

DEBATE CHANGE IN SCHOOL LAW ON DEBENTURES

Separate School Bonds to Follow Property Until Paid Off?

GIVEN SECOND READING

By a vote of 21 to 13 the Legislature yesterday gave second reading to the bill of Z. Mageau, Liberal member for Sturgeon Falls, amending the Separate School Act, so that debentures issued for separate school purposes will remain a charge against the property of separate school supporters at the time the debentures are issued until such debentures are paid off.

Mr. Mageau claims that, under the law at present, when any separate school board issues debentures the land is responsible for the debentures only so long as it is in the hands of the man who held it at the time the debentures were issued. Even if the property was sold to a Roman Catholic, and such Roman Catholic wanted to be a separate school supporter, the property could not be made responsible for the payment of the debenture, said Mr. Mageau. On the other hand, as regards public school debentures, Mr. Mageau contended that such debentures remained a charge upon the property until they were discharged. His bill is to make properties under both systems the same in these respects.

Minister Changes Opinion.

Some weeks ago Mr. Mageau's bill was up before the House and the Minister of Education held then that Mr. Mageau's interpretation of the law regarding debentures issued by public school boards or for public school purposes, was not correct, but that such debentures were levied from year to year upon the property of public school supporters, as shown from year to year on the assessment roll, irregardless of who owned the property when the debentures were issued. Yesterday, however, Mr. Grant admitted that this view had been modified—that

had consulted the Attorney-General's Department, and, as a result told the House the law appeared to be that property had to remain liable for the repayment of debentures issued, whether the holders were Protestant or Roman Catholic.

Premier Drury said that, as the question was wholly one of law, he suggested the bill should go to the Legal Committee, the House passing second reading without necessarily endorsing the principle contained in it. The bill could be fully debated in the Legal Committee and investigation made as to whether any remedy could not be found.

Radical Change in Law.

Hon. Howard Ferguson (Conservative Leader) held that the bill would effect a radical change in what had been the school law since 1863. For that reason he felt there should be more substantial reasons for the bill. It was going to establish a new principle upon which the financing of separate schools was

based, and it was going to be a radical alteration of the whole framework and organization of the school system of the Province.

Thomas Marshall (Liberal member for Lincoln) asked if Toronto was following the law in its manner of levying debenture charges? "I say not," said the Attorney-General. A. C. Lewis (Conservative member for Northeast Toronto) explained that in Toronto the City Council issued the debentures chargeable against the property occupied by public school ratepayers. He thought it would be a dangerous precedent to alter the conditions of the act placed on the statute books for good and valid reasons when the Education Act was passed. To say that the taxes on any property must go to a separate school so long as the debentures were outstanding was a very serious matter.

Willing to Fight Long.

"I for one am prepared to stay here until midsummer rather than see an act of this kind pass the House in such a light-hearted manner," he declared.

The Attorney-General, in a brief speech, said he thought the object of the bill ought to have the sympathy of the House. If a Roman Catholic acquired property liable for public school rates and then was called upon to pay separate school rates, he was suffering an injustice. The trouble, however, was to work it out. If it could not be worked out this session then the department might consider it.

Mr. Mageau said he himself had acquired property in Sturgeon Falls subject to public school debentures.

Sam Clarke (Liberal member for West Northumberland) made a plea for equitable treatment of all under the school system.

J. C. Tolmie (Liberal member for Windsor) thought the Legal Committee would kill the bill, and suggested the department should consider the matter and bring in a bill next session cleaning up the situation and putting it on a right foundation.

When the vote came Messrs. Raney, Nixon, Rollo and Mills of the Cabinet favored the bill, with practically all the Liberals. Hon. Mr. Grant, with most of the Farmer members present, and all the Conservatives present, voted against it. There was a small attendance in the House.

MacIntosh Commission May Secure Telegrams

Judgment given yesterday by the Appellate Division at Osgoode Hall opens the way for resumption of the hearings of the MacIntosh Commission, probing the charges of Alex. Lewis, M.P.P., relative to the death of Captain Orville Huston at Fort Frances last December.

The Appellate Division had ruled that certain telegraphic correspondence between The Toronto Evening Telegram and its representative at Winnipeg are properly open to inspection by the commission. This clears away an obstacle to the hearings which has occasioned two adjournments, one last Tuesday and again on Thursday.

Reasons for judgment will be delivered later by the court, which in the meantime orders that the telegrams in question be sealed by the Registrar of the court and returned to Commissioner MacIntosh.