

# ONTARIO LEGISLATURE.

## Sixth Parliament, Second Session.

(By Our Own Reporter.)

THURSDAY, March 8, 1888.

The Speaker took the chair at three o'clock.

### FIRST READING.

The following bill was introduced and read a first time:—

To amend the Municipal Act—Mr. McMahon.

### THE PRIVATE BILLS MATTER.

Mr. WIDDIFIELD claimed that in THE GLOBE'S report of the debate on the above subject on the previous day, he had been represented as making an adverse criticism in regard to the ruling of the Chairman of the Private Bills Committee. He had not taken part in the debate at all.

(The remark in question should have been attributed to Mr. Preston, the member for Leeds.)

Mr. WOOD (Hastings), in reference to the same discussion, expressed regret that any remarks of his made on the previous day should have been misconstrued, and that any hon. gentleman should have felt hurt at them. He had not wished to hurt any hon. gentleman's feelings.

### BILLS ADVANCED.

The House went into Committee of the Whole and reported the following bills:—

Respecting ancillary probates and letters of administration—The Attorney-General.

Respecting the Department of Agriculture and other industries—The Attorney-General.

### THE AGRICULTURAL DEPARTMENT.

The House being in committee on the bill respecting the Department of Agriculture, Hon. Mr. MOWAT moved the striking out of that portion of the bill which includes the fisheries in the department.

Mr. MEREDITH said he heartily accepted that amendment. He thought it was very desirable that the Minister of Agriculture should not be burdened with the care of the fisheries, in addition to the other duties that would fall to his lot. He would like to ask the hon. Attorney-General what department was to have charge of the mining industries of the Province. Something should be done, he urged, to give them greater prominence than they secured at present. He thought it would perhaps have been well to establish a Bureau of Mining Industries and place it in the charge of the Minister of Agriculture.

Hon. Mr. MOWAT said this point had been considered by the Government and it had decided that at present it was not advisable to make this addition to the work of the Agricultural Department. The Commissioner of Crown Lands, who was unfortunately away at the present time, had given great attention to this matter, the importance of which he thoroughly appreciated, and matters relating to the industry in question would remain in his care for the present.

### SECOND READINGS.

The following bills were read a second time:—

To enable trustees of High schools or Collegiate Institutes to expropriate lands for High school purposes—Mr. Ross (Middlesex).

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

Respecting Manitoulin Island—The Attorney-General.

Relating to the payment of the expenses and enforcement of the Canada Temperance Act—Mr. Hardy.

To amend the law respecting the salaries and expenses of police magistrates—Mr. Hardy.

To amend the Act respecting the office of sheriff—Mr. Hardy.

### TORONTO UNIVERSITY INCOME.

Hon. G. W. ROSS moved the second reading of the bill to amend the Act relating to the income and property of the University of Toronto, University College and Upper Canada College. He said that the bill gave power to transfer the present Upper Canada College site to the University, and he understood that the latter were willing to accept it.

In reply to Mr. Meredith, Mr. ROSS said that the University could not sell a foot of the property without the consent of the Govern-

ment.

### MANITOULIN JUDICIAL DISTRICT.

Hon. O. MOWAT moved the second reading of his bill respecting Manitoulin Island, and explained that its main object was the separation of Manitoulin and some adjoining islands from the provisional judicial District of Algoma and their formation into a temporary judicial district. He pointed out that this change was necessary because of the increase of population on the island and the great inconvenience attaching to the present judicial system in connection with the island, by which it was compelled to have recourse to the mainland, which was in winter sometimes quite inaccessible, for its various legal processes.

Mr. BISHOP said this was a bill in the right direction. The people of Manitoulin, Cockburn and Barrie have been looking for legislation in this direction year after year. The population of Manitoulin Island was now estimated at 12,000, and the population of Barrie and Cockburn at 2,000 more. The means of egress and ingress to and from those islands was very difficult, and in winter, spring and fall there were times when it was impossible, and although the roads on those islands had been very much improved of late years, still the only way to reach the county town and the railway on the main land was by crossing on the ice or by boats. In spring and fall there were times when the ice was not sufficiently strong to carry a team, but thoroughly prevented crossing by boats. The County Town of Sault Ste. Marie was 200 miles distant from those islands, and in winter, fall and spring it was dangerous, difficult and expensive to reach Sault Ste. Marie from any portion of those islands. Great difficulty was experienced by public officers of the islands in travelling to the Sault when they might have business with the judge, sheriff and registrar, which had a very injurious effect on all kinds of business, particularly on that relating to the administration of justice, both civil and criminal. Numerous misdemeanors had been committed of a more or less serious character which had gone unpunished from the fear on the part of those who wished to prosecute that they would be compelled to transport themselves and witnesses to Sault Ste. Marie to attend trial. Difficulty was also experienced and great cost incurred in conveying prisoners to Sault Ste. Marie for trial; in fact, constables at times refused to act on account of the dangers incident to the trip, claiming at the same time that the remuneration was quite inadequate, the fees allowed not being sufficient to pay travelling expenses.

### CANADA TEMPERANCE ACT.

Hon. Mr. HARDY moved the second reading of his bill relating to the payment of the expenses and enforcement of the Canada Temperance Act. He explained that the object of the bill was to provide that county municipalities should receive the revenue derived from fines imposed and paid under the Canada Temperance Act, and should bear all costs in connection with the enforcement of the Act, when the revenue was sufficient to cover the same; but that when the revenue was insufficient for that purpose, one-third of the deficiency in connection with the same should be made up by a contribution from the Provincial treasury, and the remainder charged upon the municipalities.

Mr. MEREDITH said it seemed to him that the tendency of this legislation would be to make the Canada Temperance Act more unpopular than it was at the present time, and it appeared to be unpopular enough at present. The tendency of the bill was to force greater burdens upon the municipalities, which would certainly make the Scott Act more unpopular and would make it much more difficult to sustain than it was at present, and he thought the Province could very well afford, in view of the aims of the Act, to bear some additional expense out of the Provincial funds.

Hon. Mr. HARDY admitted that it was very difficult to enforce the Act. It had, however, been far better enforced since the duty of enforcement had been undertaken by the Provincial Government in June, 1886, a year and a half ago. It was to be regretted that the law could not be strictly enforced, but the Government could only do its duty, and where they caught those who broke the law, to punish them. To show what had been done since the Provincial Government undertook the matter of enforcement, and also that in a good many cases the revenue amounted to very much more than the cost of enforcement, the hon. gentleman pointed out that Elgin County had paid \$6,600 in fines since June, 1886, the cost of enforcement being \$2,600.

Mr. MEREDITH remarked that this showed a systematic violation of the law.

Hon. Mr. HARDY—It shows a systematic prosecution of the offenders. He added that Kent County had paid \$11,490, and had cost in

enforcement but \$4,300, leaving a balance of \$7,000; Middlesex had cost \$6,091, while the fines had amounted to \$100 94, and mentioned several other similar cases.

Mr. LEES considered it was not the duty of the Provincial Government to enforce the Act at all, it being a Dominion statute. He questioned the sincerity of many of those who had voted for the Act, for he knew at least that many of those voting for it would drink liquor when they could get it.

Mr. WATERS approved of the bill. He was in favor of the Canada Temperance Act being enforced rigorously. It would have been much better if the fines had all been placed at the disposal of the Province. The public, he held, took great interest in the question of the enforcement of this Act. Some hon. gentlemen held that because the Act was a Dominion statute therefore the Provinces should not be required to enforce it. What about the criminal law of the country? That was made up of Dominion statutes, and yet the Provinces had to enforce it. He admitted that some men who had voted for the Scott Act would take liquor when they could get it. All the greater need for the Scott Act and for the enforcement of the Act. Those men voted to have temptation put out of their way. He claimed that difficult as it was to enforce the Act, much improvement had been made in that direction. It was fairly well enforced in his constituency now, which was more than it had been before the Provincial Government took hold of it, and the consequence was that whereas the Act would a year ago have been repealed there had it been submitted, he felt confident it would now be sustained.

The bill was then read a second time.

### POLICE MAGISTRATES' SALARIES.

Hon. Mr. HARDY moved the second reading of his bill to amend the law respecting the salaries and expenses of police magistrates. He explained that the object of the bill was to place a town not separated from a county upon the same footing in regard to the payment of the salaries of police magistrates as they were at present in regard to that of school inspectors, so that in the case of towns not separated from a county, which pay the salary of a police magistrate, such towns shall not be called upon to contribute towards the salary of the county inspector.

The bill was read a second time.

### THE OFFICE OF SHERIFF.

Hon. Mr. HARDY moved the second reading of the bill to amend the Act respecting the office of sheriff. The hon. gentleman explained that the bill simply put into statutory form the provisions of the Act that was passed at the last session of the Legislature, and determined what should be the duties respectively of the Sheriff of York and the Sheriff of Toronto.

Mr. MEREDITH objected that the office of Sheriff of York should not have been left so long vacant.

The bill was read a second time.

### SETTLEMENT OF MUNICIPAL LOANS.

Hon. Mr. ROSS (Huron) moved that this House doth ratify an Order in Council approved by his Honor the Lieutenant-Governor on 21st day of December, 1887, accepting the sum of \$25,000 in cash in full settlement of the bonds of the Town of Cobourg, issued under the Municipal Loan Fund Act, 1873, for the sum of £8,800 sterling. The hon. gentleman said this matter had been so often alluded to and its nature was so well known to the House that it was unnecessary to do more than move the resolution.

Mr. CRAIG asked for the same clemency to Port Hope on behalf of its debt that the Government were showing to Cobourg. Port Hope was at present paying over \$6,000 a year interest on her debt to the Local Government and found it very hard to continue to do so, owing to the fact that the source from which that town had hitherto drawn the revenue to pay that interest—viz., the harbor—had been exhausted, owing to the action of the Government itself in chartering railways that had taken away the trade of the harbor, and caused its dues to fall to a mark which was only sufficient to pay the expense of maintenance. The hon. gentleman claimed that it was this fact which gave Port Hope a special claim on the Government for an early settlement of its debt.

Mr. MEREDITH said he was glad that the hon. treasurer had at length put this matter in a position which would prevent his dangling it before the eyes of the people of Cobourg in the shape of a promise, as he had done at the last general election. The hon. speaker then discussed the matter of municipal loans settlement generally, and complained that the Act of the Attorney-General passed in 1873 controlling the manner of such settlements had been found to work most unfairly to many municipalities. The terms of the Act had prevented its object being realised, he contended, and while some municipalities had been given more relief than the