

ONTARIO LEGISLATURE.

THIRD PARLIAMENT—FOURTH SESSION.

LEGISLATIVE ASSEMBLY,
Toronto, March 4.

After recess,

THE JURORS' ACT.

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

Mr. HARDY moved an amendment which would have the effect of leaving the qualification for jurors in townships where the average assessment would exclude a large number of the voters from jury service to be ascertained by the same means as were now provided by the existing law. This would obviate the difficulty that had been pointed out by his hon. friend from North Renfrew.

The amendment was carried.

Mr. MEREDITH said that the matters dealt with in the second part of the Bill might better be treated in a separate Act.

Mr. HARDY said he would consider the suggestion; in the meantime the Bill might pass through the Committee. He had also come to the conclusion from representations that had been made to him that thirteen was too small a number to form a panel of grand jurors, and he therefore proposed to place the number at fifteen.

The amendment was carried.

The Committee rose and reported the Bill as amended.

THE SCHOOL ACT.

The House then went into Committee of the Whole on the Bill respecting Public, High, and Separate Schools—Mr. Crooks.

Mr. BELL advocated the application of the ballot to Separate School elections, and would prefer the discussion of the question upon the clause relating to Public and Separate Schools conjointly, rather than on that affecting the Separate Schools alone. The position he had taken had been strengthened by petitions from the City Council and the Public School Board of Toronto, and from Catholic ratepayers of the city representing \$2,000,000 worth of property. He was aware that petitions against a change had been presented, but the same influence had been at work to procure signatures to that petition as had been used hitherto to defeat the Bill. He moved an amendment to the Bill to the effect that all school trustee elections should be held by ballot and on the same day as municipal elections.

Mr. ROSS was in favour of conducting the school elections on the same day and in the same manner as municipal elections, but he did not wish to interfere with the manner of conducting Separate School elections in a manner which might not be acceptable to a large number of the Separate School supporters. He moved in amendment to the amendment of the hon. member for West Toronto a motion similar to that gentleman's, but differing in not being applied to Separate Schools. He believed that if the amendment were carried a much fuller vote would be brought out at trustee elections, and the standard of trustees would be improved. He did not believe that there was much force in the objection that had been urged that political influence would be introduced into trustee elections if they were held on the same day as municipal elections. Politics might easily be introduced now, and could be much more easily dragged in under open voting than under voting by ballot. The matter of expense was also one which was much in favour of the change he proposed, as the only additional expense to that of holding the municipal elections would be the provision of a new set of ballot boxes.

Mr. DEACON thought that the hon. gentlemen who had introduced the amendments should separate the questions of voting by ballot, and of holding the election simultaneously with the municipal elections. He favoured the former, but opposed the latter change.

Mr. ROSS said he was not in favour of holding the elections simultaneously unless the ballot were extended to the trustee elections, as all the paraphernalia and expense of a double election would be entailed.

Mr. DEACON thought it would be impossible to separate politics from trustee elections if the elections were held simultaneously.

Mr. MORRIS objected to the two questions being put before the House in a dual form. He was of opinion that the disastrous effect of introducing politics into school elections would be the result of holding the elections on the same day.

Mr. GIBSON was opposed to a change in the law. The expense that would be entailed by the changes would be very great, and the cry in the country now was that the expense was sufficiently large. He did not see how it was possible to exclude politics from school elections if held on the same day as municipal elections, and if the day of voting were not changed there was little need of the ballot.

Mr. BARR thought the time had come for introducing the ballot into school elections, but did not concur in the proposal to hold the municipal and school elections simultaneously. It was desirable to separate educational matters and politics as much as possible, and it was often the case that the best men for trustees were those who took no part in municipal affairs.

Mr. BELL would have no objection to divide the clauses in his amendment, but the clause in the Bill which his motion would affect placed the two clauses together, and it was almost impossible for him to separate them.

Mr. CURRIE had always been in favour of the ballot, and now advocated its extension to school elections. If the Minister of Education had been in his city during the late municipal elections he would have changed his opinion as to the introduction of the ballot into school elections. The municipal elections were very warmly contested, but were conducted with little turmoil, while the school elections, though held the next week, were accompanied with much bitterness, though not so hotly contested. The political atmosphere surrounding the municipal elections would, he believed, conduce to greater interest in the trustee elections.

Mr. GRANGE asked for the measure as an economical one. He did not think that the objections based on political reasons had much force, and would

strongly support the passage of the amendment.

Mr. SINCLAIR said the bugbear of introducing politics into educational matters that had been raised when a responsible Minister of Education was appointed had long since been quitted, and there would be found to be as little ground in the objections that were now put forward on that score. He preferred the amendment of the hon. member for West Toronto to that of the hon. member for West Huron, because he saw the importance of assimilating as far as possible the systems of the Common and Separate Schools. A large number of Separate School supporters had asked for the change, and he was prepared to support the change proposed.

Mr. CLARKE (Norfolk) entirely agreed with the remarks that had fallen from the hon. member for North Bruce, and pointed out that the hon. member for West Huron was inconsistent in his course, in having two years ago voted against the extension of the franchise to women, while he was now advocating that they should cast their votes for trustees in the midst of a turbulent crowd. He would support the amendment.

Mr. CALVIN advocated the extension of the ballot to school elections, and would like to see school and trustee elections held simultaneously.

Mr. WHITE congratulated the House on the absence of political discussion in the consideration of educational matters. Speaking as one who was acquainted with the state of feeling in the rural districts, he could say that there was no demand for the ballot in school elections. He thought the proposal to limit the ballot to cities, towns, and villages a pernicious one; such legislation should be uniform, and affect all sections of the country alike. He did not see the utility of changing the day for holding the school elections.

Mr. ROSS pointed out the impossibility of applying the ballot to rural school sections, because entirely new machinery would be required on account of the boundaries of the school sections not being coincident with those of polling subdivisions. He was not in favour of legislating as to Separate Schools, because he understood that the supporters of those schools did not ask for the alteration he proposed. He defended himself from the charge of inconsistency as to the woman franchise, as he had voted the other day to make the municipal voters' list the list for school elections.

Mr. COLE objected to any change in the law, as he thought under the present system the best men found their way to trusteeships.

Mr. DEACON pointed out that municipal contests were often not contested, and if the day of holding school elections were changed, the expense would not be decreased, as the trustee election would continue to go on notwithstanding that the municipal election was by acclamation.

Mr. BELL said that the hon. member who had just sat down had forgotten that the amendment proposed to do away with two voting days, together with the double paraphernalia. It was the influence behind hon. gentlemen which led them to oppose the amendment he had proposed. (Order, and hear, hear.)

Mr. O'DONOGHUE had no knowledge of any demand amongst Separate School supporters for a change in the present law, and he utterly denied that there was a power behind the screen, as insinuated by the hon. member for West Toronto, which influenced hon. gentlemen in opposing the proposed change. He did not think that when those supporting the alterations really wished them to become law they would adopt as their mouthpiece the hon. member for West Toronto.

Mr. BELL said that he introduced the Bill at the instance of a large number of his Roman Catholic constituents.

Mr. HARCOURT thought that the hon. member for West Toronto, who was usually liberal, had departed from his general line of action in the insinuations he had made. There might be a desire for the change in Toronto, but there was none in the other parts of the Province, so far as he knew. He did not believe that either of the changes proposed were asked for by the people, and it was idle to legislate in advance of the country. Conservatives and Reformers alike held their educational privileges too precious to consent to the introduction of politics into school elections. He asked that no change be made in the existing law until the country more definitely asked for them.

Mr. CROOKS said he only introduced his measure into Parliament during the present session from a sense that some improvements in the school system were necessary. He had not brought it forward for the mere love of change. He had confined himself solely to removing defects that had been clearly found to exist in the educational machinery, and was opposed to the changes sought to be made. There was no particular reason for making them, and there had been no expression of opinion on the part of the country for movement in their direction. The measure he had introduced proposed to extend to the Province the clauses under which the city of Toronto held its school elections, and which he thought would entirely meet the requirements of the country. The amendments introduced would, if they became law, take the country entirely by surprise, and there was no precedent to which the movers of them could point as a proof that they would result in favour of the educational interests of the people. He had before pointed out the radical distinction which existed between the functions of school trustees and municipal councillors, and he objected to any measure that would have the effect of, to a certain extent, confounding the two classes of interests. The proposed changes would be very likely to have a deteriorating effect on the character of those to whom would be entrusted the management of school affairs. He did not think that any diminution in the expense would be the result of a change in the direction proposed. The hon. member for West Toronto desired the House to try an experiment for which he presented no substantial reason, and the only excuse he advanced was an inuendo which he (Mr. Crooks) would pass by as unworthy of notice. The grounds on which the ballot were introduced into general elections were the need of provision against bribery and kindred evils, but those evils were beginning to be got rid of, and there could be little doubt that if the same remedies that were now applied had been in existence before the ballot was introduced the ballot-box would still have been in a state of disuse. From his experience of the ballot, it was simply the application of a lesser evil to destroy a greater one, and it could not be said that it always secured a full expression of opinion. The ballot, as a means