

## THE LEGISLATURE.

DEBATE ON THE AMENDMENT TO  
THE LAW OF SLANDER.

Mr. Meredith Opposes Mr. French's Bill  
—Second Reading of Workman's Com-  
pensation Bill—Milk Frauds—  
The Opposition in a Fault-  
Finding Mood—  
Notes of the  
House.

FEBRUARY 7, 1889.

There was a fair amount of business done at the Legislature this afternoon, and a great deal of interesting talk, though it was all confined within about two hours. The usual number of petitions were presented and new bills were introduced as follows:—

An Act to amend the Municipal Act—Mr. Cruess.

An Act to amend the Drainage Act—Mr. Ferguson.

An Act to amend the Act respecting the establishment of municipal institutions in the Districts of Algoma, Muskoka, Parry Sound, Manitoulin, Nipissing, Thunder Bay and Rainy River—Mr. Lyon.

An Act to amend the Municipal Act—Mr. Ferguson.

An Act to enable the Corporation of the Village of Wyoming to dispose of certain lands—Mr. Graham.

An Act to incorporate the Amherstburg, Lake Shore & Blenheim Railway Company—Mr. Balfour.

An Act to amend the Act respecting the establishment of municipal institutions in the Districts of Algoma, Muskoka, Parry Sound, Manitoulin, Nipissing, Thunder Bay and Rainy River—Mr. Lyon.

An Act to amend the Municipal Act—Mr. Ostrom.

## AID TO CHARITABLE INSTITUTIONS.

As soon as the petitions and introductions had been disposed of, Mr. A. M. Ross moved the only Government notice of motion on the order paper. This was similar to the several resolutions moved yesterday in regard to various charitable institutions being included under the Charity Aid Act, this particular resolution relating to the St. Vincent de Paul Hospital.

Mr. Meredith asked if there were another hospital in Brockville.

Mr. Ross replied that there was one in course of erection.

Mr. Meredith asked what was the general principle on which the Government went in aiding these charitable institutions.

Hon. Mr. Hardy explained that there was no cast iron rule in the matter. It was the policy of the Government to consider each town or locality and each institution in such locality upon its own merits. It was very difficult to fix any limit. At the same time he admitted that he had himself now and then thought it would be advisable to establish a system in connection with the matter.

Mr. Meredith said he thought so, too, and then added, in a tone of mingled sadness and sarcasm:—"And now that the Government has its full complement of seven Ministers, they might surely find time to do it."

## ABOUT THE PRINTING OFFICE.

The resolution was allowed to pass and the House proceeded to Government orders. The first on the list was the bill to amend the Ontario Factories Act, in charge of Mr. Fraser. Mr. Fraser, who was in charge of the House at the moment, proposed to take it up, but the eagle-eyed member for Toronto, Mr. H. E. Clarke, descended upon him like a lightning flash, and asked if it was not proper that the report by the Inspector of Factories should be read before this bill was proceeded with. From this question grew quite a smart little debate on the printing office, and the occasional delay in that department of the Governmental service in printing bills. Mr. Fraser remarked, first of all, that it was not at all necessary, in his opinion, that the report of the inspector should be before the House before the bill was proceeded with. It was not a report that would affect the bill in any way. It was not like a case in which the Government were asking for money, basing their request in part on the contents of the report. However, he was anxious to oblige Mr. H. E. Clarke, and would not press for procedure with this bill to-day. At the same time he could not promise to hold it until the report was printed. As he had stated a day or two before, the report had been for some time in the hands of the printers, and he really could not promise to hold the bill until such time as the report

was ready. The printing office was in a congested condition and the printers were unable to get out everything as soon as it was wanted.

Then Mr. Meredith got up and expressed his extreme surprise that the printing office should be busy, wondered why it was, and asked if better arrangements could not be made.

Mr. Fraser said the hon. gentleman was well aware that the crowding of the printing office was an annual affair and could not be prevented.

Mr. A. M. Ross also explained that the annual crowding was the natural and inevitable result of the attempt to get out the reports of the various departments of the Government at as early a date as possible, and containing the latest possible information. It was unavoidable, therefore, that some of these annual reports should have to wait awhile.

## WORKINGMEN'S COMPENSATION ACT.

Then the matter dropped and the bill to amend the Workingmen's Compensation for Injuries Act, also in charge of Mr. Fraser, was taken up.

Mr. Fraser took occasion in moving the second reading of his bill to enter fully into its provisions. From his explanations it appears that the Act will be more searching in its operations, at the same time offering every reasonable facility to workmen injured in the discharge of their duties to get compensation from the courts. In order to remove any doubt as to the liability of street railways for injuries sustained by employees, section 3 of the original Act is amended by omitting therefrom the words "signal points, locomotive, engine or train upon a railway," and inserting instead thereof the words "any points, signal, locomotive, engine, machine or train upon a railway, tramway or street railway." The Commissioner of Public Works explained that employers might take advantage of the old law by sub-letting their work by piecemeal, or some such device, although at the same time the owners of the plant and machinery. This is remedied by section 6 of the bill, which is as follows:—

"Where the execution of any work is being carried into effect under any contract, and

(a) The person for whom the work, or any part thereof, is done, owns or supplies any ways, works, machinery, plant, buildings or premises used for the purpose of executing the work; and

(b) By reason of any defect in the condition or arrangement of such ways, works, machinery, plant, buildings or premises, personal injury is caused to any workman employed by the contractor or by any sub-contractor; and

(c) The defect or the failure to discover or remedy the defect arose from the negligence of the person for whom the work or any part thereof is done, or of some person being in his service and entrusted by him with the duty of seeing that such condition or arrangement is proper.

The person for whom the work, or that part of the work is done shall be liable to pay compensation for the injury as if the workman had been employed by him, and for that purpose shall be deemed to be the employer of the workman within the meaning of this Act and of the principal Act: Provided, that any such contractor or sub-contractor shall be liable to pay compensation for the injury as if this section had not been enacted, so however that double compensation shall not be recoverable for the same injury." The other provisions of the bill deal with more compensation for injuries sustained by workmen, and the discretion of saying what constitutes a proper and sufficient notice in the event of a trial.

Mr. Meredith expressed himself as pleased with the features of the bill, but at the same time pointed out what appeared to him to be defects in the machinery provided regarding the discretion given to the court. He thought there should be no doubt as to what would constitute a sufficient notice, and concluded by saying that he was glad the compensation for injuries was increased by the bill.

The bill accordingly passed its second reading.

## LAW OF SLANDER.

MR. FRENCH COMES VERY NEAR CAPTURING THE GOVERNMENT.

Mr. French took advantage of a comparatively quiet day to move the second reading of his bill to amend the law of slander. This measure has been previously explained in THE GLOBE, and Mr. French simply made the same explanation in extenso. He pointed out, however, that a measure similar to that proposed by him had for many years been in existence in Nova Scotia, though it seemed to be the only Province that had such a law. There were two sections in Mr. French's bill, the first providing, it will be remembered, that in actions for imputing unchaste conduct to a

woman, special damage need not be proved; and the second providing that a person using defamatory language regarding a woman to be punishable by fine or imprisonment. Mr. French showed what he considered to be the defects of the present law, and quoted from various eminent legal authorities in support of his proposed amendments. He quoted, moreover, from the Bible in support of his measure, and showed an excellent acquaintance with Holy Writ, though he suppressed an evident inclination to refer to it by subsections and clauses.

The effect of the introduction of the bill was to subject Mr. French to an attack from his leader, who was out of all sympathy with him in the matter, and to throw him under the protecting ægis of the Attorney-General and sundry members of the Government side of the House.

Mr. Fraser, as soon as Mr. French sat down, suggested that the bill be not read a second time just then, but that the debate be adjourned. He felt very well towards the first part of the measure, but was not so favorably inclined towards the second section. That opened up a very large area for consideration. He would suggest the adjournment of the debate.

Mr. Meredith condemned the bill of his near neighbor and occasional lieutenant in good round terms. He could see no good in it. There was a municipal law which provided for cases of the kind referred to. There was as much reason for including men as women in the operation of the Act. Litigation would be endless if it were passed. Slander was often uttered by women of each other merely by way of gossip. The bill was the outcome of sentiment to a large extent, just such sentiment as made the hon. member for North Middlesex champion the alleged rights of women to the extent he did.

Mr. Waters started at this allusion to himself and made a note to get even.

Meantime Mr. Meredith was remarking that the proverb "There's a divinity that doth hedge a king" was much more applicable to women than to sovereigns. Women were surrounded by an atmosphere that largely protected them from dangers such as those against which this measure was aimed, and it was better to leave it so.

The Attorney-General, to the delight of Mr. French, came to the rescue, and, catching up Mr. Meredith's good-natured scoff at Mr. Waters' sentiment, said:—"Sentiment is a very good thing. Society could not exist without it." Then he promised that the bill should receive careful attention from at least the Government side of the House, and assured the introducer of the bill that he was very glad the matter had been called to the attention of the House. He was in sympathy with the general principle of the bill, though he would not say that he approved of it as it stood in toto. As to Mr. Meredith's argument that the position of women in society is a safeguard against the dangers at which the bill was aimed, there was nothing in it, because Mr. French's bill could not interfere with that at all, but simply provided an additional safeguard.

Mr. Harcourt and Mr. O'Connor, both of them able representatives of the legal profession and of the Government side of the House, declared themselves in thorough sympathy with the principle of the bill, and pointed out cases of striking injustice that had occurred under the law as it stands.

Mr. Waters of course allied himself with these latter gentlemen. How could so ardent a champion of the cause of women have done otherwise? He declared himself in entire sympathy with the bill, and suggested that the arguments used against it by the leader of the Opposition lacked even their usual amount of logic.

But Mr. Meredith met with some assistance. Mr. Hardy was at least partly in sympathy with him. There were so many people ready to fly to litigation upon the least pretext, and so many young lawyers, too, who wanted not fame, but bread, and to many of whom all roads that led to jury were equally acceptable, that he feared endless litigation would follow upon the passage of such a bill. It was true that several eminent English judges in their decisions had suggested that legislation in this respect was desirable, but it was equally true that their suggestions had never been acted upon, and that even these same gentlemen who had made the suggestions, when themselves members of the British Parliament, had carefully refrained from acting on them. He would not oppose the bill, however, but could not help believing that if it became law cases arising out of it would even at the end of one year be very abundant.

The debate was then adjourned.

## OTHER BUSINESS.

Mr. Miller's bill to amend the Municipal Act, as already explained in THE GLOBE,