

ONTARIO LEGISLATURE.

Sixth Parliament, Second Session.

(By Our Own Reporter.)

MONDAY, March 19, 1888.

The Speaker took the chair at three o'clock.

Hon. Mr. HARDY moved that the sessional allowance of Messrs. Pardee, Biggar and Hilliard be paid in full, although these gentlemen were absent through illness.

Hon. Mr. HARDY also moved that the full sessional allowance of Messrs. Whitney and Clarke (Northumberland), who were elected after the meeting of the Legislature, be paid in full.

Both motions were carried.

THIRD READINGS.

The following bills were read a third time:—

To enable the Cathedral of the Holy Trinity of London to sell certain lands—Mr. Meredith.

To amend the Registry Act—Mr. Clancy.

To confirm a certain agreement made between the G. T. R. Co. of Canada, the Canada Southern Railway Company and the London & Port Stanley, etc.—Mr. Meredith.

PRIVATE BILLS.

The following bills went through committee:—

To confirm a certain agreement made between the G. T. R. of Canada, the Canada Southern Railway Company and the London & Port Stanley Railway Company—Mr. Meredith.

To vest in Emily Rebecca Winstanley the fee simple of certain lands and premises—Mr. Widdifield.

Respecting the Irondale, Bancroft & Ottawa Railway Company—Mr. Felt.

THE FRANCHISE BILL.

The House went into committee on the Franchise Bill, the clauses of which were discussed at considerable length.

The clause requiring the affidavit of the person claiming to be placed on the roll by virtue of manhood qualification, to the effect that he possessed the requisite qualifications, was amended so as not to require such affidavit.

Consideration of the bill was continued until six o'clock, when progress was reported, and the Speaker left the chair.

THE LIEUT.-GOVERNOR'S POWERS.

After recess,

The House went into committee on the bill respecting the executive administration of the laws of this Province, which affirms the power of the Lieut.-Governor to commute and remit sentences for offences against the laws of this Province, or offences over which the legislative authority of the Province extended. It often happened, the Attorney-General pointed out, that the Lieut.-Governor was called upon to exercise powers which he actually possessed, but concerning which there was no Provincial statute. The Government of the Province, in fact, could hardly be conducted for a month unless the Lieut.-Governor did this. In the case in point it was true the Dominion authorities usually acted on the advice of the Ontario Government, but they were not bound to do so. He thought both sides of the House would agree as to the advisability of the Lieut.-Governor being entrusted with executive power as to Provincial matters. Under the judicial system there was always danger that difficulty might arise. The bill did not propose to confer this power upon the Lieutenant-Governor, but expressly provided that nothing in the Act "shall be construed to imply that the Lieutenant-Governor or administrator has not had heretofore the powers, authorities and functions" mentioned in the preceding sections.

Mr. MEREDITH saw no difficulty which called for this bill. It was undesirable, he held, that the House should pass upon any question concerning which there was a doubt as to jurisdiction and which might lead up to a dispute. He admitted that as a question of principle, it was reasonable to expect that a body with power to enact laws and say whether or not punishment should be imposed should also be entrusted with power to remit those punishments. The Hon. Attorney-General, however, admitted that the Governor-General always acted in accord with advice from the Provincial authorities, and he did not, therefore, see the necessity for a bill which opened up such possibilities for disputes as did this one.

The bill was reported.

OTHER GOVERNMENT ORDERS.

The following bills went through committee:—

To amend the Act respecting insurance companies—The Attorney-General.

Respecting Manitoulin Island—The Attorney-General.

To amend the law as to executions—The Attorney-General.

For the protection and reformation of neglected children—The Attorney-General.

The following bills were read a second time:—

To amend the Municipal Act—Mr. Hardy.

To amend the Assessment Act—Mr. Hardy.

THE NEW PARLIAMENT BUILDINGS.

Mr. GIBSON (Hamilton) moved the discharge of an order calling for a copy of the description of that portion of Queen's Park appropriated for the purpose of the new Parliament buildings, etc. The information had been laid before the House.

HIGH SCHOOLS.

Mr. GIBSON (Huron) moved "That while not questioning the necessity for our High schools nor detracting from the good work done by them hitherto, this House is of opinion that the time is fast arriving in which such schools should be more largely supported by fees than in the past." The hon. gentleman said he was generally misrepresented in this matter, and held up as one who was opposed to the system of higher education. This was altogether wrong. He was as much in favor of higher education as any man could be, but under the present law he held that those who went in for higher education received more advantages and Governmental aid than did those who were compelled to content themselves with a Public school education. The balance should be the other way. The law as it stood virtually "found the tools" for the boys who contemplated or were training for professions. It was held that the High schools were institutions for training teachers for the Public schools. They supplied many more teachers, however, than were needed, and a very large proportion of them were continually going over to the United States.

Hon. Mr. ROSS (Middlesex) admitted that the time was coming when a compulsory minimum fee might with safety be put upon pupils attending High schools. It was, he admitted, a fact to be regretted that the Public schools did not receive larger aid from the Government, but that was a difficulty not easily remedied, considering the funds the Government had at its command. It was to be borne in mind, however, that in helping the High schools the Government was to some extent helping the Public schools, for the lowest form in the High schools was intended to be equivalent to the fifth form in the Public schools.

The motion was withdrawn.

ONTARIO PRISONS.

Mr. HARCOURT moved the discharge of his resolution in favor of the appointment of a committee to inquire into the present condition of the gaols of Ontario, their management and the classification and treatment of prisoners, etc. In doing so he took occasion to refer briefly to the prison system of the Province, which, he held, contained many defects and which could be greatly benefited by such an inquiry as that which he suggested, but which he admitted it was too late to attempt to proceed with this session. The hon. gentleman dwelt on the fact that 470 persons were confined as lunatics last year for various lengths of time in the common gaols of the Province, and when their cases came to be passed upon it was found that 235 of this number were not lunatics at all and had suffered the degradation of confinement in prison

for no reason at all. In the same year, too, no fewer than 447 boys and girls were confined in common gaols and compelled, as was the case with those who had been confined as lunatics, to associate with hardened criminals of the worst type. He urged that the prison system generally needed much reformation, especially in the matter of classification. (Applause.)

Hon. Mr. HARDY thought there was hardly need for such condemnation as the hon. gentleman had indulged in regarding the gaol system of Ontario. The system was at least abreast of that of any other country, although the hon. gentleman had spoken as if it was far behind that of other countries. There was a feeling just now perceptible upon the surface of society—he did not think it went below the surface—that immediately a criminal entered a gaol he should be coddled and nursed until he came out of it. There were certain evils inevitably connected with the life of a criminal. It was unfortunate that so large a number of boys and girls were confined in gaol last year, and it would be a great advantage if a proper classification could be made, but it would be very difficult to induce the counties to see the necessity for the increased expense they would necessarily have to incur did they adopt a thorough system of classification. As to the confinement of lunatics in gaols, the hon. gentleman contended that they had only been sent to the gaols when they could not be sent to the asylum; the best thing possible had been done with them; for it was certainly better that they should be in gaol than that they should be at large. As to the appointment of the committee, it was a question how much good such a body could do sitting and taking evidence regarding these matters, but if the hon. gentleman brought forward his motion next session and made out his case the House would probably agree with it.

Mr. MEREDITH thought that both the member for Monck (Mr. Harcourt) and the Provincial Secretary had gone a little too far in opposite directions. It seemed to him a disgraceful thing that persons whose only offence was that they were bereft of their reason should be confined in the gaols of the Province. It was also a serious defect that young persons were confined with old offenders in the gaol. He quite agreed, however, that it was impossible for the Government to take charge of all the gaols in the Province.

Mr. WOOD (Hastings) said that a large number of persons confined in the gaols were tramps, who went there probably because they were too well treated.

Hon. O. MOWAT said that the question of classification was not only a question of humanity but of justice. It was a monstrous thing that innocent persons should be compelled to herd with the worst criminals. Everybody felt the universal importance of classification. The Government could not enforce the change upon the County Councils, but no doubt this discussion would be of value in bringing the matter before the Government.

The motion was withdrawn.

SCHOOL TEXT-BOOKS.

Mr. CREIGHTON moved for a return relating to the publication of school books. He complained that there was a monopoly and claimed that a geography authorised by the department contained several errors.

Hon. G. W. ROSS said that when he came into office three-fourths of the school books were published by one publisher. Now the books were pretty evenly divided between five publishers; the department had greater control over the publications than it ever had before, and the books were better and cheaper than they ever were before. The geography in which the hon. member had found some trifling errors was a splendid piece of typography and engraving, and its author had been requested by the Board of Education of Massachusetts to prepare a book on a similar plan.

The motion carried.

Hon. G. W. ROSS introduced a bill to amend the Industrial School Act.

Mr. MEREDITH asked the Attorney-General if it was the intention of the Government to bring down this session any scheme involving aid to railways.

The Attorney-General said it was not the intention of the Government to do so.

The House adjourned at midnight.