

THE LEGISLATURE.

THE RAILWAY RESOLUTIONS INTRODUCED AND CARRIED.

Mr. Balfour's Amendment Voted Down by a Very Large Majority—The Harman Annuity Confirmed in the House—The Registry Bill Confirmed.

In the Legislature to-day the chief interest centred on the railway resolutions introduced by the Provincial Treasurer, Mr. Ross ably explained the policy of the Government and the reasons that actuated them in re-opening the railway aid policy.

THIRD READINGS.

The following bills were read a third time and passed:—

Respecting oaths under the Manhood Suffrage Act—The Attorney-General.

Respecting registry offices—The Attorney-General.

To provide for the extension of the waterworks of the City of St. Catharines and for other purposes—Mr. Garson.

Respecting the administration of justice in certain cases—The Attorney-General.

After passing these bills the House went into committee of the whole on the Municipal Amendment Act, which is a collection of all the amendments to the Municipal Act passed this session. The bill was discussed for a long time and slight amendments were made, after which it was reported to the House and passed.

THE REGISTRY BILL.

A FINAL UNSUCCESSFUL ATTEMPT MADE TO DEFEAT THE MEASURE.

On the motion by the Attorney-General for the third reading of the bill to amend the Registry Act, Mr. H. E. Clarke rose to move an amendment. With that power of delicate satire which has given the hon. gentleman so prominent a position in his own party, he defended his amendment by attributing, as before, improper motives to the Government in desiring to divide the Toronto registry office. The amendment was as follows:—

That the bill be not now read a third time but be forthwith referred back to a committee of the whole House, with instructions to strike out all the provisions thereof relating to the division of the City of Toronto for registration purposes, and by adding thereto the following sections:—

Section 106 of the Registry Act is hereby repealed, and the following substituted therefor:—

106.—Of the further fees and emoluments received by each registrar in each year in excess of \$4,500, not exceeding \$15,000, he shall be entitled to retain to his own use fifty per cent, and no more, and of the further fees and emoluments received by each registrar in each year in excess of \$15,000, he shall be entitled to retain to his own use twenty-five per cent, and no more.

The Attorney-General, in taking exception to the amendment, read the following letter, received from Mr. Lindsey, and addressed to himself:—

CITY REGISTRY OFFICE.

Toronto, February 17, 1889.

The Attorney-General of Ontario, Parliament Buildings:

SIR,—I beg to call your attention to the following facts on the present and prospective condition of registration in the City of Toronto: It seems to me that we are rapidly approaching the maximum of work which it is possible to do satisfactorily in one registry office. I doubt if, under the same system, an amount of work equal to that now performed in the Toronto office, in searching, furnishing abstracts, and doing other things connected with registration, is done in a single office elsewhere. I am quite aware that neither in New York or in Chicago is there more than one registry office, and in the system pursued in these and other American cities there is practically no limit to the registration that can be done in one office. But we cannot follow the method in vogue in these places, because it does not furnish the information required in tracing a chain of title. These instruments are not registered against the parcels of land to which they relate. The abstract index merely follows the order of the receipt of the instruments; and it is practically impossible to unravel a title by reference to the information available in the registry offices. The titles are in the hands of what are known as abstract solicitors, who get the information daily from the registry officers and reduce it to the form in which it is found in the registry offices of Ontario. American registrars are not required to furnish (and, as a matter of fact, do not furnish) abstracts of registration at all. Here, all the information obtained from abstract solicitors in the United States is in the registry office. It is in part obtained from solicitors who make searches, and in part through abstracts furnished by the registrar. These demands impose a maximum of registration which it is not possible satisfactorily to exceed in a single office. That maximum I conceive has been reached in Toronto. During the past year solicitors searching have been subjected to great inconvenience from crowding the limited available space, and though an addition has been made to the building, all the space available for the registry books will, at the present rate of increase, be filled in two years. If we go on as at present a new building must at the end of that time be erected, for the present one, which has cost something like \$40,000, would become inadequate to the demands upon it. If the business were much extended it would be impossible for any practicable staff of officers to attend upon searchers and to furnish abstracts with the expedition demanded in these impatient days. Under the circumstances I think it my duty,

however reluctantly, to inform you that I see no adequate remedy short of a division of the city for registration purposes. Owing to the way in which the books have been kept the division could only be made at the line of Yonge street. If the recommendation to make that division, which I now offer for your consideration, be acted upon I shall rather welcome than otherwise a release from a part of the responsibility which I now find myself under.

I have the honor to be, your obedient servant, CHARLES LINDSEY, Registrar.

Continuing, Mr. Mowat pointed out that the main thing to be considered in connection with a registry office was its efficiency. The security of titles was of first importance. The money going into the city treasury was a matter second in importance to that. The motion of Mr. Clarke would tend to render the office inefficient, inasmuch as it would restrict the salary of the registrar and make him liable to economise too closely in his disbursements. There was a general misapprehension, he thought, as to the income of the registrar. That income was not excessive. In 1887 the gross receipts at the office were \$31,112. But the disbursements were very large, and amounted to \$24,500, including the sum paid over to the city, so that Mr. Lindsey's net income that year amounted only to between \$6,000 and \$7,000.

Mayor Clarke, who had seconded the motion, again in a very mild speech deprecated the contemplated division of the registry office, and claimed that the business of the city did not seem to have been in any way injured by the crush of work in the office. He referred also to the resolution of the County of York Law Association condemning the proposed division.

Mr. G. B. Smith pointed out how late in the day it was before the Mayor had spoken on this question, and how midly he had spoken even then; also that not until a day or two ago had the subject been even mentioned at the City Council; also that any sign of agitation on the part of the Council against the alleged iniquity of this measure was strikingly absent. As to the resolution of the York County Law Association, he did not know how many lawyers were present and voted for it, but he did know that he had talked with very many lawyers on the question and they were agreed as to the necessity of the division.

Mr. Balfour defended the proposed division, and alluded to the Act passed in the Sandfield Macdonald Administration unjustly and unnecessarily dividing county registry offices.

Mr. John Leys said an ounce of experience was worth a pound of theory. Mr. H. E. Clarke probably had had no experience of any inefficiency in the working of the registry office, while he (the speaker) had had a good deal, and could confidently state that an additional registry office would prevent many of the delays and inconveniences that were unavoidable under the present system.

Mr. Meredith asked how the public interests were to be served when both registrars were to be under the same roof and using the same books. He again characterised the object of the bill to be one for providing an office for a political friend, and it was little wonder the laboring classes protested against it when it is known that the head of a registry office is a mere figurehead.

Mr. O'Connor made a sensible and pointed speech, stating that it was only reasonable, with the city increasing in wealth, business and population, the work of the registry office should grow in equal proportion.

Mr. Wood (Hastings) opposed the bill in a few words.

Mr. Hardy argued that it would be impossible to apportion fees on the basis proposed by the senior member for Toronto. The opponents of the bill, in speaking of the fees of the registrars of Toronto, put figures before the public without giving all the circumstances attached to them.

Mr. Creighton brought out the old, worn-out assertion that the office was divided to give a position to a political friend. He thought that by the division, instead of facilitating the business, greater confusion would be produced.

The House then divided as follows:—

YEAS.—Biggar, Blyth, Clancy, Clarke, E. F. (Toronto), Clarke, H. E. (Toronto), Craig, Creighton, Cruess, Fell, French, Hammell, Kerns, Hudson, Ingram, Kerns, Lees, Marder, Meacham, Meredith, Metcalfe, Miller, Monk, Ostrom, Preston, Rorke, Smith (Frontenac), Stewart, Tooley, Whitney, Willoughby (Hastings), Wylie—33.

NAYS.—Allan, Armstrong, Awrey, Balfour, Bishop, Biezard, Bronson, Caldwell, Clancy, Clarke (Wellington), Conmee,

Dack, Dance, Davis, Drury, Evanturel, Ferguson, Field, Fraser, Freeman, Garson, Gibson (Hamilton), Gibson (Huron), Gilmour, Gould, Graham, Harcourt, Hardy, Leys, Lyon, McAndrew, McKay, McLaughlin, McMahon, Mack, Master, Morie, Mowat, Murray, O'Connor, Pacaud, Phelps, Rayside, Robillard, Ross (Huron), Ross (Middlesex), Smith (York), Snider, Sprague, Stratton, Waters, Wood (Brant)—53.

ANOTHER AMENDMENT.

Mr. Meredith then moved the following amendment:—

That the said bill be not now read the third time, but be forthwith referred back to the committee of the whole House with instructions to amend the same by providing that no expenditure which is under the said bill to be made out of the funds of any county or city shall be incurred unless the direction of the Inspector of Registry Offices, under which it is to be incurred, shall be first approved by the Council of the county or city chargeable therewith.

This amendment was declared lost on the same division as the preceding amendment, and the third reading of the bill was declared carried on the same division reversed.

THE CITY BILL.

MR. GARSON MOVES TO STRIKE OUT THE ANNUITY CLAUSE.

Upon the motion for the third reading of the city bill Mayor Clarke moved that the order be discharged and the bill referred back to committee of the whole. This was carried, and while the bill was before the committee Mr. Clarke secured the following amendment to it:—

No act, deed, resolution or by-law of the Corporation of the Town of Parkdale, or of the Council thereof, made, done or passed since the 7th day of March, 1889, whereby any new liability was imposed upon the said Corporation, or whereby any money of the said Corporation became or was made payable to any person, shall have any force, validity or effect after the passing of this Act, unless or until it shall have been ratified by resolution of the Council of the Corporation of the City of Toronto; and no act, deed, resolution or by-law of the Public School Board of Parkdale, made, done or passed since said date, imposing any new liability upon the Public school funds at the disposition of said Board, or whereby any of said funds would become payable to any person, shall have any force, validity or effect after the passing of this Act until ratified by resolution of the Public School Board of the City of Toronto.

Then the motion for the third reading of the bill was read again. Mr. Garson moved in amendment that the clause fixing an annuity to ex-Treasurer Harman be struck out. Mr. Garson thought it was a strange thing that Mr. Harman, with a large salary, was not able to provide himself with a competence. No such favors were accorded to the laboring classes and he thought the effect of granting annuities to officials would have a bad tendency, and on that ground his vote would be given against it.

Mr. Leys maintained that the House should reinstate the clause. It was supported by the City Council and the vast majority of the people of Toronto approved of the arrangement made with Mr. Harman.

Hon. Mr. Gibson was sorry that the matter was brought up at all, feeling that the City Council acted in good faith and under the circumstances their wish should be carried out. He hoped the motion would not be pressed.

The amendment was lost on the following division:—

YEAS.—Balfour, Bishop, Conmee, Dance, Davis, Garson, Gould, Lyon, McLaughlin, Morin, Phelps, Snider, Sprague—13.

NAYS.—Allan, Armstrong, Awrey, Ballantyne, Biggar, Biezard, Blyth, Bronson, Caldwell, Chisholm, Clancy, Clarke, E. F. (Toronto), Clarke, H. E. (Toronto), Clarke (Wellington), Craig, Creighton, Cruess, Dack, Evanturel, Fell, Ferguson, Field, Fraser, Freeman, French, Gibson (Hamilton), Gibson (Huron), Gilmour, Hammell, Harcourt, Hess, Hudson, Kerns, Lees, Leys, McAndrew, McKay, Mack, Marder, Master, Meacham, Meredith, Metcalfe, Miller, Monk, Morgan, Mowat, Murray, O'Connor, Ostrom, Pacaud, Preston, Rayside, Robillard, Rorke, Ross (Huron), Ross (Middlesex), Smith (Frontenac), Smith (York), Stewart, Stratton, Tooley, Waters, Whitney, Willoughby, Wood (Hastings), Wood (Brant), Wylie—68.

It being six o'clock, the Speaker left the chair.

INVESTMENTS BY TRUSTEES.

Mr. Meredith introduced a bill during the day to amend the Act respecting investments by trustees, and by consent of the House it was read a first and second time forthwith.

The object of the bill is designed to enable trustees to invest funds entrusted to them in debenture stock of building societies, as they now may in other debentures.

EVENING SESSION.

VARIOUS MEASURES CONSIDERED AND ADVANCED A STAGE.

The following bills were read a third time:—

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

To amend the Act respecting the establishment of municipal institutions in the outlying districts of the Province—Mr. Lyon.

LIQUOR LICENSE ACT.

Hon. Mr. Gibson moved the second reading of the bill to amend the liquor license law. It provides, amongst other things, that the purchaser of any intoxicating liquor from a person who is not licensed to sell the same, or any person who drinks upon the premises liquor so purchased, at the time of the purchase thereof, shall be guilty of an offence under this Act. Provision is also made that all sums imposed by the municipality in excess of the sum of \$200, mentioned in section 42 of this Act, shall be divided equally between the Province and such municipality.

Mr. Creighton did not view with favor the policy of taking more of the license fees from the municipalities than was necessary, especially when the funds of the Government were claimed to be so buoyant.

Hon. A. M. Ross pointed out that the Government gave the municipalities the power of leaving the fees as they were, and so long as they did that the Government would not realise a cent by the proposed clause. It would have the effect of reducing the number of licenses.

Mr. Clancy said that the effect of the clause would probably be to discourage municipalities from imposing high licenses.

Mr. McLaughlin maintained that the change in the law would have the effect of reducing the number of licenses, and the bill was opposed because counties recently under the Scott Act would now have an opportunity of regulating the licenses in the interests of Temperance.

After a few remarks from Mr. H. E. Clark, the bill was read a second time.

THE RAILWAY RESOLUTIONS.

A CLEAR AND ABLE STATEMENT BY HON. A. M. ROSS.

The Hon. A. M. Ross, in moving the House into committee on the resolutions granting aid to proposed railways, pointed out that it had always been admitted that the Province had a right to aid railway enterprises. That policy was first introduced by the Government of the late John Sandfield Macdonald, and was, in fact, the cause of its defeat, and that not on account of the object, but on account of the manner in which it was proposed to grant the proposed aid. The policy of railway aid was continued down to 1880 and 1881. No doubt the aid so granted contributed very largely to the improvement and advancement of the country. It gave a healthy activity to railway enterprises and a stimulus to projects for the building of new lines. Under that policy the sum of \$6,000,000 had been granted, of which \$4,000,000 had been paid. In 1881, in view of the various other large obligations of the Province and for other reasons, a feeling grew up that it was time for the Province to hold its hand in this matter; and the Government yielding to the evident desire of