

tion, suggested that as one plan which he thought ought to be adopted. In a former debate he thought the Government should shift a part of the responsibility for the maintenance of lunatics, etc., upon the municipalities. This year we expect to trench upon that reserve to the extent of some \$400,000, and it is well that we have a reserve that we can have recourse to in such an emergency as this."

I made similar remarks in 1887, but as the hour is late I will not refer to them.

Now, what truth is there in the hon. gentleman's statement "that we have been going on in a fool's paradise," "that the fact that we have had to draw upon the surplus has been kept from the people," and that to him it has been reserved to make this wonderful new discovery? But the hon. gentleman has enormously exaggerated our over-expenditure and our drafts on the surplus which he puts in the seven years at \$1,800,000. He has endeavored by childish and wearisome reiteration of the same figures over and over again to give length if not substance to an otherwise barren and weak criticism. He has gone over the years 1883 and 1884, then 1883, 1884 and 1885, then 1883, 1884, 1885 and 1886, and so on in rapid reiteration, which puts one in mind of the old child's story of the "House that Jack Built," in which such reiteration is the main feature; there may be a little jingle, but there is no more sense in the hon. gentleman's story than in the childish one.

Mr. Meredith—Order.

Mr. Ross—In what am I out of order?

Mr. Meredith—The hon. gentleman has no right to say there is no sense in the hon. member for Toronto's speech.

Mr. Ross—The hon. gentleman will have some difficulty in proving my remarks out of order. I have no desire to be personal, but my remark that there is little sense in the tiresome iteration and reiteration of the hon. member for Toronto is not half as offensive as the personalities in almost every line of that hon. gentleman's speech. (Applause.) Now, Mr. Speaker, we have fortunately, as time is limited, a short and accurate test of what our over-expenditure—which the hon. member calls a deficit—has been. It is manifestly clear that any expenditure not met out of revenue must have been taken out of our surplus. The annuities which were issued for four years of the seven he refers to were merely renewals of the railway aid certificates due in those years, and, being equal debits and credits, do not affect the account. Now what was the state of our surplus in the years 1883 and 1889 respectively? Taking out of consideration altogether the assets held by the Dominion at both periods, the changes in which have during that period not affected to the extent of a dollar either our receipts or expenditure, the other assets, con-

sisting of bonds, debentures, mortgages, collectable debts and balances in banks, were in 1883 \$1,834,066, \$52,526 of that representing Municipal Loan Fund. Debts cancelled by the Legislature were not therefore collectable, and must be deducted, leaving these assets in 1883, \$1,781,540. These same assets are now \$1,310,056, or these assets are less by \$471,484. These liabilities—exclusive of Common School Fund due Quebec, which, like the assets held by the Dominion, do not affect our receipts or expenditure—are less in 1889 than in 1883 by \$1,548, leaving the total taken out of the surplus to pay over-expenditure but \$469,936 instead of \$1,200,000, as the hon. gentleman represented—(applause)—and, considering that during those seven years we have paid, outside of our ordinary expenditure,

For Public Buildings, including \$700,000 for new asylums.....	\$2,263,668
Railway aid.....	753,965
Parliament Buildings.....	481,813
Land Improvement Fund to municipalities.....	103,685
Common School Fund to Quebec.....	165,000

In all.....\$3,773,131

and only drawn on our surplus for \$469,936, the hon. member for Toronto's picture of horrors is sadly out of place. (Applause.) The hon. member also attempted to be jocular over the fluctuations of our assets, and pointed to the year 1884, when, notwithstanding an expenditure in excess of receipts, our surplus was materially increased. It is true our surplus did largely increase that year, as it was in that year that the Dominion Government granted Ontario, in return of the interest they had improperly charged us for interest on debt of the Old Province of Canada \$2,848,289, which we added to our assets. When I contended in my place in this House that Ontario was entitled to this refund, hon. gentlemen scouted the idea, and opposed the demand being made, but the Dominion Government saw that our demand was just, and by the Act of 1884 they gave us the amount. I think the people of this Province will give us a little credit for obtaining this, but hon. gentlemen opposite cannot share in that credit, as they did their best to prevent us from getting it.

The hon. member for Kent disputed our right to enter in our receipts the sums received from the Dominion for interest on the Ontario funds they hold as interest, and claimed that it was subsidy, not interest. Well, I will settle that matter definitely by an authority he cannot dispute. Here in the Dominion public accounts, under the head "Interest on public debt," I find the following entries:—"Provincial trust funds at 5 per cent.—Common School Fund, \$82,282 22; Upper Canada Building Fund, \$73,619 57; Upper Canada Grammar School Fund, \$15,638 45, and paid Treasurer of Ontario, \$136,696 65," which is the interest paid on general balance. (Cheers.) Now, Mr. Speaker, who is right and who is wrong? If the Dominion pay it as interest we are right in entering it as interest. The accuracy of hon. gentlemen in this is but on a par with all their other criticisms. There are a number of other inaccuracies in the criticisms of hon. gentlemen that I should have liked to expose, but at this late hour I will only refer to one of them. The hon. member from Toronto referred to the expenses of legislation, particularly salaries of officers and payments to sessional writers, and, following a not very creditable practice of his, selected, not the years that we have been making comparison with—that is, the first year of the Mowat Administration, 1873, with the past year of which we have the accounts, 1889—but selected 1872 and 1883, as he found these would suit his purpose. The hon. gentleman was unfortunate in touching this branch, as I will give the House the figures for 1873 and 1889. Salaries in 1873 were \$12,350, in 1889 \$13,600, or only an increase in 17 years of \$1,250. Writers

and messengers in 1873 were \$6,375, in 1889 \$8,934, an increase only of \$2,609, or in these two an increase of 20 per cent., against an increase in population of 23 per cent. But, Mr. Speaker, the total expenditure for legislation in 1873 was \$120,400, while in 1889 it was only \$119,936, or actually \$462 less than it was 17 years before. (Applause.) I think I can leave the hon. gentleman there and again repeat my motion that you do now leave the chair. (Applause).

MUTUAL INSURANCE COMPANIES.

The Attorney-General and the Hon. Mr. Drury were waited on before the House met by an influential deputation, representing the Mutual Fire Underwriters' Insurance Association of Ontario. They were:—John Beattie, President, Fergus; R. J. Doyle, Owen Sound; Charles Davidson, Guelph; Wm. Turnbull, Brantford; Hugh Black, Eramosa; W. G. Willoughby, Lambton; David Rae, Eramosa; J. G. Hobson, Guelph. The President of the Association presented the Attorney-General with a petition which he said embodied the gist of the amendments to the insurance law which they desired. They are as follows:—To add to sub-section C, of sub-section 10, of sec. 114, of the Act, the words, "or by the use of a steam threshing machine if the engine of said machine be placed within 100 feet of any building, or stack of hay, grain or straw, if wood be used as fuel, or within 30 feet of said property if hard coal be used as fuel." The petition also sets forth that it would tend to lessen the number of incendiary fires if the insured were obliged to register in the office of the Clerk of the Municipality the particulars regarding the cause of the fire and the amount claimed as compensation.

The deputation laid much stress on a clause in the petition recommending the appointment by the Government of fire wardens having Provincial jurisdiction and full powers of Justices of the Peace to investigate the causes of all fires, when incendiarism is suspected. In reply to the Attorney-General, Mr. Doyle, on behalf of the deputation, said that the Insurance Companies would be willing to assume the payment of the salary or fees of the fire wardens. They asked in conclusion that sec. 132, ch. 26, 50 Vic., should read as follows:—"Forty days after the expiration of the term of insurance the premium note or undertaking given for the insurance shall be void and be given up to the signer thereof, provided all losses and expenses with which the note or undertaking is chargeable have been paid."

PRISON REFORM.

Rev. A. F. Macgregor and Mr. John Cameron, Woodstock, representing the Prison Reform Association, in an interview with the Attorney-General in the evening, urged the appointment of a Commission to hear evidence from experts and others identified with Prison Reform Associations as to the necessity of prison reform.

REFRACTORY ORE.

Messrs. Lyon, Conmee and Armstrong, members of the Assembly, and Wm. Young, Reeve of Rat Portage, waited on the Attorney-General and asked for financial assistance in carrying on the works now erected at Rat Portage for reducing refractory ore.

WITNESSES AND EVIDENCE.

Incapacity from crime or interest won't exclude a witness. In civic cases plaintiff and defendant and relations are compelled witnesses. Testimony of plaintiff in breach of promise must be corroborated.

In adultery husbands and wives can give evidence, but they are not bound to incriminate themselves by answering questions proving or disproving adultery.

Communications between husband and wife during marriage are privileged.

In administration suits party interested must get his evidence corroborated in the matter before death of testator.

Affirmation equivalent to taking an oath, as to consequences.

Subpoenas—Party in action gets eight days, and if he does not appear, plaintiff, if he is delinquent, is nonsuited, or defendant gets judgment against him. Contradiction of previous statements, written paper must be shown witness. Witness may be questioned as to whether he was convicted of felony.

Party producing witness cannot impeach his credit by general evidence of bad character, but by leave of Judge he can contradict him with other evidence.

COSTS OF DISTRESS.

When sum demanded does not exceed \$80 (schedule C), if a person offends, a Justice of Peace may mulct him in treble amount taken and full costs. Attachment follows if not paid or gaol if nulla bona returned. If he does not appear he forfeits \$8. If complaint not well grounded Justice can inflict costs not exceeding \$4.

EXECUTION.

Salaries exempt to \$25. Shares in companies transferable are liable to seizure as personal property. If there is a regular place for paying dividends the notice of seizure of stock must be given there. If shares sold, notice of purchase and execution must be given by Sheriff ten days after sale. In writ of execution against goods when they are under mortgage, equity of redemption can be sold. Sheriff can take negotiable instruments and cheques and sue them in his own name. Equity of redemption in lands can be sold by usual process.

NOTICES OF MOTION.

Mr. Smith (Frontenac)—Monday next—Bill for the establishment of employment agencies.

Mr. Balfour—Friday next—Order of the House for a return showing the amounts still to be paid on railway aid certificates issued by the Province, with the dates when the same became due and payable; also showing the amounts of the annuity certificates issued by the Province, with the dates when they became due and payable; also an estimate of the present value of the said railway aid certificates and annuity certificates respectively.

Mr. Meredith—Order of the House for a return of a copy of the judgment pronounced by the Hon. Mr. Justice Robertson, in an action in the High Court of Justice, wherein John J. Gosnell is plaintiff and Isaac Swarthout and others are defendants, and copies of all correspondence between the License Commissioners for the East Riding of the County of Kent and the Provincial Secretary, or any other member or officer of the Government, on the subject of the granting of licenses which were in question in the said action.

Mr. Bronson—Bill to amend the Street Railway Act.