

THE LEGISLATURE.

A BUSY AFTERNOON DOWN AT THE LOCAL HOUSE.

A Budget of Small Business Disposed of—Police Magistrates and Scott Act Fines—Mr. Meredith and the Question of Appeals—Mr. Bishop and Live Stock Insurance Companies.

March 4th, 1889.

The Legislature despatched a good deal of business this afternoon and managed to avoid the necessity of an evening session.

THIRD READINGS.

Mr. Fraser moved the third reading of the bill known heretofore as the Assessment Amendment Act, and that the same be hereafter entitled the Franchise Assessment Act. The motion was carried, as also was a second from the same hon. gentleman asking that 3,000 copies of the said Act be printed and distributed among the clerks and other officials of municipalities to enable them to become properly acquainted with the provisions of the same.

Mr. Leys' bill to confer certain powers upon the Board of Trade of the City of Toronto, and Mr. Master's bill to legalise a by-law of the Town of Galt, were each read a third time.

A number of private bills were then put through committee.

SECOND READINGS.

The following bills were read a second time:—

To incorporate the Toronto Belt Line Railway Company—Mr. Gilmour.

To incorporate the Amherstburg, Lake Shore & Blenheim Railway Company—Mr. Balfour.

To confirm certain by-laws of the City of Kingston, and for other purposes—Mr. Metcalfe.

Respecting the London Street Railway Company—Mr. Meredith.

Respecting the Yorkville Loop Line Railway Company—Mr. Leys.

To incorporate the Waterloo Junction Railway Company—Mr. Master.

To provide for the extension of the water-works of the City of St. Catharines, and for other purposes—Mr. Garson.

To enable the Town of Brockville to issue certain debentures for drainage purposes—Mr. Fraser.

Respecting St. James' Cathedral, Toronto—Mr. Leys.

To enable the Town of Cobourg to aid the Cobourg, Blairton & Marmora, or the Cobourg, Northumberland & Pacific railway or other railroad—Mr. Field.

To confirm a certain agreement between the City of Kingston and certain railway companies—Mr. Metcalfe.

Respecting the Ontario & Sault Ste. Marie Water, Light and Power Company and the Town of Sault Ste. Marie—Mr. Lyon.

SCOTT ACT FINES.

Mr. Willoughby moved as follows:—

That in the opinion of this House it is expedient that all police magistrates should make the same returns of convictions and fines imposed by them in respect of infringements of the Canada Temperance Act as are made in other cases to the clerks of the peace. That such returns when made should be published, and that all expenses in connection with the enforcement of the Act should be submitted for audit to the county auditors.

The main point of the remarks of the hon. gentleman uttered in connection with the resolution were that the publication of the fines in question, as proposed, would have a deterrent effect so far as the infringement of the Act was concerned.

Mr. Gibson, Provincial Secretary, in reply, pointed out that the first part of the resolution, apparently, was not worded so as to convey Mr. Willoughby's meaning. The police magistrates at the present time made returns to the clerk of the peace of all convictions made by them, including those of cases in connection with the Canada Temperance Act. The returns were kept in the office of the police magistrate, and also in the office of the clerk of the peace, and were open for inspection there. The question of publication was an open one with the county officials. They could have all or any part of the returns published if they chose. He did not think it wise for the Government to step in and compel the publication of such returns. As to the latter part of the resolution, the Provincial Secretary pointed out various difficulties in the way of its operation, and urged that it would badly fetter the Act itself if carried into effect.

He must ask that the resolution be withdrawn.

Mr. Willoughby said it was impossible to get the returns from the clerk of the peace in his county.

Mr. Gibson said that if the clerk of the peace placed any difficulty in the way of securing these returns, and the matter was brought to the attention of the Government, the Government would inquire into it.

Mr. French supported Mr. Willoughby's motion. He spoke strongly in favor of the expenses of the enforcement of the Act being audited by county auditors.

Mr. Willoughby objected to withdrawing the motion, and asked for a vote.

The Attorney-General replied to Mr. French, showing that the auditing of the accounts in the manner proposed would make the enforcement of the Act almost impossible.

The motion was then declared lost without a division.

COMPULSORY TEXT BOOKS.

Mr. Craig moved for an order of the House for a return showing a list of all text books for each of the last five years, the use of which was compulsory on pupils—first, in the High schools; secondly, in the Public schools, and third, in the Separate schools. He complained that the frequent changes of text books bore too heavily on many people.

The Minister of Education replied. He suggested that the motion be changed so as to make it read:—"Showing a list of all text books for each of the last five years, the use of one or more of which was compulsory," etc. Then he would make no objection to it. He suggested the change because the inference from the original wording of the resolution was that whenever a new book was placed on the list of authorised text books its immediate use by all Public schools was compulsory; whereas this was not the case. Whenever a new book was added to the authorised list, the continued use of the book used previously for an indefinite period was discretionary with the Boards of Trustees. So that if the introduction of new books was too rapidly proceeded with, it was not the fault of the department. As to the same return in connection with Separate schools, he would endeavor to secure the information asked for. He pointed out, at the same time, that there had been no regular authorised list of text books for use in Separate schools since those institutions first came into existence in 1841, at the time of the union.

Mr. Meredith asked in what way, then, the Government had any control over those books in use in the Separate schools which did not relate to matters of religion, over which latter, he was aware, the Government had no control?

The Minister of Education said there was a general minute of the Council of Public Instruction requiring that there should be nothing in the school books used in Separate schools reflecting on the integrity of the institutions of the country or in any way tending to promote disloyalty.

Mr. Meredith wanted to know what means the Government had of securing even

the Minister of Education said they had inspectors and he believed they had effectual safeguards in that direction.

He added that he had, he supposed, received and glanced over

the books used in the Separate schools. The matter, too, was much simplified by the fact that ninety per cent. of the books used in Separate schools were identical with those used in Public schools, not referring, of course, to those dealing with religious affairs.

Mr. Meredith suggested that a discussion might one day take place in the House over the question of the absence of Government control of the instruction given in Separate schools.

STICKING TO THE RULES.

Mr. Willoughby's motion for a suspension of the rules to enable the introduction of a private bill to revive the charter of the Brighton & Warkworth Railway Company came up again. It was allowed to stand on the last occasion when it was reached on the order paper. Mr. Fraser pointed out the inadvisability of suspending the rules of the House in the manner proposed, especially in view of the fact that several equally urgent applications from other hon. gentlemen, including the Minister of Agriculture, had already been refused.

CHARGE AGAINST A POLICE MAGISTRATE.

Mr. French moved for an "order of the House for a return showing the full particulars, with dates and items, of all sums of money paid by the inspectors of the license districts within the judicial district of Leeds

and Grenville (since the appointment of Mr. J. C. Judd as police magistrate for said counties) to one—Atkinson, the law partner of the said J. C. Judd, for the conducting of prosecutions under the Canada Temperance Act before the said police magistrate by his law partner. Also, for a return showing the sums paid direct to counsel by, through or at the instance of the inspectors in the Counties of Wellington, Elgin, Kent, Lanark and Oxford."

Speaking to his motion, Mr. French insisted that he had information which enabled him to state that Mr. Judd and Mr. Atkinson had been law partners, and that their law partnership existed after Mr. Judd became police magistrate and while Mr. Atkinson appeared before him to argue cases under the Scott Act. He claimed that Mr. Judd had taken his share of the profits of the firm and also his salary as police magistrate, and further, that the partnership between the two gentlemen named was finally broken up on account of a difference between them as to the disposal of what the hon. member for Grenville termed "the spoils."

The Commissioner of Public Works objected to the terms of the resolution. It prejudged the case, he said, and it would be unfair to allow a resolution so worded to go on the records of the House. He lived in the same town as Mr. Judd did, and had never once heard of the alleged connection between him and Mr. Atkinson, though he could hardly see how he could have escaped hearing such a rumor had it been afloat. He admitted the importance of the charge, and that Mr. French had done rightly to move for an inquiry into the matter, and an inquiry certainly would be made if there appeared to be ground for it. He suggested such a change in the wording of the case as would call for all the information asked for, without asserting what there were no facts before the House to warrant the assertion of, viz.: that the partnership spoken of actually existed.

The motion passed as amended.

QUESTION OF APPEALS.

Mr. Meredith moved the second reading of his bill to amend the Ontario Judicature Act, providing that whereas the multiplicity of appeals greatly increases the expenses of litigation, causes serious delays and is otherwise objectionable, there shall hereafter be no appeal to the Court of Appeal from any interlocutory order, whether made in court or chambers, in any matter of practice or procedure only. In speaking to his motion Mr. Meredith enlarged upon the points above mentioned, contending particularly that the right of appeal on points of practice was very much abused and should therefore be limited. He claimed that the law was not clear in its present shape, and that in consequence, quite lately, it had been the cause of a serious miscarriage of justice.

The Attorney-General interrupted Mr. Meredith to ask particulars, and Mr. Meredith promised to hunt them up and give them to the Attorney-General.

The Attorney-General asked that meantime the bill might stand that he might have the opportunity of looking at the case in question. He hardly thought it possible that the law could have been so misread as Mr. Meredith complained. He held that the law was clear enough in its present shape so far as he had reason to believe. If the case in question were as Mr. Meredith stated, which remained to be seen, the aspect of the matter was altered to some extent.

The bill was then allowed to stand.

BUILDING SOCIETIES ACT.

Mr. Meredith moved the second reading of his bill to amend the revised statute respecting Building Societies. The bill provides for a register of shareholders, for a proper inspection of such register, and that the list of shareholders be transmitted annually to the Provincial Secretary. The bill provides penalties for infringement of these provisions and for refusing to allow an inspection of the register.

The bill was read a second time and sent to committee, the Provincial Treasurer remarking that the Government had no objection to it becoming law, provided one or two amendments were made to it.

LIVE STOCK INSURANCE.

Mr. Bishop then moved the second reading of his bill respecting live stock insurance. The bill provides for the proper organisation of live stock companies on a basis similar to that of fire and life insurance companies. In speaking to his motion Mr. Bishop, to show the need of the Act and the conditions which may prevail in the absence of it, criticised at some length the doings of the Provident Live Stock Insurance Company. He referred to the large number of petitions presented last session by himself from constituents and others in favor of the bill