

THE LEGISLATURE.

A DAY OF GOOD HARD WORK, BUT NOT OF MUCH INTEREST.

Several Third Readings—Returns Asked for—A University Park Deputation—Mr. Dack's Snow Fences Bill—Mr. Whitney's Election Act Causes a Division.

MARCH 18, 1889.

The proceedings of the House to-day were not alarmingly interesting, but a good deal of work was done, as is generally the case on uninteresting days.

THIRD READINGS.

The following bills were read a third time:—

To give representation in the Legislative Assembly to the District of Nipissing—Mr. Hardy.

Respecting registry offices—The Attorney-General.

To incorporate the Ontario Inland Marine Mutual Insurance Association—Mr. Leys.

TITLE DEEDS ACT.

Mr. Wood (Hastings) moved for an order of the House for a return showing the number of documents filed under the "Custody of Title Deeds Act" up to the first day of January, 1889, and the amount of fees received; and showing also the amount paid in each registration division for the necessary books as required under the Act. The motion carried.

THE WAR ON DOGS.

Mr. Dryden moved for an order of the House for a return showing the township municipalities in which the Act to impose a tax on dogs and for the protection of sheep is in force, the number of dogs assessed in such municipalities, the number of sheep killed and injured and the amount paid for the same by such municipalities for the years 1886, 1887 and 1888 respectively. Mr. Dryden pointed out that owing to the opposition displayed against his bill for the imposition of a heavier tax on dogs it had been withdrawn for this session, but it would be introduced again next year. The motion was allowed.

THE RAILWAY RESOLUTIONS.

Mr. Ross (Huron) moved that to-morrow (Tuesday) the House resolve itself into a committee of the whole to consider resolutions respecting aid to certain railways.

SECOND READINGS.

The following bills were read a second time:—

To amend the Public Health Act—Mr. Gibson (Hamilton).

To amend the Free Libraries Act—Mr. Ross (Middlesex).

ONTARIO INSURANCE ACT.

The Provincial Secretary introduced a bill to amend the Ontario Insurance Act, which was read a second time.

HOUSE IN COMMITTEE.

The House went into committee on the following bills:—

To amend the snow fences Act—Mr. Dack.

To amend the line fences Act—Mr. Freeman.

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

Mr. Dack's bill created a long discussion, and when the committee met after the adjournment Mr. Dack announced that as it was quite evident that the bill would be defeated he would meanwhile withdraw and re-introduce another one with the objectionable clauses left out.

THE ELECTION LAW.

Mr. Whitney moved the second reading of his bill to amend the election law. He explained that its purport was to punish bribery by imprisonment as well as a fine. Good results, he thought, would follow from such a law. The bill gives the judge discretionary power.

The Attorney-General replied that he was afraid the bill would do more harm than good, the present difficulty being to get a conviction. This difficulty, he thought, would be augmented by the proposed amendment. He hoped the member for Dundas would see his way to withdraw the bill.

Mr. Meredith believed in the principle of the bill, and thought something should be done to inflict a severer punishment on the professional briber. Nothing would do that as well as imprisonment, and he hoped the Attorney-General would consent to some such law in view of the coming general

election.

Mr. Whitney made another strong appeal for the bill, telling the House that bribery can never be stamped out at elections until the vigorous punishment of imprisonment is inflicted, and he was still further confident the bill would meet with the approval of the people of the country. He refused to withdraw the bill, and the House divided with the following result:—

YEAS.—H. E. Clarke (Toronto), Clarke (Wellington), Cruess, Fell, Garson, Hess, Hudson, Lees, Meacham, Meredith, Miller, Morgan, Morke, Smith (Frontenac), Stewart, Tooley, Whitney, Willoughby, Wylie—19.

NAYS.—Allan, Armstrong, Bishop, Blezard, Chisholm, Dance, Drury, Field, Freeman, Gibson (Hamilton), Gilmour, Gould, Graham, Harcourt, Hardy, Lyon, McLaughlin, Master, Morin, Mowat, O'Connor, Phelps, Rayside, Ross (Huron), Ross (Middlesex), Smith (York), Snider, Sprague, Waters, Wood (Brant)—30.

MUNICIPAL FIRE INSURANCE.

Mr. Snider, in moving the second reading of the bill respecting municipal fire insurance, said that he consulted his constituents during the recess and found that they were almost unanimous in its favor. He complained that regular fire insurance companies charge too high rates, largely due to the high expenses incurred in conducting them. The object of the bill, as its name implies, is to enable municipalities to organize under their own control such system as would protect them from losses in case of fires, and that at the lowest rates possible.

Hon. Mr. Gibson did not think that the law proposed could be carried out successfully by municipalities, inasmuch as there are many intricacies in connection with insurance requiring skill and prudence in dealing with them. However, he never heard of any public demand for such powers for municipalities. If there had been it had not come under his attention. Under these circumstances he hoped the mover would withdraw. Mr. Snider regretted the opposition of the Provincial Secretary, and in that case he could not but consent with regret again to withdraw his bill.

JURISDICTION OF COUNTY COURTS.

Mr. French moved the second reading of his bill respecting actions at law, the effect of which is to enlarge the jurisdiction of County Courts. He reminded the Attorney-General that at one time he had expressed himself in favor of such extension.

The Attorney-General in replying admitted that he had so expressed himself at one time, but since that time had introduced a measure, which had become law, which had considerably extended the powers of the County Court. Therefore, he was in no way committed to any further extension, and for various reasons he deprecated such an extension of jurisdiction. Instead of being a reform, the passage of such a bill would be a retrograde step, in his opinion.

Mr. Meredith spoke in favor of the bill, claiming that it was a needed reform and would become law some time in any case, and Mr. Hardy opposed it, insisting that it would do more harm than good, and that it was too late in the session now to take it to committee and remedy its defects.

Mr. French forced a division, which resulted as follows:—

YEAS.—Blyth, Clancy, Clarke, H. E. (Toronto), Cruess, Fell, French, Hess, Hudson, Kerns, Meacham, Meredith, Miller, Monk, Morgan, Preston, Rorke, Smith (Frontenac), Stewart, Tooley, Whitney, Willoughby, Wood (Brant), Wylie—24.

NAYS.—Allan, Armstrong, Awrey, Balfour, Bishop, Blezard, Caldwell, Chisholm, Clarke (Wellington), Dack, Dance, Drury, Dryden, Evanturel, Ferguson, Field, Fraser, Freeman, Garson, Gibson (Hamilton), Gilmour, Gould, Graham, Harcourt, Hardy, Lyon, McKay, McLaughlin, McMahon, Master, Morin, Mowat, O'Connor, Phelps, Rayside, Ross (Huron), Ross (Middlesex), Smith (York), Snider, Sprague, Waters, Wood (Brant)—43.

THE JUDICATURE ACT.

The House proceeded then to consider the second reading of Mr. Meredith's bill to amend the Judicature Act. It simply provides that 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. Mr. Meredith, throughout his remarks, complained that rich corporations were in the habit of dragging suitors from court to court, taking advantage in this way of the present law to retard the course of justice. His amendment was to remedy this state of affairs, by giving plaintiffs an opportunity of not being unduly kept from ascertaining their rights, by orders issued from courts in which the action was not tried and that on side issues. He gave many instances to show the hardships suffered by litigants under the present law, owing to a series of appeals, such a condition of things, in his estimation, being a disgrace to the administration of law.

The Attorney-General believed that the House would give him credit for having made the practice of the courts as simple as possible, never having throughout his incumbency of office passed one single law that favored the rich at the expense of the poor. The construction which Mr. Meredith put on the clause of the statute under consideration was not correct, inasmuch as it distinctly specifies that special leave must be obtained from the Court of Appeal before an appeal will lie from the Divisional Courts. Mr. Mowat read communications from eminent jurists stating that the practice as now understood in the matter of appeals was working very satisfactory. Under the present law there have only been seven appeals in five years, the judges having decided the practice to the satisfaction of all. The judges exercised their discretion cautiously and in every case to prevent unnecessary litigation. All judges of appeal are of the opinion that there ought to be an appeal in matters of practice, especially when it is desirable that this should be granted in the interests of the parties to the suit. He hoped the House would concur in his opinion that the bill should not become law.

After a few remarks from Mr. French favorable to the bill, Mr. Meredith rose again, but the Attorney-General called his attention to the rule of the House preventing a speaker from speaking twice on the same motion, whereat Mr. Meredith called upon Mr. Clancy to move the adjournment of the debate, which request the member for Kent did, and by this means the member for London was permitted to reply to Mr. Mowat.

The House divided as follows:—

YEAS.—Blyth, Clancy, Clarke, H. E. (Toronto), Cruess, Fell, French, Hess, Hudson, Kerns, Lees, Meacham, Meredith, Miller, Monk, Morgan, Preston, Rorke, Smith (Frontenac), Tooley, Whitney, Willoughby, Wood (Hastings), Wylie—23.

NAYS.—Allan, Armstrong, Awrey, Ballantyne, Bishop, Blezard, Caldwell, Chisholm, Clarke (Wellington), Dack, Dance, Drury, Dryden, Evanturel, Ferguson, Field, Fraser, Freeman, Garson, Gibson (Hamilton), Gilmour, Gould, Graham, Harcourt, Hardy, Lyon, McKay, McLaughlin, McMahon, Master, Morin, Mowat, O'Connor, Phelps, Rayside, Robillard, Ross (Huron), Ross (Middlesex), Smith (York), Snider, Sprague, Waters, Wood (Brant)—43.

ELEVATORS AND HOISTS.

Mr. Gilmour moved the second reading of his bill requiring the owners of elevators and hoists to guard against accidents, which was carried.

KILLING OFF.

Mr. Chisholm's bill to amend the Act respecting mortgages and sales of personal property was withdrawn after it had been explained and commented upon by Mr. Hardy.

Mr. Freeman's bill to amend the Devolution of Estates Act was declared lost on a division. The good-natured member for North Norfolk objected very strongly to the Attorney-General's dictum, and said he felt like fighting. But he bowed to the inevitable, and the bill died.

Mr. Morgan withdrew his bill to amend the game law. Mr. Whitney withdrew his bill to amend the Seduction Act. Mr. Monk withdrew his bill to amend the Division Courts Act. Mr. E. F. Clarke's bill to amend the Public Schools Act was also withdrawn.

Mr. Hardy brought in the usual formal bills to amend the Municipal Act of 1889 and the Assessment Act of 1889, and Mr. Waters brought in the bill to amend the Ditches and Watercourses Act. These bills were read a first and second time.

RAILWAY RESOLUTIONS.

Before the House adjourned Mr. Meredith asked the Attorney-General whether it was the intention of the Government to introduce the railway resolutions to-morrow. Mr. Mowat said that they had not considered the matter, his own impression being that the resolutions would be introduced on Wednesday.

Mr. Meredith complained that the documents relating to the financial standing of the roads to be aided were not yet in the hands of the members, to which Mr. Mowat replied that such a course was not customary.

The House adjourned at 11.40.

AROUND THE HOUSE.

ITEMS OF THE HOUSE, DEPARTMENTS AND CORRIDORS.

BREAD, BEER AND BUTTER.

Mr. Dack probably was not far astray in predicting during his speech on the liquor license question that the following circular, or at least one similar to it, may be sent to hotelkeepers on the eve of the next general election:—