

ONTARIO LEGISLATURE.

Third Parliament—Third Session.

LEGISLATIVE ASSEMBLY,

Tuesday, Feb. 12.

The Speaker took the chair at 3 o'clock. Prayers were read by the Rev. John Potts, of Elm-street Methodist Church.

PRIVILEGE.

Mr. RICHARDSON corrected a report of his speech as reported in the *Mail* on the subject of the Western University. He wished to be understood not to oppose the passage of the Act.

PETITIONS.

The following petitions were presented:—

By Mr. Hodgins—Of the City Council of St. Catharines, that the bill respecting the City of St. Catharines may pass.

By Mr. Wilson—Of the Council of St. Thomas, for certain amendments to the Railway Act.

By Mr. Patterson (York)—Of ratepayers in Richmond Hill for the abolition of tax exemptions.

By Mr. Flesher—Of Council of Boulton village to the same effect.

By Mr. Bell—Of ratepayers of Toronto to the same effect.

REPORTS OF COMMITTEES.

Mr. Pardee presented the report of the Committee on Railways.

Mr. Fraser presented the tenth report of the Committee on Private Bills.

BILLS INTRODUCED.

To amend the Act respecting the Administration of Justice.—Mr. Sexton.

To amend the revised statutes respecting line fences.—Mr. Bishop.

To amend the Joint Stock Road Companies Act.—Mr. Bell.

To amend the Act respecting jurors.—Mr. Sexton.

BREWERS' LICENSES.

Mr. MOWAT said he had received further information in regard to the decision recently given with respect to the power of the Legislature of Ontario to collect fees from brewers. It had been decided to lay the case before the Privy Council. In the meantime, however, it was still contemplated to refund the fees collected, but without prejudice. The case was important as a precedent, inasmuch as it might lead to attempts to set aside the authority of the Local Legislature to collect any fees but those specially mentioned in the Act, or such as are specifically mentioned in the Municipal Acts. The amount at present involved was not of very great importance, but for the future it was important that the jurisdiction of the Legislature of Ontario should not be too much circumscribed. While the appeal in the present case was a proper one, a different course would have to be taken with regard to the different brewers concerned.

Mr. CAMERON said that as the appeal in the case before the courts was being carried on at the expense of the brewers themselves, he thought that the fees should be refunded to them at once, as the costs would far exceed any returns that would be made. He could not assent to the right to appeal to the Privy Council when the Court before which it was tried was established for the very purpose of trying such cases as these.

Mr. MOWAT explained that it was not the amount to be refunded that affected the case, but there were a variety of questions which might arise under the same clause, and which would be most embarrassing to the Government, as to the powers which the Local Legislature possesses. If he were to come to the conclusion that the powers of the Local Government were to be thus circumscribed, it would not only be his province, but it would be his duty, as he hoped and expected the Confederation would exist long after they had passed away, to have that Act properly amended.

Mr. CAMERON said he did not approve of this Act being sent to the Privy Council for their final decision. If they had not obtained justice under the Confederation Act then it would be proper to petition the Imperial Parliament to give them what powers they desired. The Attorney-General had expressed the hope that Confederation would last long after we had passed away. He hoped that the Dominion would last, but that Confederation in its present shape would not last, because it was not in the interests of the country that it should.

PRIVATE BILLS.

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

Respecting Water Works, and to validate By-law No. 212 of the town of Owen Sound.—Mr. Creighton.

To consolidate the debt of Brockville.—Mr. Deacon.

To enable the County of Bruce to assume the railway debts of certain municipalities.—Mr. Gibson.

To authorize the town of Dundas to exempt Messrs. Fisher from taxation.—Mr. McMahon.

Respecting the debt of the County of Frontenac, and to make valid certain debentures of said county.—Mr. Deroche.

To enable the corporation of Leeds and Grenville to sell certain lands.—Hon. Mr. Cameron.

To authorize Henry Scarrow to add the name of Woodward to his present name.—Mr. Hodgins.

To legalize By-law No. 221 of the County of Oxford.—Hon. Attorney-General Mowat.

GOVERNMENT NOTICES.

Mr. MOWAT moved, "That this House will, on to-morrow, resolve itself into a Committee to consider the following resolution with respect to fees to Justices of the Peace:—

"Justices of the Peace shall be entitled to a fee of fifty cents for hearing and determining a case, whether the same do or not result in a conviction.

"The following item shall be added to Schedule A of the Revised Statutes respecting the fees of Justices of the Peace:—

"For hearing and determining the case, 50 cents."

Carried.

JOINT STOCK COMPANIES.

The House went into Committee on Mr. Mowat's Bill respecting the winding up of Joint Stock Companies.

The Committee rose and reported the Bill with some unimportant amendments.

EXTRAMURAL LABOUR.

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

Mr. MOWAT said the Bill had been left over for the purpose inserting a clause covering the cases of cities or towns connected with counties for municipal purposes. He had prepared a clause, providing in effect that the earnings of prisoners should be divided proportionately between each county and the Province, and that the amount due to towns or cities connected with the county should be determined annually by arbitration, in case the County Council was unable to settle the matter.

The Committee reported the Bill with this amendment.

REVISED STATUTES OF ONTARIO.

Mr. MOWAT moved the second reading of the Bill to confirm the Revised Statutes of Ontario. He made explanations of the provisions of the Bill similar to those he made when the Bill was introduced, and explained the mode of operation followed by the Commissioners in their work.

Mr. CAMERON said he had come across two or three errors in the revised statutes. They said that the Inspector of Prisons should receive \$2,000 a year, while he was really getting \$3,000. There was also an error with respect to railway arbitration. He