

# ONTARIO LEGISLATURE

Fifth Parliament—Second Session.

(By Our Own Reporters.)

Friday, March 27.

The Speaker took the chair at 3 o'clock.

## PUBLIC ACCOUNTS.

Mr. FERRIS presented the report of the Public Accounts Committee.

## REPORTS AND RETURNS.

Hon. A. S. HARDY presented a statement of the receipts and expenditures of the Mercer estate; the report of the Western Dairymen's Association; a tabulated analysis of the reports of the Electoral District and Township Agricultural Societies, and of the Horticultural Societies; the report of the Provincial Board of Health; the report of the Bureau of Industries; a detailed statement of the bonds and securities registered in the Provincial Registrar's office for 1884; a return of the sums paid to Mr. J. R. Patullo; a return of all the correspondence or other documents relating to the cancellation of lot 33, in the township of Snowdon; a return of the correspondence in reference to the claim of the License Board of Stormont upon the municipality of Roxborough for \$50 for enforcing the Scott Act.

## THIRD READINGS.

Mr. McKim—Respecting the old cemetery in the town of Palmerston.

Hon. A. W. ROSS—Respecting the amounts past due and payable by certain municipalities upon the settlement made by statute of their debts to the Municipal Loan Fund.

Mr. MORRIS—Respecting the City of Toronto.

Mr. GRAY—Respecting the Village of Parkdale.

Hon. O. MOWAT—To amend the law as to garnishing debts.

Hon. O. MOWAT—Respecting municipalities in Algoma, Muskoka, Parry Sound, Nipissing, and Thunder Bay.

Mr. HARDY—To amend the Act respecting the registration of births, deaths, and marriages.

Hon. O. MOWAT—To amend the Act respecting barristers-at-law.

Mr. WATERS—For the expropriating of lands for public cemeteries.

Mr. MCKAY—To amend the Act relating to Joint Stock Companies for the erection of exhibition buildings.

Mr. YOUNG—To regulate the election of Directors of Mutual Fire Insurance Companies.

## SABBATH OBSERVANCE.

Mr. WOOD moved the third reading of the Bill to provide for the better observance of the Lord's Day by prohibiting Sunday excursions of a certain kind.

Hon. C. F. FRASER moved in amendment:—

That all of the original motion except the first word "that" be omitted therefrom, and that instead thereof there be inserted the following:—

Whilst Bill, No. 147, seeks to prohibit the operating on Sunday of railway excursion trains, it makes no provision against the operating of ordinary freight or passenger trains on Sunday.

That it seeks to prohibit the running on Sunday of steamboats for excursions, but makes no provision against the running or operating on Sunday of any other boat or craft, whether for profit or pleasure.

That it would not prohibit the wealthy man from spending dollars in taking a Sunday excursion for pleasure, but it would prevent the poor man from spending as many cents for a like purpose.

That the Bill, if it becomes law, will operate mainly, if not entirely, against the just liberty and right of the working and poorer classes to have legitimate and reasonable opportunities for rest and relaxation on Sunday.

And, therefore, said Bill should not now be read a third time.

The amendment was lost on the following division:—

YEAS—Messrs. Blythe, Fell, Fraser, Hammell, Hart, Hess, Robillard, White—8.

NAYS—Messrs. Awrey, Balfour, Ballantyne, Baxter, Bishop, Blezard, Brereton, Broder, Carnegie, Chisholm, Clarke, Cook, Creighton, Denison, Dill, Ermatinger, Ferris, Freeman, Gibson (Huron), Gillies, Gould, Graham, Hagar, Harcourt, Hudson, Kerns, Kerr, Laidlaw, Lees, McColman, McIntyre, McGhee, McKay, MacKenzie, McKim, McLaughlin, Master, Meredith, Merrick, Metcalfe, Morin, Morgan, Morris, Mowat, Mulholland, O'Connor, Pardee, Phelps, Preston, Ross (Cornwall), Ross (Huron), Ross (Middlesex), Sills, Waters, Wilmot, Wood, Young—57.

## HAWKERS AND PEDLARS.

Mr. GILLIES moved the third reading of the Bill to amend the Municipal Act in relation to hawkers and pedlars.

Mr. WATERS moved a six months' hoist.

Hon. JAS. YOUNG said this Bill pandered to local selfishness, and if passed would be a disgrace to the Legislature.

Mr. WOOD said this Bill was just placing in the hands of the County Councils the power to deal with the pedlars as they saw fit.

The amendment was lost by 21 to 50, on the following division:—

YEAS—Messrs. Brereton, Broder, Clarke (Toronto), Cook, Fraser, Gould, Graham, Hagar, Hammell, Hardy, Hess, McIntyre, McGhee, MacKenzie, McMahon, Meredith, Morris, Ross (Middlesex), Waters, Young—21.

NAYS—Messrs. Awrey, Badgerow, Balfour, Baskerville, Baxter, Bishop, Blezard, Blythe, Carnegie, Chisholm, Clancy, Creighton, Denison, Dill, Ermatinger, Fell, Ferris, Freeman, Gibson (Hamilton), Gillies, Gray, Harcourt, Hart, Hudson, Kerns, Kerr, Laidlaw, Lees, McColman, McKay, McKim, McLaughlin, Master, Merrick, Metcalfe, Morin, Morgan, Mowat, Mulholland, O'Connor, Pardee, Phelps, Robillard, Ross (Cornwall), Ross (Huron), Sills, White, Widdifield, Wilmot, Wood—50.

Mr. MEREDITH moved that the Bill should not be read the third time now, but should be referred back to Committee with instructions to amend the same by restricting the license fee to \$25 per annum.

Hon. O. MOWAT said he would not make a speech on the subject, but he thought this was a reasonable suggestion.

The amendment was lost by 34 to 37 on the following division:—

YEAS—Messrs. Brereton, Broder, Carnegie, Clancy, Clarke (Toronto), Cook, Creighton, Ermatinger, Fell, Fraser, Gibson (Huron), Gould, Graham, Gray, Hagar, Hammell, Hardy, Hess, McGhee, McKay, MacKenzie, McMahon, Meredith, Metcalfe, Morris, Mowat, Mulholland, Preston, Ross (Cornwall), Ross (Middlesex), Sills, Waters, White, Young—34.

NAYS—Messrs. Awrey, Badgerow, Balfour, Ballantyne, Baskerville, Baxter, Bishop, Blezard, Blythe, Chisholm, Dill, Ferris, Freeman, Gibson (Hamilton), Gillies, Harcourt, Hart, Hudson, Kerns, Kerr, Laidlaw, Lees, McColman, McIntyre, McKim, McLaughlin, Master, Merrick, Morin, Morgan, O'Connor, Pardee, Phelps, Robillard, Ross (Huron), Widdifield, Wood—37.

The Bill was read the third time.

Hon. G. W. ROSS—Bill respecting the Educational Department.

Hon. G. W. ROSS—Bill to consolidate and amend the Public Schools Act.

## COST OF ELECTION TRIALS.

Mr. FERRIS moved the third reading of the Bill relating to the cost of Election Trials.

Mr. MEREDITH moved that the Bill be not now read a third time, but be referred to Committee for an amendment striking out the section providing that the judge shall not have the power to impose the costs in election trials on candidates who have been acquitted of the charge of bribery by agents. The amendment was to strike out the section altogether, leaving the law as it stands, so that the judges would have power to exercise their discretion in regard to the costs.

The amendment was lost on the following division.

YEAS—Messrs. Badgerow, Ballantyne, Brereton, Broder, Carnegie, Clancy, Clarke (Toronto), Cook, Creighton, Denison, Ermatinger, Fraser, Gray, Hess, Kerr, McColman, McIntyre, McGhee, McKay, Meredith, Metcalfe, Morris, Mowat, Mulholland, O'Connor, Pardee, Ross (Cornwall), Ross (Huron), Ross (Middlesex), Waters, White, Young—33.

NAYS—Messrs. Awrey, Balfour, Baskerville, Baxter, Bishop, Blezard, Blythe, Chisholm, Dill, Fell, Ferris, Freeman, Gibson (Hamilton), Gillies, Gould, Graham, Hagar, Hammell, Harcourt, Hardy, Hart, Hudson, Kerns, Laidlaw, Lees, MacKenzie, McKim, McLaughlin, Master, Morin, Morgan, Phelps, Robillard, Sills, Widdifield, Wood—36.

The Bill was read the third time.

## BILLS ADVANCED.

The following Bills were advanced a stage:—

Hon. A. S. HARDY—The Municipal Amendment Act, 1885.

Considerable discussion took place on the clause compelling county councils to provide accommodation in court houses for law libraries established by County Law Associations.

Mr. FERRIS moved that the clauses referring to this matter should be struck out, which was lost.

Mr. CLANCY moved that the provision referring to the deepening and widening of drains be struck out, which was lost.

The Committee rose and reported progress. The Speaker left the chair at six o'clock.

## AFTER RECESS.

## NIAGARA FALLS RAILWAY.

Mr. AWREY moved concurrence in the

amendment made in Committee to the Bill to incorporate the Niagara Falls Railway Company.

Mr. MERRICK moved in amendment that the Bill be referred back to Committee, with instructions to add the following clause:—That the said Company shall not exercise any of the powers that this Act contains until authorized by an Order in Council to that effect, which will first have received the sanction of the Legislative Assembly of the Province of Ontario.

The amendment was lost by 35 nays to 26 yeas.

Mr. ERMATINGER moved that the amendments be not now concurred in, and that the Bill be referred back to the Committee of the Whole House with instructions to add the following section:—That the said company shall not exercise any of the powers in this Act contained until authorized by an Order in Council in that behalf, and this order shall not issue until six months after the Board of Commissioners appointed by an Act of this Legislature for the preservation of the natural scenery at Niagara Falls have reported to the Lieut.-Governor.

Hon. O. MOWAT said the policy of the Government was that the Bill shall not interfere with the park scheme, and he contended that the Bill would not interfere with the park scheme. He said the Government could not shelter themselves under the report of the Commissioners, and he reminded the House that the company could not construct the railway without an Order in Council.

The question was put and the amendment lost by 26 yeas to 37 nays.

Mr. WHITE moved in effect that there be added to clause 28 provisos so that the arbitrators have power to enquire whether or not the amounts so expended are reasonable, whether the company has received value for the same, and that the company shall not acquire any existing inclined railway before Jan. 1st, 1887.

The question was lost by 26 yeas to 37 nays.

The amendments were then concurred in.

On the motion for the third reading the following division occurred:—

YEAS—Messrs. Awrey, Balfour, Ballantyne, Baxter, Bishop, Blezard, Chisholm, Dill, Ferris, Fraser, Freeman, Gould, Graham, Gray, Hagar, Hardy, Hart, Kerns, Kerr, Laidlaw, Lees, McIntyre, McGhee, MacKenzie, McKim, McLaughlin, McMahon, Master, Morin, Mowat, Pardee, Robillard, Ross (Huron), Ross (Middlesex), Sills, Waters, Wood—35.

NAYS—Messrs. Badgerow, Baskerville, Blythe, Carnegie, Clancy, Clarke (Toronto), Cook, Creighton, Denison, Ermatinger, Fell, Gibson (Huron), Gillies, Hammell, Hess, Hudson, McColman, McGhee, McKay, Meredith, Merrick, Morgan, Morris, Mulholland, O'Connor, Ross (Cornwall), White, Widdifield, Wilmot—29.

## SESSIONAL INDEMNITY.

Hon. C. F. FRASER moved that the hon. member for Russell (Mr. Robillard) be paid the full sessional allowance, sickness having prevented him attending the House the statutory number of days. Carried.

## THIRD READINGS.

Hon. O. MOWAT—For farther improving the administration of the law.

Mr. FRASER—To further amend the Division Courts Act.

Mr. MACKENZIE—Respecting the city of London and the town of London East.

Mr. SILLS—To enable the town of Trenton to develop the water-power of the River Trent within its limits and for other purposes.

Mr. GIBSON (Hamilton)—To amend the Act to secure to wives and children the benefit of life assurance.

Mr. GIBSON (Hamilton)—To amend the Liquor License Act.

## REDISTRIBUTION.

Hon. C. T. FRASER moved the third reading of the Bill providing for redistribution of seats and a new Franchise.

A long series of amendments then occurred, of which the following is a summary:—

Mr. MORRIS—Against minority representation in Toronto. Lost by 39 nays to 31 yeas.

Mr. WHITE—Proposing that the clause relating to Essex be stricken out. Lost by 39 nays to 29 yeas.

All the amendments following were lost on the same division as the preceding:—

Mr. GRAY—That Richmond Hill be taken from West York and put to East York.

Mr. KERR—Protesting against the annexation of Cornwall to Stormont.

Mr. BASKERVILLE—To provide an additional member for Ottawa.

Mr. MEREDITH—Assenting to the giving of an additional member to Bruce, but proposing a different division of the ridings.

Mr. ERMATINGER—Proposing a change in the Ontario ridings.

Mr. MCKAY—Proposing to change the distribution made with regard to Peel, Simcoe, and Cardwell.

## HAMILTON WANTS ANOTHER MEMBER.

Mr. GIBSON (Hamilton) moved in amendment that Hamilton be given a second member. There was no other constituency in the Province having a claim anything like Hamilton for a second member. He was willing to take two members for the city at large, or the city to be divided East and West or North and South.

Mr. McMAHON said he would join issue with the member for Hamilton.

Hon. O. MOWAT—I entirely agree with the views expressed that Hamilton has been well