

Ermatinger, Fell, French, Gray, Hammell, Hess, Hudson, Kerns, Kerr, McGhee, McKay, Meredith, Merrick, Metcalfe, Monk, Morgan, Morris, Mulholland, Neelon, Preston, Robillard, Ross (Cornwall), White, Wood—31.

NOXIOUS WEEDS.

The House went into Committee again on Mr. Ross' (Huron) bill to prevent the spread of noxious weeds and of diseases affecting fruit trees.

Mr. ROSS proposed an amendment to the bill by which the council of any township in which there were any large tracts or blocks of waste or unoccupied land might upon a petition of not less than thirty ratepayers by by-law suspend the operation of this Act in respect to such lands. The amendment was carried.

The bill now makes it the duty of every owner of land or the occupant thereof, if the owner is not resident within the local municipality where the same is situated, to cut down or destroy all the Canada thistles, ox-eye daisy, wild oats, rag weed, burdock, and wild mustard growing on his land, and all noxious weeds growing on his lands, so often each and every year as is sufficient to prevent the ripening of their seed; to cut out and burn all the black knot found in plum or cherry trees on his land so often as it appears, and to cut down and burn any peach, nectarine, or other trees on his land infected with the disease known as the yellows, and to destroy all the fruit trees so extended. The bill provides for the appointment of an inspector in each municipality upon the petition of fifty or more ratepayers in such municipalities.

THE LIQUOR LICENSE ACT.

The House in Committee considered the Bill to improve the Liquor License Act.

Mr. HARDY stated that section 2 had been changed, the principle of which was that no saloon license should be issued in towns having less than 6,000 inhabitants. In cities with a population of 15,000 there may be three persons exempted from having tavern accommodation; in cities of between 15,000 and 30,000, five saloons; and over 30,000, ten.

Mr. MEREDITH suggested that the notice required should have at least two insertions in a newspaper published in the district instead of one, as proposed. This was adopted.

Considerable discussion took place upon the question of throwing the onus of obtaining a petition of one-third of the ratepayers in favour of a new license.

Mr. HARDY said that it was perfectly well known that the man could get one if he chose, and he had fully considered the question, coming to the conclusion that the insertion of such a provision would do more harm than good.

Mr. MEREDITH proposed as an amendment that one-third of the voters of the polling subdivisions in which a tavern or shop license was sought should petition the Commissioners, in unorganized districts at least ten out of the twenty persons residing nearest the person seeking a license. The amendment was lost.

Mr. MEREDITH now altered the amendment so that when it was sought to license a new place the regulations in the foregoing should apply.

Mr. HARDY said the Act provided that a majority of the persons could take the initiative upon the matter and prevent the issue of a license. The temperance people had not asked for Mr. Meredith's amendment and were quite pleased to get the one provided in the Act.

The amendment was lost.

Mr. McLAUGHLIN proposed an amendment providing that with the notice of the number of applications the total number of shop and tavern licenses for the current year should be given so as to give the people an idea of the number last issued. Carried.

Some discussion arose upon the clause that no objection in respect of the character of any applicant shall be entertained until three days' notice has been given to the applicant. Eventually Mr. HARDY proposed that the person objecting should give notice to the applicant and the clause was so amended, which services might be proved orally or by affidavit.

The clauses were reported, and it being six o'clock the Speaker left the chair.

After recess,

The House went again into committee, with Mr. Baxter in the chair on Mr. Hardy's bill.

Mr. MEREDITH objected to the clause in the twentieth sub-section, giving the Commissioners power to sit with closed doors when determining applications.

Mr. HARDY explained that courts could sit with closed doors, and he could not see why the Board should not be able to sit with closed doors.

Mr. WOOD thought it was only fair for the Board to sit with closed doors when considering applications and objections thereto, as the applicant was to a certain extent on his trial.

The clause was carried.

The twenty-third sub-section of section four of the bill provided that the foregoing sub-sections be declared to be directory only, for the guidance of the Board and Inspectors on the conduct of the business of their office.

Mr. MEREDITH objected to this. He thought the sub-sections should be obligatory instead of directory. He moved in amendment that sections 5, 6, 15, 16, and 20 should be excepted in subsection 23.

Mr. HARDY explained that one-third of the provisions of the municipal law were only directory. These sub-sections were set down for the guidance of the Board.

Mr. FRASER said that in this case Commis-

sioners were being told what they were to do, and there were not to be any cast iron rules. If notice were not given on the exact day, he did not think this should be a reason to void the action of the Commissioners. There was no possibility of any great infringement of what was intended to be the law. The House met every year, and any matter unsuitable could be rectified. The House could fairly allow these directions to be directory and not imperative.

Mr. CREIGHTON reviewed the sections which would be more particularly affected by the last sub-section.

Mr. HARDY proposed a wording of the sections, making the foregoing sub-sections obligatory on the Board and Inspectors, but providing that in case of a non-compliance with any of them that should not render the action of the Board illegal.

This was accepted by the Committee.

Section five provides for increasing the bedroom accommodation required. Carried.

The next section relates to the time by-laws may come in force.

Mr. MEREDITH asked if provision was made for allowing the Toronto Council to make provision for extending the time before the by-law passed should come in force.

Mr. HARDY said the sixth sub-section of section six provided for this.

Mr. McLAUGHLIN objected to sub-section three of section six, providing that no shop license shall be granted to any person who is not a licensee at the time of passing the Act. He contended that the permission to sell ginger ale or mineral water was against the wish of the temperance people, and he favoured a complete divorce of intoxicating liquors from other drinks and articles of merchandise.

Mr. MEREDITH thought that argument carried to its logical conclusion would abolish all hotel licenses, because meal were sold.

Mr. HARDY thought the sale of non-intoxicating drinks should be encouraged. He pointed out that neither intoxicating drinks nor temperance drinks should be consumed on the premises.

Mr. WHITE proposed that tobacco and cigars should be added to aerated waters as being permissible articles to sell.

Mr. ROSS (Huron) opposed this, as there was a very strong objection to adding the articles suggested.

The amendment was lost and the clause adopted without amendment.

Sub-section 5 proposed to prohibit the sale of mineral waters in stores where liquor is sold in less quantities than one dozen bottles.

Mr. WATERS suggested that it was rather hard that temperance people should be compelled to purchase a dozen bottles of temperance drinks when others could buy one bottle of liquor at a time. He proposed that the lowest limits of sale be fixed at six bottles.

This was passed and the clause adopted.

Section 40 of the Crooks Act to be amended as follows:—

"Nor shall the occupant of any such shop, eating-house, saloon, or house of public entertainment, except duly licensed, permit any liquors, whether sold by him or not, to be consumed upon the premises, by any person other than members of his family or his employees."

Mr. MEREDITH asked the meaning of the amendment.

Mr. HARDY stated that in eating-houses it had been found they were in the habit of taking their customers' money, sending out for drink, and allowing it to be consumed on the premises. Complaints had come of this practice from the Attorney-General's Department, and it was considered as the Act now stood impossible to get a conviction.

The amendment was carried.

Clause 10 extends the prohibition hours to any municipal election, or on any day in which a vote in accordance with the provisions of the Canada Temperance Act, 1878, is being taken, from or after the time of six o'clock in the morning of the said day, until the following lawful day at six o'clock in the morning.

Mr. McLAUGHLIN proposed that any medical man or justice of the peace who gave a certificate by which persons obtained liquor to drink as a beverage illegally should be subjected to a fine of not less than \$10 nor more than \$20 for the first offence.

Mr. PRESTON contended that the amendment was an insult to the whole medical profession and the justices of the peace of the Province. He thought they were not in the habit of aiding persons to get liquor as a beverage illegally.

Mr. CASCADEN was in favour of putting a good solid reason for withstanding the importunities of persons who wanted liquor at illicit hours.

The amendment was carried.

Mr. GIBSON (Hamilton) proposed that any person purchasing intoxicating liquors during prohibited hours shall be guilty of an offence under the Act and liable to the same penalties as the seller, unless within one week he lodges an information against the seller. He thought a majority of cases in which the Act was violated were due more to those who wished to buy than to any desire or motive on the part of the person selling. It was said that if an amendment like that were provided convictions could not be secured under the Act.

Mr. ERMATINGER was in favour of the amendment without the latter part. He did not intend to allow a party to escape the penalty of an immoral act by doing another—informing.

Mr. MEREDITH wanted to vote on the main portion of the amendment without the exemp-