The adoption of the system of employing shorthand writers saved the time of judges, jurors, and witnesses. Judge McKenzie had shown that in one court alone of the county of York there had been a saving of $1,000 to the county, and this was a strong argument in favour of the general adoption of the system. In regard to the fees for copies of evidence, he thought that if it had to be borne by litigants, the cost should be equally distributed between all parties, but he was of opinion that justice should not be taxed at all.

An HON. MEMBER—Make the county pay.

Mr. BETHUNE said he thought perhaps it would be well to make them pay a portion at least of the cost.

Mr. MILLER said he had very little hope of reducing law costs. He was opposed to the appointment of shorthand writers.

The motion was carried.

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

After recess.

PRIVATE BILLS.

The House went into Committee of the whole on the following Private Bills, Mr. Ross in the chair.

To confirm sales made by the Order of Good Templars.—Mr. Meredith.

Respecting the City of St. Catharines.—Mr. Hodgins.

Respecting the Townships of Tilbury East, Raleigh and Romney.—Mr. Coutts.

To amend the Synod and Rectory Sales Acts affecting the Diocese of Toronto.—Mr. Bethune.

To incorporate the Georgian Bay and Wellington Railway Company.—Mr. Hunter.

Referring to the last mentioned Bill,

Mr. CREIGHTON drew the attention of the Attorney-General to the clause relative to exchange and promissory notes, remarking that the Legislature of Ontario had no jurisdiction under the British North America Act.

Mr. MOWAT said that the British North America Act did provide that the Dominion Parliament should have the exclusive jurisdiction in regard to these exchange and promissory notes, but clauses in precisely the same terms as this clause had been introduced into all our railway charters, but as yet the jurisdiction of the Legislature had not been questioned.

In regard to the clause giving the railway authority to take possession of any gravel-pits along the line of railway at a valuation fixed by arbitration,

Mr. BETHUNE said that the right sought to be obtained had never been conceded by the English Parliament nor by the United States. In those countries the right was confined simply to the right of way. The Canada Southern and one or two other railways had acquired this right, but it was a purely exceptional one. Another railway company which had tried to purchase a gravel farm and failed to agree upon a price, were making application to have their charter so amended as to secure the land by arbitration. He contended that there was no better ground for taking the action proposed than by forcing any merchant to sell his goods at a certain price, as to force owners of gravel pits to give them up to railway companies at a certain price fixed by arbitration. The same power might just as well be given in regard to ties or any other material. It was simply a question of hauling gravel a few miles, which railway companies desired to avoid. He entirely objected to these compulsory powers. It was going beyond anything that had been tried before either in England or the United States to force a man into a sale of his land because they could not agree upon a price. He should move that the clause be expunged.

Mr. PARDEE differed from the hon. member for Stormont in saying that the case was the same as the acquisition of iron or ties by arbitration. In a railway fifty or one hundred miles long there might be found only one gravel pit. It had been decided that when the interests of the country were involved, private rights should give way. Ballast was just as necessary as iron, and it was just as necessary that railways should have facilities for the acquisition of gravel as for the acquisition of land. The owner of a gravel pit, finding that there were no others along the same line, could ask say $100,000 for his land. The Government then would be in a difficulty, unless some provision were made for the acquisition of the land at a fair valuation. He had no fear that the owner would be obliged to part with his land at less than value, but on the contrary it was likely that the arbitrators would give him more than value. Railways were just as necessary in the interests of the public as ordinary roads, and therefore should have the same facilities for obtaining gravel. He believed that legislation of this kind was carried out in the old Parliament of Canada.

Mr. CAMERON said he did not agree with the views expressed by the hon. member for Stormont. He said the provision was a just one. In ninety-nine cases out of one hundred, the land where gravel pits were to be had was of very little value, and would have been valueless still, but for the location of the Railway, and therefore if it were rendered valuable to the Railway it was only fair that the land could be acquired by arbitration.

Mr. HODGINS said the question seemed to be one of civil right against public right. He was of opinion that once Railways were allowed more than merely the land for the right of way then the rights were unlimited.

Mr. HAY thought that Railways should have the same rights as ordinary roads.

Mr. HUNTER also concurred in this view.

Mr. MEREDITH held that the provision proposed was one necessary to public safety.

Mr. BETHUNE said the clause contemplated not only the acquisition of the gravel pits, but it proposed further to take the whole farm if thought desirable. Under this power it would be quite competent for the railway to select suitable town plots, lay them out in lots, and sell them off and make money by a regular system of land speculation. There were objectionable clauses in all the railway charters because no one paid much attention to them, and they were passed quietly and made law.

Mr. CROOKS explained that the hon. gentleman was mistaken, as there would be no power to take whole farms. The charter was similar to all others, giving only the power to take the land by contract with the owner if he is willing to sell. The only compulsory power was for the right of way. He quoted from the charter of the Belleville and North Hastings Railway to show that there was no extraordinary power allowed to the Railway Company.

Mr. BETHUNE said he had understood from the promoter of the Bill under discussion that the power to which he had referred was one of its provisions, and he moved that the following words be added to clause 33 of the Bill:—"That nothing in this clause shall warrant the acquisition of land under compulsory powers."

The matter was still under discussion when the Committee rose.

CUMULATIVE VOTING.

Mr. BETHUNE, in moving the second reading of his Bill to provide for cumulative voting for municipal purposes, referred to the meeting of working men held for the discussion of the measure the previous evening, and said it was natural that they should be reluctant to be deprived of any power which they now possessed. He had the fullest sympathy with workingmen, for he claimed to be one himself, and he ventured to say that the members of the profession to which he belonged worked as many hours during the twenty-four of each day as any other class. He denied that this was a measure of class legislation, in fact, it was not a legislative measure at all. It was purely a matter of administration. There was a certain amount of real estate in Toronto, and the simple object of this Bill was that it should be managed in such a way as to bring the greatest good to the greatest number. Much of the power that formerly belonged to municipalities was now in the hands of the Legislatures, and, he thought, properly so. The matters dealt with by municipalities, therefore, were narrowed down to the levying of taxation on real estate, and the granting of aid to railways and other enterprises, in the shape of bonuses. And the question to be considered was, how could these matters best be managed? He proposed to divide his answer to this question into two heads; first, in so far as money by-laws were concerned; and second, in so far as municipal property was concerned. This was a matter which specially affected cities and towns; he apprehended that agricultural districts had no need of a measure of this kind. It was an old and sound maxim that taxation and representation should go together. He would not withdraw from any man the power he now possessed with reference to Provincial or national law simply because as a citizen the poor man had as much interest in the State as the richest man. It was not because he believed the workingman was less intelligent than those of higher standing that he asked the House to sanction this measure, for he had as full confidence in the intelligence and sound judgment of the workingman as in that of the man who piled up wealth. The Bill dealt only with the management of real estate, and he thought the sooner they arrived at the principle of making real estate the basis of taxation the better. He believed the aggregate of bonuses granted by the municipalities of Ontario to railways and manufacturing concerns amounted to something like ten millions of dollars which usually extended over twenty or thirty years. At first it was granted on the votes of all persons possessed of the franchise, and afterwards, when the power was confined to property holders, the vote of a man possessing $400 was worth as much as that of the man possessing $400,000. He had not the least doubt that the smaller holders, as a rule, were the persons who carried these bonuses, and thus mortgaged the property of their particular municipality for twenty or thirty years. (Hon. members—"No, no.") He believed that to be the case, however, and he considered it most unfair and unjust. So far as he had been able to discover in the discussion of this matter throughout the country during the past twelve months, no one had objected to the principles of the Bill being applied to voting on bonus by-laws. On passing to the second division of his subject, that relating to the application of the measure to the ordinary purposes of a municipality, he met the objection that it would favour a particular class. He could not see that that could be inferred, for the Bill provided for a maximum vote, so that the power which was now possessed by the middle-class freeholders would remain. Those who possessed three, five, or ten thousand dollars' worth of property could not properly be said to belong to a particular class; those persons in this country who had become rich were, as a rule, workingmen, who had risen to their position after twenty or thirty years of hard toil. He dwelt at some length on the evils arising in municipal Councils from the tactics of ward politicians, the prevalence of jobbery among aldermen, and the heavy taxation and debts imposed upon cities, attributing these distresses to the anxiety of men to become popular among the smaller property holders, in order to secure their votes. It was on that account absolutely impossible, he believed, for a wealthy man to become a member of a municipal Council. The present system was unreasonable and unjust, because it placed the control of our municipal affairs in the hands of persons who possessed $300 or $400 worth of property, who possessed too, a small portion of the aggregate property in the municipality, and were yet able to pass by-laws over the heads of those who possessed the larger portion. He knew that this measure was unpopular, but he apprehended that this House should not consider so much what was popular as what was just. If it was unjust that those who paid three-fourths of