

ONTARIO LEGISLATURE.

FOURTH PARLIAMENT—THIRD SESSION.

(By Our Own Reporters.)

MONDAY, Jan. 15.

The Speaker took the chair at three o'clock.

PETITIONS.

The following petitions were presented:—

Mr. Robertson (Hastings)—The petition of Mary Ann Carroll *et al.*, praying for an investigation into certain family claims.

Mr. Striker—The petition of the County Council of Prince Edward, praying for certain amendments to the Act imposing a tax on dogs, respecting the mode of assessment; also the petition of the Town Council of Treton, praying that an Act may be passed to extend the limits of the town.

Mr. Creighton—The petition of the County Council of Grey, praying that no Act may pass to repeal certain protective clauses in the Act of last session respecting the Toronto, Grey, and Bruce Railway, and to confirm a certain agreement with the Grand Trunk Railway.

Mr. Robinson (Kent)—The petition of the County Council of Kent, praying for certain amendments to the Municipal Act respecting the granting of railway bonuses; also from the same, praying that an Act may be passed to extend the time of completing the Erie and Huron Railway; also from the Agricultural Society of East and West Kent, praying that an Act may pass to confirm in them the title to certain lands; also from the County Council of Kent praying for certain amendments to the Act imposing a tax on dogs, respecting the mode of assessment.

Mr. Morris—The petition of Wm. Anderson, and others, of Toronto, praying that an Act may pass to incorporate them under the name of "The Institute of Accountants of Ontario."

Mr. Laidlaw—The petition of the City Council of Guelph, praying that an Act may pass authorizing them to issue certain debentures.

Mr. Baxter—The petition of the County Council of Haldimand, praying that the annual grant to the Provincial Exhibition be discontinued, and the amount divided equally between the County Agricultural Shows.

Mr. Bell—The petition of W. B. McMurrich and others, of Toronto, praying that an Act may pass to incorporate the Toronto, High Park, and Western Tramway Company (limited).

Mr. Neelon—The petition of the St. Catharines and Niagara Central Railway, praying that an Act may pass to amend their Act of incorporation.

Mr. Baskerville—The petition of the City Council of Ottawa, praying that an Act may pass to amend the Act incorporating the Ottawa City Passenger Railway Company.

Mr. Gibson (Hamilton)—The petition of the Township Council of East Luther, praying that an Act may pass to separate the township from the county of Wellington, and annex the same to the county of Dufferin.

Mr. Metcalfe—The petition of the City Council of Kingston, praying that an Act may pass to legalize certain by-laws.

Mr. Hawley—The petition of Allen Pringle and others, of Lennox, praying for certain amendments to the law of evidence.

THE ADDRESS.

Mr. MEREDITH, on resuming the debate on the Address, expressed his satisfaction with those portions of the Speech from the Throne on which the Government could be expected to speak with some authority. He thought the Speech could fairly be taken as the election card of the Government on which to appeal to the people when next called upon to do so, and as such he was willing to go to the country with them. He denied that the Opposition was blind to the favourable influence on the condition of the country exerted by the late abundant harvests, or that they ascribed the whole of its present prosperity to the operations of the National Policy. Still no sensible man would deny that the trade policy of the Dominion was calculated largely to advance the material interests of the country. He was glad that the Government in the Speech had boldly taken the position of hostility to that policy, and on this question he and his friends were ready at any time to meet them before the people. On the question of the Ontario Boundary, he charged the Government with seeking to disturb the harmonious relations existing between the different Provinces, by refusing to submit to the action of the Dominion. He quoted from the B. N. A. Act, in which the limits of the Province of Ontario are declared to be the limits of the former Province of Upper Canada, and in no way, either by legislation or by arbitration, had anything been done by the Dominion Parliament during the last session, to alter those limits. The Opposition was prepared at all times to uphold the rights of the people of Ontario, but they were not prepared to go with the Local Government in a matter of this kind, in which they sought to throw the apple of discord into the camp and promote bad feeling between the different Provinces and the Dominion. He charged the Government with responsibility for the present position of affairs regarding this question, in failing to secure the ratification of the award by legislation, as stipulated in express terms on the agreement for an arbitration entered into by them. In 1874 the Ontario Government passed an Act delegating to the Dominion Government the right to declare the northerly and westerly boundaries of the Province, but they neglected to see to it that their friends in Ottawa passed a similar measure. The action of the Dominion Government in refusing to bring down a measure ratifying the award indicated that it had reserved to itself the right of ratification. Again, by the provisions of the Act its operation was suspended till it should be put in force by a proclamation of the Lieutenant-Governor. This being so, why did hon. gentlemen issue that proclamation if they did not acquiesce in the views of the Dominion Government that it was competent to the Parliament of Canada to pass upon that award. He denied that the Ontario Government had taken any steps

since the award was made to assume possession of the territory allotted to them. So far as he was concerned he believed the award was a fair one, but it would have been a much more dignified course for the Government to have taken had they resorted to the constitutional methods which were open to them of determining the validity of that award. He charged the Government with lack of sincerity on the question, as evidenced by the fact that they had never taken the trouble to forward their protest to the authorities at Ottawa. More than a year ago an offer was received by the Ontario Government from the Federal authorities to submit this question to the Imperial Privy Council.

Mr. FRASER—No.

Mr. MEREDITH—Does the hon. gentleman deny that?

Mr. MOWAT—The Commissioner of Public Works is quite right.

Mr. MEREDITH—Was there no suggestion even?

Mr. MOWAT—No.

Mr. MEREDITH continuing, said that that course was at all events open to the Government, or they might have opened negotiations with the Province of Manitoba for the purpose of effecting a settlement. In order to show how great a wrong was being done to Ontario, it was contended that the conventional agreement entered into in 1874 between Mr. Laird and Mr. Pardee had become void. Mr. Blake himself put forward that contention in the House of Commons.

Mr. FRASER—Sir John Macdonald took the same position on that point.

Mr. MEREDITH proceeded to say that he quite agreed that the people of this Province would never submit to have an inch of territory wrongly wrested from them, even if it was a poor and stony country. But in taking that position he and his friends in that House were not prepared to jeopardise the interests of the Dominion as a whole. The hon. gentleman then proceeded to refer to the disallowance of the Streams Act, laying down the proposition first that the Dominion Government had the power to veto the Act. Referring to the debate in the House of Commons on the power of disallowance when the Quebec resolutions were being discussed it was intended then, he said, by the leading statesmen in the House, that the supreme power of controlling all the legislation of the Provinces was vested in the Parliament of Canada. If a Legislature of this Province should take away by an Act the civil rights, for instance, of the Roman Catholic population, would it not be a monstrous thing if that legislation was final and supreme. As to the contention that, if the claim of the Dominion to disallow an Act of the Provincial Legislature be maintained, that that Legislature might as well not exist, he pointed them to an argument contained in a despatch to the Home Government from the Hon. Edward Blake, then Minister of Justice, *viz.*, that the virtue of such a power lay in the fact that the Dominion Government was responsible and accountable to the people of Canada for their course in such matters. As to the advisability of disallowing the Act, Mr. Meredith gave it as his belief that if there was any Act which the Federal Government would have been justified in disallowing aside of the question of jurisdiction, the Rivers and Streams Act was such a one. It involved, he contended, most dangerous principles interfering with private rights in property without adequate compensation. The memorandum issued by Sir John Macdonald, when Minister of Justice, with reference to the veto power, taking it in its widest sense, covered the Act in question. The Government at Ottawa in disallowing the Act, acted, he thought, wisely and justly, and the hon. gentlemen opposite would find that they could not make political capital out of that question. Speaking of the paragraph in the speech referring to the Mercer estate case, Mr. Meredith deplored the allusion to the fact that the judgment of the Supreme Court was not a unanimous one. He hoped that the Government's appeal to the Imperial Privy Council would result in the contention of the Province of Ontario being maintained. He reminded the Government that if they failed in their appeal they would have to refund the money of the Mercer estate already expended. In reference to the minor matters referred to in the Speech, he expressed his pleasure at the announcement of the Government's intention to introduce a Bill respecting ditches and water-courses, and a Bill to secure safety at railway crossings—both of which were very much needed. As to the proposed amendment to the law of evidence, he concurred in the belief that persons labouring under certain disabilities should be relieved without further delay. The law of libel, he supposed, was for the relief of the press, after the manner of legislation in England. The large sum realized from the recent sale of timber limits was, he thought, a matter for congratulation. He regretted, however, that during last session the hon. Commissioner of Crown Lands did not think it proper to announce to the House the intended sale and receive the suggestions of the members regarding it. He thought it an anomalous state of things that under constitutional government the control of such an important and expensive industry should be vested in the Executive, without being subject to the direction of that House. He apprehended that no objection could be made to the proposed distribution of the fund to the various municipalities. With respect to the new Parliament Buildings it was generally reported that a very much larger sum would be needed for that purpose than had been asked for, and he hoped the Government would not break faith with the House in appropriating a sum in excess of the vote. He regretted that the Government had determined to proceed with the new buildings, but in any case he felt sure that the House would not be prepared to sanction an expenditure of nearly a million of dollars, which he felt sure would be ultimately required for the work. He had hoped that some provision would have been made for a reasonable grant to aid deserving settlers in districts that had been devastated by calamitous fires during the past season. He concurred in the paragraph in the address regarding the unprovoked murder of the late President Garfield. Not only as the head of a great nation but as a private man was the late President entitled to the respect of all civilized communities, and his untimely death was deplored by all. The speaker closed by a touching reference to those members of the House who had been removed by death