

Accidents might occur at any time, and there was the additional contingency that some other means of lighting should make the distribution of gas unprofitable and make large expenditure for improvements necessary. The compromise suggested by the Hon. the Commissioner of Public Works was not a reasonable one, as it offered nothing of advantage to the Company, while taking from them the right to accumulate more than the amount specified in the Bill.

Mr. FRASER thought that the right to invest \$200,000 was no small privilege to grant them, and it was all the Bill sought to gain.

Mr. SCOTT favoured the suggestion of the hon. member from London as the fairest means of overcoming the difficulty.

Mr. MEREDITH had supported this section in the Private Bills Committee, though he was not prepared to say that it was exactly right. He understood the opinion of Mr. Blake to be that the Company had the right to make such a rest as was necessary to provide against the contingencies of the business.

Mr. MILLER—Hear, hear.

Mr. MEREDITH thought that his suggestion was the best that had been offered, and would therefore move the following:—"That the Directors of the said Company may from time to time invest any rest, reserve, or contingent fund to which it may be entitled under this Act of incorporation to accumulate and set apart out of any profits of the Company after payment of the dividends in bonds, debentures, certificates for the payment of money, or in public securities of the Dominion of Canada and the Province of Ontario, or any bonds or debentures of any city, county, or township in Ontario, or use and apply the same for the general purposes of the Act; but nothing herein contained shall be taken to declare that any such right of accumulation exists, or to authorize the payment of a greater dividend than that fixed by the Act incorporating the said Company.

Mr. FRASER said the whole history of the charter of the Company showed that it was not intended that they should have the right to invest an accumulation. That point was not perfectly clear, and it was quite evident that the Company did not think that they had such a right, else they would not have come to the House seeking to have the right confirmed. He was perfectly satisfied to allow the company to remain in their present position, and if they were entitled to accumulate a rest now no additional powers were needed. He suggested an amendment to the effect that the right of the Company to form a rest and invest it, should be adjudicated upon by the Courts.

Mr. LAUDER said that, as a citizen of Toronto, he would greatly prefer to have a good strong company to supply him with gas than a weak insolvent one. He dissented strongly from the proposition to throw the whole thing into Chancery. That would initiate litigation, which it would be extremely desirable to avoid. This House was the proper tribunal to decide upon the question, and even if the Courts were to hold that the Company had the right to accumulate a rest, the question of the amount would come up. The accumulation of a rest would not increase the price of gas, and the insertion in the Bill of a clause to put the thing before the Courts would throw a large expense upon the citizens, because the cost of any law suits would in the end come out of them. He thought it was not unreasonable to uphold the recommendation of the Private Bills Committee.

Mr. BETHUNE would accept the report of the Committee with the amendment of which the Hon. Commissioner of Public Works had given notice, that a rest of \$200,000 should be allowed the Company, and all accumulations beyond that should go to the benefit of the consumers.

Mr. BELL was not in favour of accepting the amendment. He would like to see the clause struck out, and if the Company wished to settle the point they could carry it to a court of justice. The best proof that no litigation would take place was the fact that the present state of things had been in existence for twenty-five or thirty years, and no attempt had been made by the Company to have their right confirmed at law.

Mr. FRASER had only given notice of the amendment by way of precaution. If, however, the House passed the seventh section, he proposed to add to it his amendment, which provided that any earnings over the \$200,000 should go to the reduction of the price of gas. As to the matter of litigation, he did not think that any protracted law suit would ensue, as the matter might be settled at once and for ever at very little expense.

Mr. Miller's amendment was carried on a division.

The clauses dependent on the seventh section were also, on motion of Mr. BETHUNE, struck out.

Mr. BELL moved that a clause be added to the Bill providing that the city might purchase the Gas Works without the consent of the Company, upon the matter being referred to arbitration. He did so at the request of the City Council.

The amendment was lost on a division, and the Bill passed without amendment.

CROWN LANDS PURCHASE.

Mr. PAXTON moved for an Order of the House for a return showing all correspondence and affidavits filed in the Crown Lands Department in reference to E. Lepards' application to purchase the south half of Lot No. 14 in the 12th concession of the township of Mara. Also, all rulings of the Commissioner of Crown Lands respecting the sale and issue of the patent for said land. Carried.

LANCASTER DIVISION COURT.

Mr. GRANT moved his motion in reference to the Division Court of the township of Lancaster, which he had brought up in the forenoon session, which was carried.

CONVEYANCE OF PRISONERS.

Mr. WILSON moved for an order of the House for a return stating in detail the names and cost of conveying each lunatic to the different asylums; prisoners to the Penitentiary, Kingston, and to the Central Prison, Toronto, and boys to the Reformatory, for the years 1874, 1875, 1876, 1877, and 1878. There was a general impression that the cost of conveying the prisoners to these various institutions was much in excess of what it ought to be. Under the present system in 1874 the cost of conveying criminals to the Penitentiary at Kingston from the county of Elgin was \$49 25 each, even when

a number were taken together, and in 1878 every prisoner taken to the Reformatory at Penetanguishene had cost between \$77 and \$78. On the other hand, the average cost of conveying prisoners to the Central Prison, when under the charge of an official of that institution, was in 1878 only \$5 56. He strongly advocated that the Government should take this matter of conveying prisoners into their own hands, and take away from the sheriffs the power to put this heavy expense upon the country.

The motion was carried.

ASSESSMENT ACT.

Mr. CREIGHTON moved the second reading of the Bill to amend the Assessment Act. It provided that the post-office addresses of the voters should be placed on the assessment roll. Carried.

MUNICIPAL DRAINAGE ACT.

Mr. COUTTS moved the second reading of the Bill to amend the Municipal Drainage Act. Carried.

MUNICIPAL ACT.

Mr. FERES moved the second reading of the Bill to amend the Municipal Act, which provided that townships should retain the use of township halls situated in villages which become incorporated after their erection. Carried.

Mr. McCRANEY moved the second reading of the Bill to amend the Municipal Act. The object of the Bill was to give Municipal Councils the power to select the newspaper in which to advertise their by-laws. Carried.

Mr. MILLER moved the second reading of the Bill to amend the Municipal Act. Carried.

Mr. ROSS moved the second reading of the Bill to amend the Municipal Act. Carried.

The four last-mentioned Bills were referred to the Committee on the Municipal Act.

RETURNS.

Mr. Hardy presented the following returns:—

Report of the University of Toronto for the academic year 1877-78.

Return of correspondence relative to any prosecutions under the License Act in the county of Dundas.

Return relative to the cost of the licensing system in Raleigh and Tilbury East.

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

After recess,

Mr. MOWAT moved that Government orders should take precedence on every day during the remainder of the session. Carried.

The following Bills were passed through Committee:—

Respecting payments under the Municipal Loan Fund scheme where Indians are interested.—Mr. Wood.

For the further investment of public moneys in Municipal Drainage debentures.—Mr. Wood.

Respecting Steam and Heating Companies.—Mr. Mowat.

VOTERS' LISTS.

Mr. FRASER moved the second reading of the Bill to amend the Voters' Lists Act. The first section empowered a Judge, on the revision, to correct any clerical errors that might exist in the Voters' List, as, for instance, a man entered as farmer's son, who was in reality an owner, would be entitled to have the designation changed without losing his vote. The second section allowed the Judge on any appeal to strike off the list the name of any person entered thereon; if on evidence adduced before him he may be satisfied that the person was entered upon the list with an inaccurate qualification, he may correct the qualification instead of striking the name off entirely. The fourth section provided that in cases where the person assessed for a particular property had disposed of it between the making of the assessment roll and the revision of the voters' list the person actually in possession of the property might, if otherwise entitled to vote, apply to have his name entered in place of that of the person originally assessed. The fifth section empowered the Judge to allow the municipal clerk to prepare the statements in triplicate under the supervision of the Judge. The sixth section repealed the fifteenth section of the Voters' List Finality Act, and substituted a new tariff of fees for the remuneration of clerks in connection with the correction and revision of the voters' lists. The eighth section covered the same ground as the Bill introduced by the hon. member for North Grey. It provided that the post-office addresses of the voters should be entered upon the lists. The Bill did not propose to make any change in the procedure with regard to those who appealed on the ground that they were assessed too low.

Mr. SCOTT thought the Bill a good one, and that the second and third sections particularly struck at certain evils in the proper preparation of the voters' lists. He thought that some change might be made with advantage in regard to the day upon which the voter might be called upon to swear that he was entitled to vote on any property. He thought the present regulation that the revised lists were required to be in the hands of the Clerk thirty days before the issue of the writs for a general election an absurd one, and one needing amendment.

Mr. MEREDITH said that the Bill was a step in the right direction, but thought that some change was required in the wording of the second section, in order that it might be made quite clear that none but clerical errors were to be corrected. He did not see any objection to making a change in the law by which two voters might vote upon property which they had successively occupied. It would also be advisable to amend the Bill as to the appeals on account of the assessment being too low. It seemed to him that it was doing no injustice to say that a man who had neglected to have his assessment rectified at the Court of Revision should not have the right to go before the Judge to have the matter put right.

Mr. ROBINSON said he had known the names of voters who had been assessed in March struck off in May because the voters had removed thirty or forty yards from the property for which they were assessed. He hoped the Hon. Attorney-General would introduce into his Bill respecting the Elections Act a clause remedying this injustice. It seemed to him but right that a man who was qualified to vote should retain that right so long as he did not remove out of the constituency.

The Bill was read a second time.

INSPECTION OF INSURANCE COMPANIES.

Mr. WOOD moved the second reading of the Bill