, who had arrived at a conclusion at which no judge could avoid arriving. He had even gone so far as to say that there was no ground for suspicion of improper communication between Dr. McLellan and Mr. Kirkland. Any one who knew anything of examination papers could not but be struck with the great resemblances that were frequently to be found in those dealing with the same subjects, and the learned Commissioner had come to the conclusion that where the area was limited, it was still more difficult for an examiner to avoid giving questions resembling some given before. The result of this full and searching investigation by Mr.