

ONTARIO LEGISLATURE.

THIRD PARLIAMENT—FOURTH SESSION.

LEGISLATIVE ASSEMBLY,

TORONTO, March 4.

The Speaker took the chair at 11 o'clock.

Prayers were read by Rev. Father Bergin.

Mr. CROOKS introduced a Bill respecting the application of the Religious Institutions Act of the Church of England, which was read a first time.

GRANT OF INDEMNITY.

Mr. CURRIE moved, "That Mr. A. J. Grant, member of this House for Glengarry, be allowed his full sessional allowance, his absence from the chamber in the first part of the session having been occasioned by illness." Carried.

BELLEVILLE AND NORTH HASTINGS RAILWAY COMPANY.

The Bill respecting the Belleville and North Hastings Railway Company—Mr. Bell—was referred to Committee of the Whole, reported with certain amendments, read a third time, and passed.

THIRD READINGS.

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

Relating to the incorporation of the town of Tiverton—Mr. Widdifield.

To provide for the division of the township of Colchester—Mr. Wigle.

To incorporate the city of Guelph—Mr. Massie.

For the relief of the Barton and Glanford Road Company—Mr. Williams.

Respecting the water-works of the town of Guelph—Mr. Massie.

To amend the Agriculture and Arts Act—Mr. Waterworth.

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.

STEAM AND HEATING COMPANIES.

The Bill respecting Steam and Heating Companies—Mr. Mowat—was referred to Committee of the Whole and reported with amendments.

THE JURORS' ACT.

The House then went into Committee on the Bill to amend the Jurors' Act—Mr. Hardy.

Mr. HARDY said that he wished to make some minor amendments in the Bill. He proposed to fix the first meeting of the municipal selectors for the 1st of October, and to allow the selection to be made without the formality of a crier, &c.

Mr. DEACON thought the qualification for jurors ought to be made the same as that for municipal elections.

Mr. HARDY said that under the present qualification a quantity of material sufficiently inferior was sent up as jurors, and if the qualification were lowered that difficulty would be increased.

Mr. DEACON said that the hon. Provincial Secretary was making a mistake in supposing that property was a test of intelligence. He contended that settlers in new townships, where the assessment was low, and who would be precluded by the Bill from acting as jurors, possessed just as much intelligence as jurors selected from older townships. The change to a common qualification would, besides, be a very great convenience. It was something in the nature of an insult to say that any voter qualified to exercise the municipal franchise was not competent to serve on a petty jury.

Mr. HARDY said that the standard for jurors had been very considerably lowered by the Bill, and he had not heard any complaint of any wrongs having been done under the previous system, such as his hon. friend had referred to. The only exigencies that could arise would be in the newly settled districts, and it was not judicious to make special legislation to provide for such cases, as it was most advisable to have a common standard. He thought that the adoption of the voters' list as a list of those qualified to serve on a jury would open the way to the selection of an inferior class of jurors, which was a thing to be carefully guarded against.

Mr. DEACON said that the Bill fixed a common qualification, while under the old system the qualification varied according to the circumstances of every municipality, so that none were excluded from furnishing jurors. He contended that in the new townships especially the possession of a certain amount of property was not an evidence of intelligence, as the settlers there were all on an equal footing.

Mr. SCOTT thought that if the Bill passed in its present shape, it would be one of the most unpopular measures that had ever emanated from the present Government. He pointed out that great injustice would be done to the more newly settled portions of the country by the exclusion from juries of the great majority of the inhabitants. In his own county if the Bill became law it would exclude four or five townships altogether from furnishing jurors.

Mr. DEROCHE agreed with the remarks of the hon. member for West Peterborough as to the effect that the Bill would produce upon the selection of jurors from new townships. He thought it was undesirable to exclude jurors from those townships, as a visit to the county town had a most beneficial effect in giving them a knowledge of how the legal affairs of the county were carried on. He thought that it would be unwise to pass the Bill in its present shape, and hoped that some compromise would be arrived at whereby certain townships might be set apart for the purposes of the Act, in which the qualification should be arranged so as to suit the circumstances of the inhabitants.

Mr. ROSS said that in the Bill which he had introduced last session he had provided for the difficulty pointed out by hon. gentlemen opposite by making the voters' list the jury list. He had also proposed to give absolute power within certain limits to the township boards in the selection of jurors. He still adhered to the position he had then taken, that the county selectors should be done away with altogether, but