

# ONTARIO LEGISLATURE

FIFTH PARLIAMENT--FIRST SESSION.

THURSDAY, March 20.

The Speaker took the chair at three o'clock.

## THE LATE MR. LAUDER.

Mr. MOWAT moved that the full sessional allowance be paid the widow of the late A. W. Lauder, member for East Grey. Carried.

## IMPOUNDING THE MONEY.

Moved by Mr. Fraser, seconded by Mr. Pardee, "That Mr. Speaker be and is hereby authorized and directed to impound, keep, and retain on behalf of this House, to be dealt with as this House may hereafter decide, all of the moneys, bank bills, and notes which are mentioned in and were inclosed with the letter of the member for the west riding of Wellington, and the letter of the member for the south riding of Essex, directed to Mr. Speaker and produced by him to and before this House on the 17th day of March instant, with power however to the Speaker to permit the said moneys, bank bills, and letters, or any or either of them, to be produced to and before any court or tribunal in the course of or for the purposes of any proceeding or investigation therein or thereby." Carried.

## THIRD READINGS.

The following bills were read a third time:—To empower the municipalities of the villages of Brockton and Parkdale to make certain assessments.—Mr. Gray.

## SHERIFFS' FEES.

Mr. MOWAT explained that owing to amendments made to the law the salaries of the sheriffs throughout the country had been greatly decreased during the past few years. He moved that the following be the schedule of fees of the sheriffs:—Attending the General Sessions, *per diem*, \$5; advertising holding of General Sessions, \$4; drawing calendar of prisoners for trial at General Sessions, including copies, \$4; arrest of each individual upon a warrant, \$3; serving subpoena upon each person, \$1; keeping a record of constables at assizes or sessions, each, \$2; notices to Clerk of the Peace and justices, each, 50c; attending to draft jury panels, \$4; traveling to serve same *per mille*, 13c; writing names of jurors on cards, \$2.

The resolution was adopted.

## PREVENTION OF CORRUPT PRACTICES AT ELECTIONS.

Mr. MOWAT moved the second reading of his bill for the amendment of the election law, and for the better prevention of corrupt and illegal practices at elections to the Legislative Assembly. He explained that the object of his bill was to make certain provisions, which experience had shown were necessary, in order that the elections might be carried on as far as possible without corruption. The bill made the personation of voters who might have died or be absent from the country a corrupt practice. Any candidate who, before or during the election, makes a bet or wager, or takes a share or interest in, or in any manner becomes a party to any bet or wager upon the result of an election in the electoral district, or in any part thereof, or on any contingency relating to the election, should be guilty of a corrupt practice. It shall not be lawful for any candidate or person to provide money to be used in betting on the result of an election to the Legislative Assembly, or to make a bet or wager for the purpose of influencing an election. Voting by prohibited persons and publishing of false statements of withdrawal shall be illegal. The bill proposes that residence should be required as a condition of voting. This would not be in favour of one party more than another, as at present the state of the law permitted shoals of people to be brought in. For Muskoka and Parry Sound, in the organized parts where there were assessment rolls and voters' lists, these were used, and in unorganized parts there were none. In Algoma there were no voters' lists, and it was proposed to put Algoma on the same footing as Muskoka and Parry Sound and have voters' lists made out in organized parts. The Act also provides that a voter shall vote at the polling place nearest his residence on the property giving the qualification. The bill also provides that if there is no voters' list the returning-officer shall not receive or enter the vote if to his knowledge the man is not entitled to vote. This had from experience been found to be an essential provision, and it had formerly been recognized in this country that the returning-officer was entitled to reject a vote if he knew it to be bad, and act judicially. He concluded by explaining the general provision regarding the prevention and punishment of corrupt practices at elections.

Mr. MEREDITH said it was a very remarkable thing that the Government had not seen fit to copy more from the bill introduced at Ottawa for more stringent penalties for violations of the election law. He was in favour of several clauses of the bill, notably those making the person who aided in procuring personation guilty with the personator. He took credit to himself for having cast his first vote in the House in favour of a bill, introduced by the then member for South Leeds and Grenville, making betting a corrupt practice, and the Government to a man

voted against it.

Mr. FRASER—That was a more drastic measure than this.

Mr. MEREDITH proceeded to review the clauses referring to the trial of the petitions, remarking that the question of a trial between two judges, as at present, should be reconsidered, and it seemed to him that the results had demonstrated that a trial before one judge was sufficient. He thought some remedy should be provided for the present expensive nature of election costs, and stated that as the law was at present it imposed grievous hardships upon innocent persons. He thought the Attorney-General should consider some remedial means, but whether by limiting the solicitor's fees or by the reduction of costs he could not say. He reviewed the provision appointing statutory returning officers, and called upon the Government to be consistent with themselves and make the returning-officers for Muskoka and Algoma the same as those in the other parts of the Province. It was true that the Dominion Election Act did not provide a statutory returning-officer, but it was another question with regard to the Provincial Act. They must remember that the sheriffs were the appointees of the House and held their offices at the disposal of the Government, and now when there was a political difference between the two Governments they could not expect the Dominion Government to make the officers of the Ontario Government returning-officers for Dominion elections. He contended that Sheriff Clarke had been removed from being returning-officer for Algoma, expressed his bitter hostility to the clause giving a returning-officer the right to reject votes when he knew them to be bad, and contended that practically the provision placed an election at the hands of the Government.

Mr. WHITE argued the clause which provides that Indians who receive part of the annuity shall not be entitled to vote as Indians.

Mr. MORRIS spoke at length on the clause providing that when the judges differ the member shall be considered duly elected.

Mr. WATERS challenged the position of Mr. Meredith with respect to the appointment of the returning-officer for North Middlesex, and asserted that the gentleman had done his duty in a conscientious and proper manner.

Mr. PHELPS hoped that some relief would be afforded from vexatious petitions.

The bill was read a second time.

## TORONTO UNIVERSITY.

Mr. ROSS (Middlesex) moved the second reading of the Bill to amend the Act respecting Toronto University. In addition to the explanation given on the first reading, he stated that it was proposed to give the University power to confer the honorary degree of LL. D.

Mr. MEREDITH regretted that no intimation had been given that public school teachers should have a representative in the University. He would ask the Minister of Education if he was hostile to the principle.

Mr. ROSS (Middlesex) said he could not be hostile to anything that would tend to raise the standard or position of public school teachers, but he had found such difficulties in working out the matter that he had abandoned the idea.

## THE BOUNDARY QUESTION.

Mr. MOWAT moved the second reading of the Bill respecting the territory in dispute between this Province and Manitoba. He stated that the Bill was in exact accordance with the terms of the agreement. He had much pleasure in stating that yesterday a despatch had been received from the Dominion Government intimating their readiness to negotiate, at all events—and perhaps he might use a stronger word—with reference to having the whole subject submitted to the Privy Council for settlement. There were, however, details to be settled which would involve negotiations, and possibly might cause delay, if there was any desire for or intention to delay. But he did not impute any such intention, and he had hopes that when the question was submitted the whole would be included.

Mr. MEREDITH—The title to the land?

Mr. MOWAT—No; the Dominion Government positively refuse to include that.

Mr. MORRIS expressed gratification at the prospect of the speedy settlement of the dispute.

Mr. MEREDITH coincided with this, but thought it unsatisfactory if by any means it should be decided that the Province had territorial rights and not the ownership of the land. He twitted the Government for making the first question to be submitted to the Privy Council as to the validity of the Award.

Mr. MOWAT said the Dominion Government positively and peremptorily refused to submit the question of the titles to the land. He held the opinion that there could be no doubt that the Province had the right to the land if they had territorial rights, and this was the reason, he thought, that the Dominion Government had refused. This was the reason on the passage of the Manitoba Act for including the territory in the Province of Manitoba—namely, that if it came to Ontario they would have the title to the land. He did not think for a moment that this position could be successfully opposed. As to submitting the validity of the Award as the first question, he could say that the Award was about all they could justly claim. They could not take any portion of Manitoba included in that Province by an Imperial Act; the land between the old boundary of Manitoba and the awarded boundary was not of great value, but still it might be a question whether they were entitled to any land west of Manitoba. On the whole, the people of Ontario were satisfied with the Award, and for his part he was.

Mr. MEREDITH—Then you were wrong when you said we were entitled to more?

Mr. MOWAT—I never said we were entitled to more.

Mr. MEREDITH—You argued it.

Mr. MOWAT—And so would argue it again. It being six o'clock, the Speaker left the chair.

## AFTER RECESS.

The order for the third reading of Mr. Mowat's bill respecting the property of married women was discharged and the bill referred back to the Committee of the Whole, where certain unimportant amendments were made.

## INDUSTRIAL SCHOOLS.

The House went into Committee on Mr. Ross' bill to amend and consolidate the Acts respecting industrial schools. The definition of the Industrial School as given in the bill is a school in which industrial training is provided, and in which children are lodged, clothed, and fed as well as taught. The bill was reported with slight amendments.

## LICENSE DUTIES.

The House went into Committee, with Mr. Baxter in the chair, on Mr. Hardy's bill respecting license duties. The bill was reported with an amendment to the recital.

## GAS AND WATER.

The House went into Committee on Mr. Hardy's bill to amend the Acts respecting the supplying of gas and water.

Mr. HARDY explained that he had met the Mayor of the city of Toronto, and after talking over the question he concluded to strike out the clauses fixing the charges for water and gas and the mode of measurement. The city of Toronto charged Dominion Government property the same for water and gas. The Province did not object to paying the same for gas and water as any other water or gas user, but they would not be discriminated against.

Mr. CLARKE said he knew the city of Toronto was willing to meet the Government and come to an amicable arrangement with reference to the supplying of water to the public institutions and Parliament Buildings.

The bill was reported with amendments.

## RIVERS AND STREAMS BILL.

The House went into Committee on Mr. Pardee's bill for protecting the public interest in rivers, streams, and creeks. The bill was carried in Committee, though the Opposition cried "lost" when the question for the adoption of each section was put to the Committee. Mr. Meredith moved an amendment to the preamble to the effect that the Court had not held the construction put upon the law to be true, and that an appeal was pending in the Courts, but the amendment was lost, and the bill reported to the House.

## SECOND READINGS.

Mr. ROSS' (Huron) bill to amend the Act respecting Public, Separate, and High Schools, was read a second time.

## IMMIGRATION.

The House went into Committee of Supply, with Mr. Baxter in the chair.

Mr. ROSS (Huron) moved that \$31,950 be set apart for the purposes of immigration.

Mr. HARDY explained that there was a decrease of \$8,000 as compared with last year.

Mr. MEREDITH thought this expenditure should be cut down to almost a nominal sum. He did not think a permanent officer was required at Hamilton at a salary of \$700.

Mr. CREIGHTON said last year there was an increase of \$1,800 over the estimate in the agencies in Europe. Mr. W. H. Higgins had been sent over after the estimates had been passed last year.

Mr. HARDY explained that the citizens of Hamilton had petitioned for an agency in that city. The extra money spent in Europe was well spent. Mr. Higgins had travelled in many parts of Ireland, doing good work. He was as well versed in his business, while in Ireland, as perhaps any other man who could be found in the Province. That gentleman sent out some good immigrants to this Province. He (Mr. Hardy) had been told by Mr. Lowe, of the Department at Ottawa, that the United States received some 15,000 Irish immigrants of the poorer class. Mr. Higgins had sent out classes suitable to the Province, such as tenant farmers with means, agricultural labourers, and domestic servants.

Mr. MORRIS asked what sort of immigrants were wanted to come to this Province.

Mr. HARDY replied that tenant farmers, agricultural labourers, and domestic servants were invited to come to this Province, and the Dominion Government invited all classes to come to this country.

Mr. YOUNG thought the Province should not cut down the estimates in this Department, as immigrants were required in this Province. Of course a suitable class were wanted, such as agricultural labourers and tenant farmers. There was no need of inviting mechanics and clerks.

Mr. MEREDITH thought there was no need of sending agents to the Old Country to distribute pamphlets. Persons should be sent to lecture the people.

Mr. ROSS (Huron) said it was only proposed this year to give assistance to domestic servants. Mr. Higgins had paid special attention to discourage pauper immigration and immigrants unable to make a living in this country. A small expenditure in weeding out the undesirable class was well expended. (Hear, hear.)

Mr. YOUNG, in answer to hon. members opposite, said Mr. Hay had addressed meetings