

# EXTENSIVE POWER FOR DEPARTMENT.

## Government Bill to Regulate Use of Dairy Produce.

## TO AMEND MARRIAGE ACT.

## Attorney-General to be Factor In All Trials.

**Mr. Elliott's Amendment to the Power Bill Ruled Out of Order—Mr. Downey's Anti-tuberculosis Proposals Opposed by Physicians -- Busy Day at Legislature.**

Under a bill which was introduced in the Legislature yesterday afternoon by the Minister of Agriculture, the Provincial Government are asking that large powers shall be vested in the Department of Agriculture with regard to the regulation of the manufacture of dairy produce. The bill, introduced by Hon. J. S. Duff, provides that after the first of January, 1910, every cheese factory and creamery operating in the Province shall be registered with the department, and that no new undertaking of that character shall be started without a permit from the Department. The permit mentioned will only be issued after a report by the department's inspector, who must be satisfied that the factory is properly equipped, and that the sanitary conditions are such as are desirable where food products are concerned.

Another clause of the bill provides that after the first of January, 1910, no person will be permitted to act as chief maker in a factory or creamery who does not hold a certificate or permit from the Minister. A further important section sets forth that upon the report of any inspector the Minister of Agriculture may withdraw the certificate or permit for any cheese factory or creamery on the ground that it is not properly equipped, or that the sanitary conditions are not such as are desirable, and withhold the permit until these matters are put right.

### To Strengthen Marriage Tie.

Hon. J. J. Foy, the Attorney-General, introduced an important Government measure to amend the marriage act. "It is in essence a precautionary measure," said the Minister in an interview with The Globe. "Its aim is to strengthen the serious meaning and permanency of marriage." The bill provides that no declaration or adjudication that a valid marriage was not entered into can be entered into upon consent of parties, non-appearance or default of pleading, or otherwise than after a trial. At every such trial the evidence shall be taken *viva voce* in open court, and it is further provided that the court may of its own motion require either or both of the parties to be examined before the court touching the matters in question in the action.

### Power of Attorney-General.

A further important provision requires ten days' notice of every trial to the Attorney-General, who may intervene at the trial or at any stage of the proceedings and may adduce evidence, examine and cross-examine witnesses, and have the same right of

appeal as a party defendant has.

### Mr. Beck's Franchise Bill.

Hon. Adam Beck's Government bill respecting contracts with municipalities and requiring a vote of the people before the corporation can be bound under contract for more than one year was put through its committee stage with two amendments submitted by the Minister. These except cases of individuals or companies with the right of passing through, without operating in municipalities, forming only a connecting link, and the operation of oil, natural gas or water, providing it is not intended for sale in the municipalities. Sir James Whitney declared the measure to be an important one for the public welfare.

### Give Right to People.

Mr. D. J. McDougal (East Ottawa) thought all franchises should be dealt with according to the terms of the bill. It was highly desirable that no Council should be permitted to tie up municipalities for a number of years without the consent of the people.

Sir James Whitney replied that the legislation under which the Hydro-electric Commission operated was of a special character.

"That is the point," observed Mr. McDougal. "I don't think it should be put upon such a special basis. The principle of the bill is very meritorious, but I urge that it be extended to its fullest limit."

"All the contracts made by the Hydro-electric Commission have been approved by a vote of the people, except one," said Hon. Mr. Beck. "That one was Ottawa. Has my hon. friend any fault to find with that?"

### Not Finding Fault.

"I am not finding fault," replied Mr. McDougal. "It is very satisfactory, but the point is this, that under the present proposal the ratepayers voted upon one question while the Government proposes to force them to take another."

"As the law now is," explained the Premier, "all contracts with the Hydro-electric Commission must be submitted to the people."

Mr. E. E. Fraser suggested the exemption of the counties of Lincoln and Welland to the act. "It will be murder to the small distributing companies at Niagara Falls," he observed.

### To Validate Contracts.

The House went into committee on the Hon. Adam Beck's bill to validate the various contracts under the Niagara power transmission scheme, and after certain amendments of a formal nature had been made the bill was reported and the Premier moved its third reading.

Mr. J. C. Elliott (West Middlesex) took exception to the progress of the bill. He raised the same point as the leader of the Opposition did when the measure was before the House three days ago, contending that what the Government now proposed was not what they had led the ratepayers to expect when the various by-laws were passed. When the by-laws were passed the ratepayer understood, and it was quite clear from the wording of the by-laws themselves, that power would be delivered to the boundary of his municipality, and up to that point he incurred no responsibility. Now the Government said that they would sell the power at the Falls. He thought, while desiring the success of the scheme, that under these circumstances the matter should go back to the people. He also considered that it was a hardship that in the event of damage resulting from the work of the commission the injured person could not take proceedings without the fiat of the Attorney-General. He had asked for a return showing the number of instances in which fiats had been asked for and granted or refused. If that information had been forthcoming, then the House might have had some guide as to what would happen in the future, although he did not wish to suggest that the fiat would be improperly withheld.

### Ruled Out of Order.

Mr. Elliott moved a lengthy amendment, the effect of which was to make the commission submit the by-laws again to the people, and to enable farmers through whose lands the transmission line would pass to sue the commission without a fiat.

The Premier declared that the amendment was out of order, providing, as it practically did, for the repeal of three acts in regard to the

matters under discussion, which were already on the statute books.

The Speaker—The amendment should be withdrawn.

The Premier—The amendment cannot be withdrawn; it should be declared out of order, if it is out of order.

The Speaker—The amendment is out of order.

Mr. McDougal (East Ottawa)—The second reading was allowed to go through on the understanding that members would be given every possible opportunity to make any amendment that they thought fit.

The Premier—I took the bill back into committee this afternoon and went through every clause, and anyone who thought fit could have made an amendment.

The bill was given its third reading.

### Anti-tuberculosis Campaign.

Mr. J. P. Downey (South Wellington) renewed his battle on tuberculosis by moving the second reading of his bill to prevent the spread of the disease, the essential clause of which calls for compulsory notification. The member was given an attentive hearing and his address was frequently punctuated by applause. After considerable discussion Dr. R. F. Preston (North Lanark) moved the adjournment of the debate and the House rose at 6.30.

### MANY PRIVATE BILLS.

#### Disposed of by a Committee of the Legislature.

Hamilton had the first call before the Legislative Private Bills Committee yesterday. City Solicitor Waddell explained the character of the bill. It was, in brief, he said, a request for power to raise \$237,000. Of the sum necessary the Solicitor explained that \$112,000 was for permanent improvements which were not provided for in the estimates, and \$115,000 was necessary to complete work arranged for in connection with the improvement of the railway system. The bill was reported.

The committee passed the bill of the city of St. Catharines to exempt the Whitman-Barnes Company from municipal taxation. The bill legalizing Sunday cars at Port Arthur and Fort William was also passed, on condition that a majority of the people declared for them. Backed by nine hundred votes in favor, and only twelve nays as a result of an appeal to the people, Sault Ste. Marie's bill, to aid in the construction of a dry dock, came before the committee and was reported. The bill validated the agreement entered into between the town and John O'Boyle for that purpose, under which the town will pay an annual subsidy of \$5,000 for twenty years, and exempting the company's property from taxation.

## TALKED OF LIBEL AND EDITORIALS.

### Saw Attorney-General.

At 12.30 yesterday afternoon a very large deputation, including the President and officers of the association, waited on the Attorney-General at the Parliament buildings to ask for a revision of the law as affecting actions against newspapers for libel. The deputation particularly urged that power should be given to the Judges to order that security should be given for costs in cases where the charges appeared to be of a frivolous nature. They also asked that the period for the issue of the writ should be reduced from three months to thirty days.

In regard to this the Attorney-General pointed out that the longer period might be necessary because of the difficulty experienced in some cases in finding out who exactly was responsible. This difficulty might be got over if the name of the responsible publisher was printed in each issue of the paper, and in this the deputation concurred. Mr. Foy said that it was the intention to go over the various points with the Judges engaged in the revision of the statutes.