

THE HIGH COURT TO BE ENLARGED

Attorney-General Lays Proposal Before House.

TO COLONIZE CLAY BELT.

Ontario Cabinet Called Upon to Take Action.

Opposition to the Government Townsite Bill—Mr. McDougall Counsels Care in Working Out of Measure—To Provide for More Benchers in Law Society—Mr. Fraser's Workmen's Compensation Bill Killed.

The Government measure of the Attorney-General, Hon. J. J. Foy, to provide for an increase in the number of High Court Judges in Ontario, was given a second reading in the Legislature yesterday, and sent on to its committee stage, with the number of appointments still in blank.

The Attorney-General read the House the correspondence between the Judges and himself, in which the former urge that provision be made for three additions to the High Court Bench. While intimating that the Government was giving considerable thought to the recommendations made, the Minister stated he was not yet prepared to announce the number it deemed necessary.

Conference With Federal Minister.

Hon. A. G. MacKay inquired as to whether the operation of the law reform policy would have any effect in determining the number of additions necessary. The Liberal leader also counselled the Attorney-General, as a matter of courtesy, to place himself in communication with the Federal Minister of Justice, in order that the latter, who had the making of the appointments, would have opportunity to prepare for the adoption of the measure. He suggested that it would probably be deemed advisable to have the appointments made by the beginning of September.

Hon. Mr. Foy, replying, said he understood that the Judges had communicated with the Minister of Justice at the same time that they corresponded with him. "I am in a position to say that the Minister of Justice is already aware of the position," he observed.

Colonize the Clay Belt.

In moving for a return of the House showing what steps the Canadian Northern Railway Company had taken toward the building of a section of the railway into the clay belt of Ontario, in aid of which the Legislature voted a subsidy of four thousand acres per mile last session, Mr. J. W. Johnson (Hastings) expressed a desire for the establishment of a partnership for colonization effort between the Government and one of the great railway companies. He preferred the Canadian Northern because it already touched the clay belt on the west and on the east, and was interested in development and colonization. He wanted to see a start made

without delay, so that Ontario could compete seriously and effectively with the western Provinces for our own people who are seeking a new field, as well as for the people from the States and Great Britain and Ireland who desire to emigrate.

Extension of T. & N. O. Proposed.

An alternative scheme was submitted by the member for Hastings. He proposed that the Government extend the T. & N. O. Railway from a point south of Cochrane to the Manitoba border, extending to the settler facilities for settlement, such as clearing a portion of 160 acre lots at intervals and the erection of modest homes and outbuildings. These, and the cost of clearing, Mr. Johnson submitted, could be paid as the settler acquired means, security being taken until the settlement duties have been performed.

The Government railway, he pointed out, was now earning 4 3-10 per annum on the money it cost after providing for maintenance and renewals. This result had been attained after only four years of operation. If the money for the road had been raised by the sale of shares, Mr. Johnson maintained, they would be worth, considering the present earnings and the splendid future, at least 125.

A Colonization Company.

Mr. R. R. Gamey (Manitoulin) suggested that the Government would do well to consider the advisability of giving over to some big colonization company one or two millions of acres conditional upon their opening up and settlement.

Hon. Dr. Reaume approved of the resolution, which passed.

To Claim a Quarter of Townsites.

Hon. Frank Cochrane's bill respecting townsites, found the going exceedingly rough in the House yesterday afternoon, and judging from the comments that were passed upon it, the bill will get a warm reception when it comes up in the committee. The act, in effect, gives to the Provincial Government the right to claim one quarter of the acreage of all land laid out as a townsite, and so registered. The act also provides that the Minister of Mines and the owner of the land in the townsite must get together and in turn select the lots, the Minister taking one lot and the owner or owners three lots, until the division is made. The bill is designed to deal altogether with the lands in New Ontario.

Hon. Mr. Cochrane, in moving the second reading of his bill, pointed out that much of the profit accruing to an individual whose land has been laid out as a townsite is the result of the work of the Government and that the Province had a right to share in those profits. It was, he said, fair and just.

Mr. McDougall (East Ottawa) wanted to know whether the act would apply to towns that had grown up gradually, where there being a number of individual owners, it would work a hardship to compel them to hand over a quarter of their holdings; or whether it would extend only to those lands not settled at the time the townsite was planned and registered. The Minister explained that there could be no town until the townsite was laid out and registered.

"Extraordinary," Says Mr. Gamey.

Then Mr. R. R. Gamey took a hand in the discussion. "This appears to be the intention of the act," he said, "that in the future, men who happen to be fortunate enough to get a piece of ground on which a townsite in the course of time is located, are going to have it taken away from them. This is a new departure. I never heard of anything like it in the Province before. It is an extraordinary position to be taking. The principle of it is, I think, entirely wrong. There won't be any trouble in working it out, though. The Government will grab the quarter share all right."

Sir James Whitney—I think there is no doubt at all that the bill is all right. It is not the purpose of the Government to take away anything unreasonably.

The Minister of Mines again explained the reasons of the Government in introducing the bill.

Individuals Would Suffer.

Mr. McDougall agreed with the principle that the Province had a right to expect a share in the profits accruing on the locating of a townsite—the "unearned increment." He thought, however, that the act as set out would work hardly upon individuals in some cases, and that the Gov-

ernment might be able to achieve the object in some other way.

Mr. Gamey tried again. "I want to ask the Minister," he said, "whether there is another Province in Canada that has such an act?" "Yes, British Columbia," replied Mr. Cochrane promptly. "It has had one on its statute books for some time." There was some further discussion, and the act was then referred to a committee of the whole House.

Debentures for Municipal Phones.

An act to amend the local municipal telephones act, in order to allow subscribers to issue debentures to cover the cost of construction or extension of telephone systems, was introduced by Mr. Eilber (South Huron). Municipalities under the amendment are given power to pledge their credit for debentures extending over a period of not more than ten years. A second clause gives a municipality the right to make arrangements with any bank or corporate body for loans to complete its telephone system, and may then pass the necessary by-law authorizing the debentures. From the sums realized all loans are to be met. This by-law must be passed not later than two years after the municipality has enacted the by-law for the establishment of the system.

Mr. Fraser Withdraws Bill.

Mr. E. E. Fraser (Welland) withdrew his bill to amend the workmen's compensation act, by placing the burden of proof on the railway companies in cases of injuries to employees, on the assurance of Sir James Whitney that the Government was going to look into the whole matter.

Mr. W. S. Brewster (South Brant) will secure further consideration in committee for his bill to give municipalities the right to close streets for manufactories without going to the people, but his second measure, to regulate the use of traction engines on highways, was killed.

Brought Sixty Domestic Out.

Hon. J. S. Duff, the Minister of Agriculture, informed Mr. Studholme, in response to the Labor man's inquiries, that J. W. Rigby had brought sixty domestic servants to Ontario during the year 1909. The Minister made a return of their names, whence they came, and their present addresses, so far as obtainable.

To Secure More Benchers.

Mr. W. S. Brewster (South Brant) introduced a bill to amend the act respecting the Law Society of Upper Canada. The measure provides that any Bencher, who has been a Bencher for 20 years, will thereafter be a Bencher ex-officio. It only applies to four or five members, the member pointed out. The object is to give an opening for new blood. There would then be an opening for four or five new Benchers at the next election, a year hence. The bill got a first reading.

The proposal to permit Toronto to subdivide into ten, instead of seven, wards, presented by Mr. W. D. McPherson in the form of a bill, was sent on to the Municipal Committee for consideration by that body.

Provisions for Public Institutions.

Mr. Kohler (Haldimand) has given notice that he will, on Tuesday, inquire of the Ministry, as follows: (1) Do any of the public institutions of the Province of Ontario purchase directly their own supplies of beef, lamb or mutton? (2) If so, which ones? (3) What is the contract price for beef, lamb, or mutton respectively in each case where these supplies are purchased directly? (4) What is the contract price of beef, lamb and mutton respectively, purchased through the general purchasing agent for these institutions?

To Prepare Way for Retirement.

Before the House adjourned, Sir James Whitney announced that in reference to the retirement of one of the High Court Judges, there was a possibility that his Honor the Lieutenant-Governor would be asked to come up on Tuesday and give his assent to a number of bills. The intention of the Government, apparently, is to secure a final adoption of the Attorney-General's measure permitting a Judge a certain time after leaving the Bench to render pending decisions. An early assent to the bill, it is understood is desired in order to allow the retirement from the Bench of Judge Osler.