

TORONTO DIVISION IS NOT POPULAR.

Government's Majority Small
on Redistribution.

UNIQUE VOTE IN HOUSE.

Opposition Fights Gerrymander
to Last Ditch.

Members Support the Toronto Bill
and an Amendment Passes the
House—Liberal Leader's Stand—
—Many Amendments to Redistri-
bution Measure Are Presented and
All Are Lost on Division

By the smallest majority which has been registered on behalf of the Government during the last four years the proposals to duplicate the representation for Toronto was carried in the Legislature yesterday. The amendment introduced by Mr. T. H. Preston, the member for Brant, to the effect that Toronto should only return six members, was voted down by 48 to 19. The smallness of the Government's majority has a particular significance. This proves conclusively that in their proposals the Government have not the unanimous support of their rural followers, and that many of them preferred to dodge the division rather than support the Government's proposals. Mr. Preston in submitting his amendment made out a very strong case, and his arguments remained absolutely unanswered by the Premier. The Opposition carried out their expressed intention, and fought the Whitney gerrymander to the last ditch. In regard to every case of mutilation they placed themselves on record and were voted down by strength of numbers, and finally the bill was given its third reading. Another feature of yesterday's session was the attitude adopted by the Legislature with regard to the Toronto bill. From both sides of the House, particularly by the leader of the Opposition, the principle was affirmed that the city should control its own streets, and an amendment to this effect carried. The House adjourned at 1.05 this morning, Premier Whitney announcing that he hoped to get through with the business by 6 o'clock this evening.

No. City Lobby.

The bill of the city of Toronto went into committee. Mr. McNaught, who fathered the bill, denied that the city of Toronto had put up a lobby for the bill. He did not think the vote of the committee represented the opinion of the House. Mr. McNaught briefly reviewed the history of the company. In the original agreement between the city and the company he thought the city's right to protect its own streets was clearly set out. He pointed out that the act passed by the Legislature was not exactly the same as the agreement. Mr. McNaught also said that when R. J. Fleming was Mayor Mr. S. H. Blake, K.C., was consulted regarding the street railway and the city's rights. It was peculiar, he added, that both these gentlemen appeared against the bill in committee a few days ago. During three times the case had come up in court, he said, nine Judges had heard the evidence, and eight Judges were favorable to the city. The Privy Council had based their decision, he thought, on the Legislature's act, which inadvertently had been made different from what was provided in the agreement. In placing Toronto in the position it formerly had, Mr. McNaught did not think the Legislature would

be casting any reflection upon the decision of the Privy Council.

Mr. McNaught's Amendments.

He submitted the following:—
"Notwithstanding anything contained in the act passed in the 55th year of the reign of her late Majesty Queen Victoria, and chaptered 99, and intitled 'An act to incorporate the Toronto Railway Company and to confirm the agreement between the corporation of the city of Toronto and George W. Kiely, William Mackenzie, Henry A. Everett and Chauncy C. Woodworth'; and notwithstanding any judicial decision interpreting the effect of the said act in conjunction with the said agreement, it is hereby declared that it is and always has been the true intent and meaning of the said act that the rights retained by and secured to the corporation of the city of Toronto by the said agreement to control and manage the streets of the said city, and to establish and lay down new lines of railway and to extend the street car service upon the streets of the said city, have not been and are not affected by the said act, but said rights remain and are as set out in the said agreement scheduled to the said act."

Hon. Mr. Foy said the rights of the city had never been considered until very lately. All that was required was that the "agreement should be the agreement, and continue to be the agreement," and that the act did not take away any of the rights. There were precedents for any action of the Legislature, he claimed.

The Opposition Leader Speaks.

Hon. Mr. MacKay said that if Mr. McNaught meant by a lobby that no person representing the city spoke to the members of the Legislature, he was mistaken. Mr. MacKay said that when he was a member of the Private Bills Committee he always desired to get as much light on any question as possible. The observations in the newspapers regarding a "lobby" he thought rather a reflection on the Legislature.

"One can hardly understand how the city of Toronto deliberately and intentionally gave up control of its streets in this way. I think the amendment is about right," said Mr. MacKay.

Support of Premier.

"As an individual I shall have a great deal of pleasure in voting for this amendment," began Premier Whitney when the Legislature resumed in the afternoon, "and I desire that every member of this House vote as his own inner conscience suggests." Proceeding, he said that not many days ago the city had come to the Government for the first time with reference to the bill. The Premier also had a few words of praise for the work of Mr. McNaught in connection with the bill. Continuing, he said it would be intolerable to allow outsiders to do what they pleased with the city streets. Mr. Whitney further said that too many attempts had been made during the last few weeks, without any suggestion of impropriety, to influence legislation. All sorts of legislation was being asked for and four-fifths of it was wrong. During the last ten days between the door of his office and the Assembly door he had been buttonholed by from three to six people. Five out of six of these were good men, and five out of six were asking for something they should not get. He proposed, he said, to do something to have the proceedings of the Legislature conducted more regularly.

As They Were.

Finally Mr. Gamey moved, with the concurrence of Mr. McNaught:—
"Notwithstanding anything contained in the act passed in the 55th year of the reign of her late Majesty Queen Victoria, and chaptered 99, and entitled 'An act to incorporate the Toronto Railway Company and to confirm the agreement between the Corporation of the city of Toronto and George W. Kiely, William Mackenzie, Henry A. Everett and Chauncy C. Woodworth,' and notwithstanding any judicial decision interpreting the effect of the said act and the said agreement, it is hereby declared that it is and always has been the true intent and meaning of the said act that the rights retained by and secured to the Corporation of the city of Toronto by the said agreement as to the control and management of the streets of the said city, and as to establishing and laying down new lines of railway, and as to extending the street car service upon the streets of the said city, as may be from time to time recommended by the City Engineer and approved by the City Council, have not been and are not affected by the said act, but said rights remain

and are as set out in the said agreement scheduled to the said act."

Amendment Carried.

Mr. Lennox (North York) said the position he took in the Private Bills Committee would be the same as he would take in the House. He claimed some newspapers of the city had been unfair with and dishonest towards the members of the Private Bills Committee.

Mr. Lucas, who was Chairman of the Private Bills Committee, claimed that the amendment gave the city nothing more than was offered and rejected in the Private Bills Committee.

Mr. Clarke (Northumberland) said he could not see how he could be consistent and vote for the amendment.

The amendment of Mr. Gamey carried without a division.

A Change in Lanark.

When the redistribution bill came up for a third reading Mr. Whitney had it sent back to committee in order to have a paragraph added that where a village is incorporated and divided between two ridings, the entire village shall vote in the riding as before incorporation. Another clause pro-

vides that the bill come into effect immediately after dissolution. Mr. Whitney also suggested a change in the Lanarks. Sherbrooke township is taken from the North riding and added to the South, and Beckwith township taken from the South and placed in the North. The name of West Nipissing was changed to Sturgeon Falls.

Toronto Constituencies.

Before the bill was read a third time Mr. Bowman (North Bruce) moved an amendment in the shape of a minority report, and this was lost on division. Then Mr. Preston (South Brant) moved his amendment in favor of giving Toronto six constituencies and six members. In supporting this he contended that when the special committee first met there was no intimation of what was coming. There were twenty-two electoral divisions affected, and Governments had been created in fewer constituencies than that. He thought the Government had missed an opportunity in connection with the matter of setting a precedent in Ontario for all time to come. Mr. Preston quoted from authorities to show that rural constituencies should have more proportionate representation than urban constituencies. Applying these, he said all cities should have smaller representation, but this applied especially to capital cities. He contended there were many thousands of foreigners in Toronto who could not rightly be considered entitled to vote. In Toronto there was the civil service, a student body acting as emissaries of the city throughout the Province, as well as a metropolitan press.

Thousands Disfranchised.

On the basis of the 1901 census Toronto was to be given even a larger representation than other cities. In the same proportion as was now proposed Montreal would be sending twelve members to the Quebec Legislature, whereas that city only sent six members. Montreal, he pointed out, was not a capital city either. The redistribution bill meant practically, he contended, the disfranchisement of 100,000 Liberals. The peculiar division in Toronto seemed to bear the stamp of the members for the city. The working out of the two-member plan, claimed Mr. Preston, was hitting the Labor man "under the belt." In a brief reply Mr. Whitney repeated that no suggestion had come from the Liberal members of the special committee. He claimed there was no argument to be drawn from a comparison with Montreal.

"It is not the desire of this side of the House to provide for minority representation. It is majority representation we are to have and it is majority representation we believe in. We believe in the good old common-sense principle that the majority should rule, except for the Presbyterian and Methodist Churches, and the licensing system of this Province."

Mr. Studholme urged the Government to withdraw its fad bill. It was like P. T. Barnum's "What is it?" for nobody could give it a name. He wanted to know who was sponsor for the bill.

Hon. Mr. MacKay also asked the same question. Who wanted to give one man two votes?

Mr. Whitney—It only gives one man one vote.