

panies?

Mr. MILLER—For the simple reason that the timber would shortly be cut off, and when the timber is cut off the road will not be of any use.

Mr. FRASER—That would be taken into consideration.

Mr. MILLER (continuing) said that the decision of the higher Court would reverse the decision of the lower Court in the case now before the Courts. The Privy Council had a higher respect for land and property and vested rights than the people of this country, and in the end that question would be decided according to the original contention and original decision given. He thought the Government should take the matter in hand and improve public streams, and by charging a toll they would be recouped for all outlay, and a revenue derived besides, as in the end he held it would have to be done anyway. He thought there was nothing unjust in the proposition, and that if the Government set about they could carry it out.

Mr. FRASER—The gentleman knows that the Government at Ottawa made improvements and never made revenue.

Mr. MILLER—They could have increased the tolls. Continuing, he hoped that the Government would bring in a Bill dealing with the question of bush fires. He suggested that a Bill should be passed providing that when a settler wished to make a fire he should get permission from a stipendiary magistrate, who should issue a permit, if in his judgment there was no great danger of the fire spreading. He hoped that the Government would do more than they had done to aid the settlers who had suffered from the fires. (Applause.)

Mr. BADGEROW moved the adjournment of the debate.

#### THE JUDICATURE ACT.

Mr. MOWAT laid on the table a number of Orders in Council which had been passed under the provisions of the Judicature Act.

It being six o'clock, the House adjourned.

# PROVINCIAL RIGHTS

## Hon. Mr. Pardee in the Debate on the Address.

### THE VETO AND BOUNDARY AWARD.

#### *Dominion Interference Due to Party Hostility.*

### ONTARIO DESPOILED AND IGNORED.

#### *The Inconsistent and Disloyal Attitude of the Opposition.*

The following is an extended report of Hon. Mr. Pardee's speech, delivered in the Ontario Legislature on Thursday afternoon, in the debate on the Address:—

Mr. PARDEE, on rising, referred to the charge made by the member for East Grey that the Attorney-General had interfered in his election in favour of a resident of the county of the same political stripe, and said that it was not at all to be wondered at that the leader of the Government should prefer to see a good, consistent Conservative elected than a gentleman who, to say the least, had not always been so certain and reliable in his political opinions. It was not surprising that the hon. gentlemen opposite should display considerable uneasiness on one or two of the questions referred to in the Speech from the Throne, when, as in the case of the boundary award, they found themselves in the position of consenting parties to taking away from Ontario one half of her territory. He desired to call the attention of the House to the significant fact that although they had been discussing the Address for several days past, and nearly all the leading members of the Opposition had spoken, not one single charge had yet been made against the administration of affairs by the Government. (Cheers.) The present Parliament had been in existence for three years, and notwithstanding the ingenuity and ability of gentlemen opposite they had been unable up to the present time to bring forward one single act of improper management of the public affairs. Their position was that they were entirely upon the defensive. Not one argument had been heard on the Opposition side except those of defence, and a stranger listening to the debates might easily be led into the error that the Government was seated on the left side of the Speaker, and the Opposition being the party on the defensive occupied the right. He had been a member of the House since Confederation, and he might say, without egotism, that he had taken some part in its deliberations, but he had no hesitation in saying that at no time since Confederation had the Speech from the Throne contained such important questions as on the present occasion. Two subjects referred to in that speech—the right of veto by the Dominion Government, and its right to take away from Ontario no less than 100,000 square miles of territory rich in forests, minerals, and agriculture—were two of the

#### MOST IMPORTANT QUESTIONS

that had been brought before the House since 1867. Upon the answer to one of these questions depended the maintenance of Provincial autonomy and representation, and in a sense, responsible government; and on the other depended the question whether or not Ontario shall be deprived of one-half of its territory. It had been charged by hon. gentlemen opposite that the Government did wrong in introducing this firebrand, this apple of discord as it was called, into the Address; but were not these two questions the questions of the day at the present time? If the Government had not advised His Excellency to make reference to them, the country would have demanded that they should give place to others who would have better guarded the people's affairs. They were advised by hon. gentlemen opposite to discuss this question calmly and in a judicial rather than a partisan spirit. It was his desire to consider it in that way, recognizing as he did the gravity of the position. But what did they mean by calmness? Did they mean that they should go to the Dominion Government hat in hand and say, "Please do not disallow our measures that we have the right to pass, and we pray of you not to rob us of our territory. If you do it might damage our prospects before the electors. But if you deem it absolutely necessary to the retaining of office at Ottawa that our bills shall be vetoed we shall have to make the best of it." (Cheers.) The Government, however, did not propose to deal with the question in that way, but in the vigorous, statesmanlike manner which the importance of the subject demanded. The Opposition contended that the Dominion Government had the right under the B. N. A. Act to review and disallow every bill on its merits. This would include municipal bills, bills relating to the rights of property, and every other class of measures, and on all of these the Government claimed the right of disallowance according to their judgment, regardless of the fact whether or not the subject matter was within the jurisdiction of the Provincial Legislature. This doctrine was a startling one, and he thought it was not the constitutional doctrine as laid down by the B. N. A. Act, and as established herebefore through a long series of years by constitutional usage between colonial legislation and the Imperial Government, which rule and practice must be the law and guide, and must prevail. He contended that prior to the time Sir John Macdonald prepared his report in 1863 upon this subject the law and practice was clear, and not to be mistaken, and that report and the Order in Council based upon it was