

ONTARIO LEGISLATURE.

Sixth Parliament, Second Session.

(By Our Own Reporter.)

February 9, 1888.

The Speaker took the chair at three o'clock.
EAST NORTHUMBERLAND.

Mr. SPEAKER read the return of the recent election in East Northumberland, declaring Mr. Richard Clarke elected.

HIRE RECEIPTS.

Mr. LEYS presented a bill respecting hire receipts, which was read the first time.

PROTECTION OF BIRDS.

Mr. LEYS presented a bill for the better protection of insectivorous and other birds, which was read the first time.

MUNICIPAL ACT.

Mr. WATERS presented a bill to amend the Municipal Act, which was read the first time.

DITCHES AND WATERCOURSES.

Mr. WATERS, moving the bill to amend the Ditches and Watercourses Act, explained that the measure was intended to make applicable to railway lands and the roadbed of railways the provisions of the Ditches and Watercourses Act. At present there was machinery for putting public drains through these lands, but not those drains constructed under the Ditches and Watercourses Act. The interests of the farmers were most important, and there was nothing more necessary to the farm than good under drainage and surface drainage. But, with railways running through every part of the Province, the lands could not be properly drained unless the means were given of making drains through their lands and under their tracks. The measure he proposed, he contended, was on the whole just, though he desired a full discussion and the amendment of such features as might be found undesirable. In the States of the neighboring Union there were provisions in the charters of the railway companies themselves preventing them from interfering by their works with the drainage of contiguous lands. In Michigan the Drainage Commission had power to order railway companies to make any improvements for drainage that might be decided upon as necessary. In this (Mr. Waters') bill he did not follow any of the American laws, but sought to adapt them to existing circumstances. Under this bill, when drainage works were ordered on railway lands or under the bed of a railway, the company had the right to appeal to arbitration. When the work was to proceed the railway company was notified and had the choice of three ways of doing the work, either to have it done by their own employees, the amount actually expended in labor to be recouped to them, or to allow it to be done by the parties interested under the supervision of their own engineers. This would overcome the difficulty urged last year that there might be injury to the roadbed in making these drains. Another provision of the bill was that where culverts had to be enlarged or reopened the work must be done at the cost of the railway company. Provision was made for compelling the observance of the conditions imposed in case the railway company should refuse to act. The importance of this measure could hardly be exaggerated in view of the effect which drainage had upon the productiveness of the land. If Ontario was to maintain her proud position as an exporting Province, anything which would interfere with the proper drainage of the land should be avoided. It might not be generally known that, as an exporting country, the Dominion ranked ahead of the United States, in proportion to population. (Cheers.) According to the latest reports, the exports of the Dominion amounted to \$19 per head, while the exports of the United States were only \$13 per head. (Cheers.) It might be said that the Province had not the necessary authority over these roads. But let the Legislature assume that it had that power and act upon it. Certainly it had the power to tax them. And if the measure were disallowed it was one that would be worth contending for. Let them appeal against the veto if it were vetoed. The farmers of this Province would not be content to remain much longer in the position of being prevented by these railways from draining contiguous lands. (Hear, hear

and cheers.)

Hon. Mr. HARDY said this was an important matter and one to which the hon. member had given much attention. There were difficulties in the way of carrying out the measure. It might be that railway companies and railway engineers had taken an exaggerated view of these difficulties. However, they not only pointed out that there would be great expense, but contended that there was danger of causing such injuries to the roads as would lead to serious disasters. The Commissioner of Crown Lands, who was chairman of the Railway Committee, was influenced in his views by these representations. But the mover of the bill had given great attention to the subject and pointed out how these questions were met in various States of the Union. He (Mr. Hardy) thought it would be well to have the bill go to the Municipal Committee, where railway engineers and others interested might be heard and any suggestions made for amendments in the bill.

Mr. MEREDITH said this was a matter deserving the serious attention of the House. He doubted the desirability of sending the bill to the Municipal Committee, and suggested that it should be sent to a special committee, which would consider the whole question. As there did not seem much to do this session, the committee might go to work and seek to get into shape this piece of practical legislation. It was true that there were objections raised by the railway companies, but these should not stand in the way of an important reform desired by the agricultural community. There seemed to be a great desire this session to promote the interest of the farmers. (Laughter.) He hoped they would hear from some other gentleman on this line. The mover of this bill had acquitted himself most satisfactorily and was entitled to a pretty prominent place in the race which it was understood was being run. (Laughter.)

Mr. WATERS expressed a preference to have the bill sent to the Municipal Committee, by whom, if deemed desirable, it could be sent to a sub-committee.

The bill was read the second time and referred to the Municipal Committee.

SALE OF DOMINION BONDS.

Mr. CREIGHTON asked whether the \$500,000 of Dominion bonds belonging to the Province were disposed of pursuant to the advertisement calling for tenders, and, if so, at what rate, if not sold, the highest bid offered for them.

Hon. A. M. ROSS replied that the bonds had been sold to the highest bidder at 106½ according to the Canadian and American system of quotations, or 107 7-10 according to the British system, the difference being that in one case the accrued interest was taken into account and in the other it was not.

NIAGARA FALLS PARK.

Mr. HARCOURT moved the resolution of which he had given notice for a return showing the expenditures in the expropriation of land for Niagara Falls Park and other information relating to the park, which was carried.

PUBLIC ACCOUNTS.

Mr. MEREDITH asked when the Public Accounts would be laid on the table and when the Public Accounts Committee would be called together.

Hon. A. M. ROSS replied that he had hoped to have the public accounts on the table this week, but, owing to delays in printing, could not promise them before Monday, when he expects to bring them down. It was not customary to call the Public Accounts Committee together until after the public accounts were down, but if it was desired to have a meeting before that, he would be glad to call the committee together.

The House adjourned at 4 o'clock.

PRIVATE BILLS COMMITTEE.

The first meeting of the Private Bills Committee of the Legislature was held yesterday, the chairman, Mr. Gibson (Hamilton), presiding. There was an interesting discussion upon three bills relating to the debts of as many places. The bill relating to the debt of Almonte was allowed to stand over because it had a provision for the issue of securities running forty years, and this was deemed too long a time. It will probably be amended. The bills relating to Brussels and Wingham were passed with minor amendments. The committee decided to secure general legislation in the House intended to check the tendency to extravagant municipal borrowing. The bill relating to Trinity Medical School was passed, changing the name to Trinity Medical College, giving power to hold \$125,000 worth of property, and to invest in mortgages. A clause was added to the bill, after a lively discussion, allowing the school to give certifi-

ates to those who had passed its examinations other than those educated in the school. This was carried on a vote of 19 to 10, several of those voting "yea" declaring that they did so on the understanding that the clause should be submitted for the consideration of the Minister of Education and secure his approval.

NOTICES OF MOTION.

Mr. ROSS (Middlesex)—To amend the Act respecting the income and property of the University of Toronto, University College and Upper Canada College.

Mr. Phelps—Bill to amend the Act for the protection of game and other fur bearing animals.

Mr. O'Connor—Bill to amend the Act respecting the guardianship of minors.

Mr. Hardy—Bill affecting industrial farms and houses of refuge.

Mr. Clancy—Bill to amend the Municipal Act.

Mr. Meredith—Return showing the amounts paid each judge or other officer whose fees have been commuted in lieu of fees, his fees since they were commuted, and showing also the fees received by the Province which, but for such commutation, would have been received by such judge or other officer, such return to show the respective amounts in each year separated.

Mr. Meredith—For the appointment of a select committee to inquire into the extent and nature of the timber and mineral resources of the Province, and the best means within the control of its Legislature for the conservation of the former and the development of the latter, with power to send for persons, papers and documents, said committee to be composed of the following members, viz.:—Messrs. Fraser, Conmee, Murray, Bronson, Clarke (Wellington), Freeman, French, Wood (Hastings), Clarke, H. E., Clancy, Armstrong, Marter and the mover.

Mr. Tooley—Return of the evidence taken by Mr. Amelius Irving with reference to the Ontario Grain and Seed Company, and of the report, if any, made by him with regard to the said company, its formation or operations.

ASSEMBLY NOTES.

It was a fairly busy day. There was a meeting of the Private Bills Committee in the morning. Then the House sat for an hour. Afterward the Ministers were engaged until nearly six o'clock with deputations interested in toll roads or iron roads.

It is not always safe to assume that the Assembly is not working simply because it is not talking.

It is about as likely to be the fact that the Assembly is not working just because it is talking.

But it is because of the Premier's indisposition that more Government business has not been undertaken this week and that the debate on the resolutions of the Inter-Provincial Conference has been delayed. In the meantime, until he recovers voice, it is thought the Treasurer will have his annual innings and Mr. Creighton his usual hunt for the surplus. Next week the members as well as the Ministers are likely to have as much work and as much chance to talk as is good for either the Assembly or the country.

FROM MR. PARDEE:—Word has been had from the Commissioner of Crown Lands. He has reached Florida and is said to be feeling better than when he left his home at Sarnia. The Government are encouraged to hope that toward the end of April at the latest he will be so fully restored to health as to be able to re-assume the control of his department.

SALES OF LAND FOR TAXES:—Mr. O'Connor, of South Bruce, has a bill to enable villages and townships to hold sales of land for arrears of taxes.

At present this right is confined to cities, towns and counties.

The supporters of Mr. O'Connor's proposal contend that the system is much more in the interests of land speculators than of the municipalities.

When the sales are held at the county seat it often happens that lands in the outlying municipalities are sold for a few dollars, perhaps not more than one-fourth of the amount of the back taxes, while if the sale were held in the village or township in which the lands are situated there would be on hand local buyers who would know the real value of the property offered and thus better prices would be secured.