

# ONTARIO LEGISLATURE

## Fifth Parliament --- Third Session.

FRIDAY, January 23.

(By Our Own Reporters.)

The Speaker took the chair at three o'clock.

### NEW MEMBERS.

Mr. George D. Hawley, member for Lennox, was introduced to the House by Hon. C. F. Fraser and Hon. James Young.

Mr. Robert Ferguson, member for Kent, was introduced by Hon. A. M. Ross and Mr. Balfour.

### DEBATE ON THE ADDRESS.

Mr. HAWLEY, in rising to move that an address be presented in reply to the Speech from the Throne, asked the indulgence of the House. He said:—It was an unfortunate circumstance that last spring a rebellion broke out in the North-west. While I do not propose to discuss the events which led up to that rising of the people, at this time—they will be discussed in the Parliament of the Dominion—I wish to say that the affair was an extremely regrettable one, and to join His Honour in approbation of the way in which our citizen soldiers performed the arduous duties and braved the dangers of that campaign. (Applause.) They reflected credit upon this Province by the ready manner in which they responded to the call, and the energetic and effective way in which they subdued the rising. This speaks volumes for the soldier-like qualities of our Volunteers.

### AGRICULTURAL DEPRESSION.

Reference is made to the agricultural depression which exists to some extent in this Province. It is quite true that we have had abundant crops in most parts of Ontario, but the low prices which have prevailed have militated against the farming industry. I am quite sure, however, that by a diversity of crops, and the proverbial industry of our farmers, the failure of any one of the products will not have the disastrous effect which such a thing would have had in former times. It is well known that in the earlier settled portions of the Province in the west the land was depreciated by continual wheat growing, and something like this is now going on in the east with respect to barley. It is only by diversity in crops that the fertility of the soil can be kept up to the high standard we know it to have. I think it is with respect to this that our Agricultural College has led to good results, and in the future these results will be increased materially by the higher state of fertility of our farms induced by the improved methods of the farmers. The organization of Farmers' Institutes, a number of which have been held recently, I have no doubt will also tend to increase interest in agriculture, and, in a very large measure, bring about a better state of affairs than has existed up to the present. I wish to draw attention very briefly to

### THE LICENSE QUESTION.

It is well known that, according to the recent decision of the Privy Council, the whole question of the licensing power rests with the Provincial Government. (Applause.) I think this is a matter of great congratulation to the people of this Province. (Applause.) It is also well known that, by the assumption of the Dominion Premier, the matter has been in a state of great uncertainty, though up to a recent period it was always considered that the jurisdiction belonged to the Province. From Confederation the Provincial Legislatures took charge of the matters, and the leader of the Opposition in this House gave it as his opinion that the authority rested with the Province, and if it did not the B.N.A. Act ought to be amended so as to give the Provinces that authority. I think that the position he assumed was entirely correct. If it had been otherwise, why were the Provinces allowed to exercise the authority unquestioned for 16 years? But suddenly the Premier of the Dominion had new light dawn upon him, and proposed to take away from the Provinces the authority they had exercised for 16 years. He found it necessary to take to himself increased power and patronage, and for that reason proposed to take the licensing jurisdiction from the place where it had always rested into his own hands. If, Mr. Speaker, this Confederation is to be a lasting and successful one, it must be by a full recognition by the Dominion of all the rights and authority

which the Constitution guarantees to each member of it. (Applause.) If these rights are to be infringed on, then Confederation cannot be lasting. I wish here to draw attention to some of the utterances of Sir John Macdonald with respect to the license question. We all know his claim to be a great constitutional lawyer. In the town of Napanee he said that he would stake his reputation as a constitutional lawyer that the Crooks Act was not worth the paper it was written on. And at Yorkville he said:—

Since Confederation his decisions had often been given as Minister of Justice on constitutional questions, and in no case had his judgment been reversed. He believed the Crooks Act was not worth the paper it was written on.

Then, Sir, at the opening of the Dominion Parliament in 1883, he put in the Governor-General's speech these words:—

I am advised that the judgment of the Lords of the Judicial Committee of the Privy Council delivered last June in the case of *Russe v. The Queen* goes to show that in order to prevent the unrestrained sale of intoxicating liquors legislation is needed by the Dominion Parliament.

Sir John Macdonald was appealed to, to alter that decision and not to prejudge the case, but he would not, and passed the Dominion License Act. The result of this was that the Province was flooded with license inspectors, there were conflicting jurisdictions, and parties who already had Provincial licenses were threatened with prosecution if they did not take out Dominion licenses. What has been the

### RESULT OF ALL THE AGITATION?

Jurisdiction has been left where it was before the boasts were made, and the decision of the Privy Council is that the whole question of this licensing business rests with the Provincial authorities. (Applause.) I am glad, Mr. Speaker, that this decision has been given, for it will doubtless do more than merely foil this attempt, it will prevent future assaults on the rights of the Province. (Applause.) The leader of the Opposition himself, as I have said before, has taken the ground that the licensing jurisdiction rests with the Province, and if it did not that the constitution should be so amended that it should be placed there. I think that it was his bounden duty to have stood by the Government of this Province and joined them in insisting that the Dominion Act should not be put into operation until the right of the Dominion Parliament to pass it had been decided by the Court. He did not take that stand, but instead joined with the powers at Ottawa and strengthened the hands of Sir John Macdonald in his work. (Applause.) I shall not deal with

### THE BOUNDARY QUESTION

at any length. We all know that if the leader of the Opposition had stood up boldly along with this Government we should not have been put to the great cost of obtaining a settlement which was forced upon the Province. It is gratifying, however, to know that it is settled beyond dispute, and the 100,000 square miles of which an effort was made to rob us have been added to our domain—perhaps I should not say added, because they were always ours. The contention is still made, however, that the Dominion authorities have a right to issue timber licenses, and that not a stick of timber nor a pound of lead or iron belongs to Ontario. I believe they make this contention because they claim to have extinguished the Indian title. It is the determination of the Premier of this Province and his colleagues to resist the claim, and they have gone so far as to obtain an injunction against the persons having these permits, and the Chancellor has given a decision in which he says that the timber and minerals belong to this Province, and that the Indians had no claim to them. (Applause.) What were the terms on which the Dominion Government granted timber permits? For \$5 per square mile, when as a matter of fact, the Commissioner of Crown Lands receives all the way from \$200 to \$400 per square mile for limits not so good. I have no doubt that when the people of this Province come to pronounce upon their conduct they will say that the Government and the party have been the true defenders of the rights and interests of this Province. As to immigration, I think it is a wise policy not to assist immigrants to this country under the circumstance. We all know that in almost every trade there is a surplus of employment. There might have been some exception to this at one time, but I think now there is no such dearth even of agricultural labourers as there was some years ago. It will be almost universally conceded that the present Parliament Buildings are wholly inadequate and unsuitable for the present needs of Parliament and the departments, the annual expenditure needed to keep them in repair is largely in excess of what ought to be spent and what would be spent on suitable buildings, and it is to be hoped that when the plans have been