

ONTARIO LEGISLATURE.

FOURTH PARLIAMENT—SECOND SESSION.

THURSDAY, Feb. 17.

The Speaker took the chair at three o'clock.

PETITIONS.

The following petitions were presented:—

Mr. Calvin—Of the County Council of Frontenac;
Mr. Livingston—Of the County Council of Waterloo, severally praying for amendments to the Jurors' Act respecting selectors.

Mr. Metcalfe—Of John Stewart, of Kingston, respecting the police magistracy.

Mr. Richardson—Of the County Council of Leeds and Grenville, for free markets.

Mr. Cascaden—Of P. J. Linderman *et al.*, of Eagle, in favour of the Port Royal and Lake Shore Railway Bill.

Mr. McLaughlin—Of Liskard and Union Star Division Sons of Temperance, against amendments to the License Act respecting closing of hotel bars.

The Attorney-General—Of the town Council of Woodstock; Mr. Blezard—Of the township Council of Otonabee; Mr. McLaughlin—Of the township Council of Clarke; Mr. Peck—Of the township Council of Monmouth; Mr. Livingston—Of the township Council of Waterloo; Mr. Pardee—Of the township Council of Moore; Mr. Graham—Of the township Council of Bosanquet; Mr. Livingston—Of the town Council of Gait, severally praying for certain amendments to the Assessors' Act respecting the taxation of dividends.

REPORTS OF COMMITTEES.

Mr. PARDEE presented the ninth report of the Committee on Railways.

THIRD READINGS.

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

To change the name of the village of Petersville to London West.

To incorporate the St. Catharines and Niagara Central Railway Company.

To incorporate the Port Royal and Detroit River Railway Company.

To amend the charter of incorporation of the Victoria Rolling Stock Company of Ontario.

To vest certain lands in the town of Woodstock in trustees, and to authorize a sale of the same.

To authorize the Law Society of Ontario to admit Francis Hew Eccles as a barrister-at-law.

To confirm certain assessments of the city of Kingston.

THE LIQUOR LICENSE ACT.

The House went into Committee on a Bill to give increased efficiency to the laws against the illicit sale of intoxicating liquor. On the first clause

Mr. HARDY said it was proposed to place the license of smaller vessels navigating the inland waters upon the same grade as rural hotels. As the Act now stood all licenses for all vessels were \$100. This amendment provided that vessels of a certain size should only pay \$60, the same as a rural hotel.

The clause then passed.

Mr. GIBSON (Hamilton) said he did not think the fourth clause of the Bill, which provides for the withholding of the license of a shopkeeper who was twice convicted, went far enough. He thought that a person who was twice convicted of keeping a bar open after hours should not lose his license as well as a shopkeeper. He was perfectly satisfied that those who had the administration of this law would not be satisfied with such a slight change. He believed that the law relating to the closing of bars on Saturday night, and throughout Sunday, was very generally broken, and if the Government wished to have the law enforced they should make the punishment of those convicted more severe. The fact was that the bars would all be closed if hotel-keepers were sure that while their bars were closed other competitors were not driving a profitable business. The only true remedy was to impose such severe penalties as would effectually prevent a bar being kept open. He would, therefore, move in amendment that the Board of License Commissioners shall withhold the license from any person twice convicted, for a period of not less than two years, and for a third offence the person so convicted shall not thereafter receive a license. If this carried he thought it would have the effect of greatly decreasing the illicit sale of liquor.

Mr. MEREDITH said that it must be borne in mind that under this Act there were many degrees of criminality. There might be an unintentional violation of the law, and it would be wrong to make a cast iron rule in regard to such offence. The matter should, as far as possible, be left in the hands of the License Commissioners. If this were done, those who were really guilty would be punished, and those who had unintentionally broken the law would not be punished with unnecessary severity.

Mr. FRASER said the amendment of the member for Hamilton should not be carried out. He concurred in the view of the leader of the Opposition, that a man might break the law unintentionally and be wrongly punished. But this did not refer to shop-keepers. They did not entertain guests, and there was no necessity for any unintentional infraction of the law on their part. He thought the law was all that it ought to be, and any amendment thereto should be a move in the wrong direction.

Mr. FERRIS could not see why other dealers should not be placed under the same penalty as a holder of a shop license.

Mr. GIBSON thought that owing to the immense pressure brought to bear upon the License Commissioners it was absolutely necessary to amend the clause as he proposed.

Mr. YOUNG thought that under the clause a man who had really no intention of breaking the law, might be deprived of his shop license. It was liable to work an injustice, as it was impossible for a man always to control his clerks. He thought the clause should apply only where a man had personal cognizance of the infraction of the law. He thought that in his section of the country the Saturday night law was well ob-

served. He questioned whether a better observance of the law would be obtained by severer penalties. He could not see why a man with a shop license should be placed at such a great disadvantage with other retailers of liquor.

Mr. HARDY said he thought the Commissioners now had sufficient power to deal with the cases alluded to by the hon. member from London. He also agreed with the Commissioner of Public Works. The object of the Bill was to prevent the sale of liquor after the hours allowed by law. The hotel-keeper had to close his house at a certain hour, but this rule did not apply to the shop-keeper, and, therefore, a more stringent law was required in his case.

Mr. LAUDER thought the Bill discriminated rather severely against the shop-keeper. He would like to see the law requiring bars to be closed during certain hours enforced, but he thought the measures taken to enforce the law should apply to every one who sold liquor. He thought the amendment of the member for Hamilton was a move in the right direction. He believed that the whole law was wrong, and was a mere political machine in the hands of the Government. The law if right was not carried out, and could not be carried out.

Mr. YOUNG said that the clause had been brought in by the representations of the Licensed Victuallers. He believed that the hotelkeepers broke the law more frequently than the shopkeepers. The clause discriminating against shopkeepers was a gross injustice, and he thought that their duty was to deal out even-handed justice. He was willing to agree to any enactment that would prevent the illicit sale of liquor, but he would not agree to any enactment that pressed unduly upon any one class. The grocers engaged in the liquor traffic were generally most respectable men, and he believed tried to the utmost of their power to carry out the provisions of the law.

Mr. LONG thought that a house that sold liquor should sell nothing else. They had tried that plan in his part of the country, and they had found the system to work admirably. If this were done they could close both hotel and shop at the same hour.

Mr. ROSS fully concurred in the remarks of the last speaker. There were a number of places that had adopted the plan, and it had worked beneficially in every case. It was wrong to allow a man to sell liquor and groceries together. The grocer was in the habit of giving a customer liquor for the purpose of retaining his custom. This gave him an advantage over the grocer who did not sell liquor, which he should not possess. The suppositious case of the member for North Brant and others, was one that never occurred in reality. A man could be convicted under the proposed clause for a very slight and unintentional infraction of the law, but he never would be. As between the clause and the amendment thereto, he was certainly in favour of the original clause.

Mr. GIBSON (Huron) said that in the view of an influential Commissioner shop licenses should be done away with altogether. He thought the amendment of the hon. member for Hamilton was too severe. In the section where he resided the Crooks Act had effected a great change for the good. The Act had undoubtedly done a marked good throughout the whole country.

Mr. CREIGHTON agreed in the main with the views of the member for Hamilton. He thought the Saturday night law was flagrantly violated. Few convictions, moreover, were obtained for infractions of that law. He thought there should not be the difference between the tavern-keeper and the grocer. The object of the Saturday night law was to prevent the workingman from squandering his weekly wages. It was obvious, however, that the law in that respect was not observed.

Mr. HARDY—How would my hon. friend remedy that?

Mr. CREIGHTON—By applying the same machinery to the tavern-keeper as it is proposed to apply to the grocer. He would like that the forfeiture of the license should only take place when the proprietor was cognizant of the offence.

Mr. HARDY said that the clause perhaps might stand, to allow the Government to consider some of the suggestions made.

Mr. McLAUGHLIN quoted statistics to show that the crime of drunkenness was diminishing throughout the Province.

Mr. CREIGHTON claimed that that was the result of the lax enforcement of the Crooks Act in late years.

Mr. McLAUGHLIN, continuing, said that the cause of temperance was much injured by the issuing of shop licenses. He thought there should be some change in that respect.

Mr. GIBSON moved another amendment in substitution for his former one, in order to meet the objections of some hon. members.

After some further discussion it was decided to allow the clause to stand for the present.

The House rose and reported progress.

It was declared to be six o'clock, and the Speaker left the chair.

AFTER RECESS.

COUNTY OF DUFFERIN.

The House went into Committee of the Whole on a bill to make provision for the administration of Justice in the county of Dufferin.

The Committee rose and reported the Bill with slight amendments.

SECOND READINGS.

Mr. WOOD moved the second reading of a bill respecting the inspection of asylums, hospitals, common gaols, and reformatories in the Province of Ontario.

The motion was carried.

Mr. WOOD moved the second reading of a bill to amend the Act for the protection of insectivorous and other birds beneficial to agriculture. He read from several authorities to prove that robins and cherry birds were very destructive to crops and fruit. The Bill would be found to be an important one.

The motion was carried.

Mr. MOWAT moved the second reading of a bill respecting returns required from incorporate companies. In doing so he briefly explained its effect.

The motion was carried.

RAILWAY ACCIDENTS BILL.

Mr. FRASER, in moving the second reading of a Bill to make provision for the safety of railway employees and the public, said the House was doubtless aware that the