

# ONTARIO LEGISLATURE.

## Third Parliament—Third Session.

LEGISLATIVE ASSEMBLY,

Thursday, Feb. 7.

The Speaker took the chair at 3 o'clock.

Prayers were read by the Rev. Father McCann.

### PETITIONS.

The following petitions were presented:—

By Mr. Bethune—Of the County Council of Stormont, Dundas, and Glengarry, for certain amendments in the High School Act. Also—From the same Council for certain amendments in the Game Laws.

By Mr. Macdougall (Middlesex)—Of the Council of Middlesex, for certain amendments to the License Act.

By Mr. Tooley—Of the same Council, that Sheriffs and Clerks of the Peace be paid by salaries instead of fees.

### REPORTS OF COMMITTEES.

Mr. PARDEE presented the sixth report of the Committee on Railways, which was adopted.

Mr. FRASER presented the seventh report of the Committee on Private Bills, which was adopted.

### THE WHITBY HARBOUR.

Mr. BETHUNE wished to move that the Bill to enable the executors of the late Chester Draper to sell the Whitby Harbour be remitted to the Estate Commissioners for their consideration, as they had not been furnished with sufficient materials on which to base an opinion. Carried.

### INTRODUCTION OF BILLS.

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

Mr. Wills—An Act to amend the Assessment Act.

Mr. Bishop—An Act to amend the revised statutes respecting the digging of water-courses.

### THIRD READINGS.

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

To incorporate the St. Thomas Street Railway Company—Mr. Wilson.

To confirm a Survey in the Township of Caledon—Mr. Flesher.

### EXTRAMURAL LABOUR.

The House went into Committee on Mr. Mowat's Bill to provide for the employment of prisoners without the walls of common gaols.

Mr. MEREDITH asked if it was intended that municipalities should have power to employ prisoners on any work they chose.

Mr. MOWAT did not think there would be any difficulty in that respect, as the Lieutenant-Governor in Council only would authorize any particular work to be done by prisoners outside the gaol walls.

Mr. MEREDITH asked, supposing a municipality wanted to employ prisoners for general road work, would that be "specific work," to which the Act restricted the employment of prisoners? He fancied that the work would have to be confined to a particular road or highway.

Mr. MOWAT did not know of any expression which would be an improvement on the present language of the Act.

Mr. MEREDITH said there should be some provision made for cases in which the prison labour was employed by counties with which were connected towns and cities. It would be unfair for the latter to contribute for the payment of such labour if the counties enjoyed the entire benefit of it.

Mr. MOWAT said he would consider that suggestion.

The Committee rose and reported.

### MARITIME COURT.

Mr. Mowat's Bill respecting the Maritime Court of Ontario was passed through Committee without amendment.

## THE PUBLIC SERVICE.

The House went into Committee on the following resolutions:—

*Resolved*, 1. That the following officers shall be respectively the deputy heads of the Department to which they are attached, and shall receive such salaries respectively as may be assigned to them by the Legislature:—

The Deputy of the Attorney-General.

The Deputy of the Minister of Education.

The Assistant Commissioner of Crown Lands.

The Assistant Provincial Secretary.

The Assistant Commissioner of Public Works.

The Assistant Treasurer.

The Clerk of the Executive Council.

2. A fourth-class clerk shall receive a salary of not more than four hundred dollars for his first year's service as such, and may thereafter have an annual increase of fifty dollars per annum until his salary is six hundred and fifty dollars per annum.

3. A third-class clerk shall receive a salary of not more than seven hundred dollars for his first year's service as such, and may thereafter have an annual increase of fifty dollars per annum until his salary is nine hundred and fifty dollars per annum.

4. A second-class clerk shall receive a salary of not more than one thousand dollars for his first year's service as such, and may have an annual increase of fifty dollars per annum until his salary is one thousand two hundred dollars per annum.

5. A first-class clerk shall receive a salary of not more than one thousand two hundred dollars per annum, and may have an annual increase of fifty dollars per annum until his salary is one thousand four hundred dollars per annum; but if any clerk promoted into the first-class has at the time of such promotion a higher salary than one thousand two hundred dollars per annum he shall continue to receive such salary until by length of service in the first-class he has a right to that amount as a first-class clerk, from which time he shall receive an annual increase of fifty dollars per annum until his salary is one thousand four hundred dollars per annum.

6. Officers and clerks in the special division shall receive such salaries respectively, as may be assigned to them by Order in Council, and voted by the Legislature.

7. There may be in each department of the Civil Service one or more officers or chief clerks who shall receive such salaries respectively as may be fixed and determined by Order in Council, and voted by the Legislature.

8. If in any department there are any special duties requiring or assigned to an officer or chief clerk, an additional salary not exceeding four hundred dollars per annum may be given by Order in Council to one or other first-class clerks in such department, who shall have the rank of chief clerk.

9. The Lieutenant-Governor in Council may from time to time divide any department of the public service into as many branches or sub-departments as may appear most convenient for the public service, and one of the officers or first or second-class clerks in such department may be appointed the chief clerk of such branch, and shall perform such duties as may be assigned to him by the head of the department, and an additional salary not exceeding four hundred dollars per annum may, by Order in Council, be paid to the person holding the position of chief clerk of such branch of said department.

10. As soon as conveniently may be after the passing of this Act, the Lieutenant-Governor in Council shall determine the number of officers or chief clerks, and the officers and clerks of each class, and of each division, that are required for the working of the staff of each department, and shall classify the same according to the arrangements so determined, and such classification shall be submitted to the Legislature at its next session thereafter; and after such classification has been submitted to the Legislature, no first-class clerk and no officer or chief clerk in either division shall be appointed, nor shall any person be rated at any salary higher than the maximum of the first-class, except (1) upon a vacancy, or (2) upon the creation of an additional first-class clerkship or office or chief clerkship by special Order in Council, and upon the approval by the Legislature of the salary thereunto attached as a separate item in the estimates of the year in which such first-class clerkship or officer or chief clerkship is created.

11. No extra clerk shall, except under an Order in Council, be employed in any department unless for a period not exceeding three months, for which he may be paid at a rate not exceeding two dollars per diem out of the contingencies of the department on the certificate of the head or deputy head thereof, except only that if such extra clerk be an accountant, a book-keeper, or a person of special attainments, and employed as such, he may be paid at a rate not exceeding the ordinary charge for such services.

But any extra clerk may, under an Order in Council, made on the application and report of the head of the department that the same is requisite, be employed for a longer period than three months, and he shall, during such period, be borne on the pay-list of the department.

At the end of six months such extra clerk shall only be retained in the department as a probationary clerk, if nominated, examined, and appointed as such in the manner required by this Act; a probationary clerk may be paid at the same rate as a fourth-class clerk.

12. When the services of any officer are dispensed with, in consequence of any change in any department, and not for any fault on the part of such officer, or in consequence of the age and infirmity, or ill-health of such officer, such gratuity may be allowed him as shall be directed by Order in Council, but not exceeding one month's pay for each year of his service.

13. Notwithstanding anything in this Act contained, any person may, with the approval of the Lieutenant-Governor, be appointed as the Private Secretary of the Head of a Department, but the salary or emolument of any such person payable out of public moneys shall not exceed the sum of one thousand dollars per annum, and he shall not by virtue of such appointment become a member of the Civil Service, and his appointment shall cease on the retiring of the Minister who appoints him.