

thought the statutes should be left unconfirmed till all the errors might be discovered and corrected.

Mr. HODGINS pointed out that some difficulties might occur in consequence of an alteration in the phraseology of the statutes in the revised statutes. He mentioned a couple of alterations of this kind relating to the administration of the oath to voters, and to the Act respecting the jurisdiction of Division Courts. He thought, however, that the revised statutes would be found to be most valuable, and the learned Commissioners deserved the thanks of the country for their painstaking work.

Mr. MOWAT said that \$2,000 was the statutory salary of the Inspector of Prisons, but that did not prevent the Government paying him an additional amount. The other points mentioned had been before the Commissioners, and very fully discussed. He did not think the confirmation of the statutes should be laid over for another year, as it was exceedingly desirable that they should be at once made the law of the land.

The Bill was then read the second time.

PRESERVATION OF FORESTS.

Mr. PARDEE moved the second reading of the Bill to preserve forests from destruction by fire.

Mr. MILLER suggested that the prohibitory season during which fires could not be set out be extended to the 1st November, and also that farmers who intended to set out fires should notify licensees of such intention.

Mr. PARDEE would be glad to make any proper amendments to the Bill in Committee of the Whole. He had fixed the dates of the close season on information which he had received from many persons with whom he had conversed. If farmers were expected to notify some officer of their intention to set out fires, he thought the Bill would become a dead letter in that respect. It was an experiment to a large extent, but he thought it would ultimately do good.

Mr. DAWSON was in favour of the Bill, believing it would do a great deal of good. Many fires had occurred in consequence of the carelessness of officers employed in surveying.

Mr. MACDOUGALL (Simcoe) thought the passage of this Bill would be like locking the stable door after the horses were stolen. It was intended to prevent the destruction of timber after great quantities of it had been destroyed. Much of the burning of timber, he believed, was due to our policy of sending settlers at once into wild lands before any portion of them was cleared. He looked for good results, however, from the enactment of the measure, particularly in respect to the moral effect of it, and he thought the Commissioner of Crown Lands was deserving of thanks for having brought it forward. He thought there should be more minute regulations than the Bill provided for its enforcement.

Mr. PAXTON said that so far as the Bill went it was a good one, but it might go a little further and protect much of the timber that was now destroyed. Lumbermen were accustomed to go through the woods and select the best timber, leaving the inferior qualities, and the result was that fire followed him and destroyed what he left. If the timber were divided into different qualities according to its value, large quantities of it might be saved.

The Bill was read the second time.

[The remainder of this report is held over for want of space.]

ONTARIO LEGISLATURE.

Third Parliament—Third Session.

THE MAGISTRACY.

Mr. MOWAT moved the second reading of the Bill respecting the magistracy. He said the most important principle contained in it was the second clause, which removed from the magistrate the liability for civil prosecutions for anything done by him in good faith under the supposed authority of statutes passed either by the Ontario or the Dominion Parliament, and which might afterwards turn out to be beyond the jurisdiction of the legislative body which passed them. The present rule, subjecting magistrates to that liability, he considered was unreasonable. Another section of the Bill, which provided for the temporary appointment of a police magistrate for a county or a portion of a county, was rendered necessary from the difficulties which arose in making prosecutions under the liquor law of the Province, in consequence of the sympathies or prejudices of justices of the peace and for other reasons. A great deal of dissatisfaction had been created throughout the Province on this account, and he could think of no better way of overcoming the difficulty than that provided in the Bill. It was not proposed to make them salaried officers, but to allow them the same fees as other magistrates, and to confer on them the same powers as police magistrates in cities and towns. The Bill further provided for making Superior Court judges, *ex officio*, justices of the peace for every county in Ontario, without any commission; and the fifth section provided for a new and shorter form of oath than that at present in vogue, which was the same as the oath used in England.

Mr. CAMERON—Are judges of County Courts made *ex officio* justices of the peace?

Mr. MOWAT—They are by the Bill.

Mr. BETHUNE thought magistrates were entitled to protection from prosecution in doing their duty, and he suggested a slight change in that portion of the Bill dealing with this subject. Sometimes people were compelled to travel many miles to get a police magistrate to try a case, simply because the magistrate in their locality would not, through fear of prosecution, take up the case.

Mr. LAUDER felt strong objection to the Bill, which he thought would not be satisfactory to the magistracy. He was opposed to it because it did not require a magistrate to be resident in the county for which he was appointed, and did not impose the property qualification.

After some remarks from Mr. Deroche and Mr. Patterson (Essex),

Mr. DAWSON suggested that provision should be made for each magistrate having a regular constable to arrest disorderly persons.

Mr. CLARKE (Norfolk) was inclined to think the Bill would lessen the power of local magistrates. If any of them were afraid or neglected to do their duty in relation to liquor law prosecutions, he thought they should be dismissed.

It being six o'clock the Speaker left the chair.

After recess,

Mr. CLARKE resumed his remarks upon Mr. Mowat's Bill. He contended that resident magistrates who tried cases summarily should be allowed to collect the ordinary fees. He entirely disapproved of the system of appointing other officers over the magistracy. He thought it was derogatory to the honour which should attach to the magistracy as a body. He protested against the proposal as an injustice. He referred to the late cases of violation of the liquor law in Grey, and said if there were any reflections to be cast upon the magistracy of that county, the same could not be said of those in his county.