

LEGISLATURE OF ONTARIO.

SECOND PARLIAMENT—THIRD SESSION.

TUESDAY, Feb. 3.

The Speaker took the chair at 3 o'clock.

VACANT SEATS.

The SPEAKER announced that vacancies had occurred in the representation of the North Riding of Perth, and the North Riding of Wellington. He had issued his warrants for the making out of the writs for the election of members for these Ridings. The writ for the South Riding of Oxford had been returned.

NEW MEMBER.

Mr. Oliver, the newly elected member for the South Riding of Oxford, having subscribed to the necessary oaths, was introduced to the Speaker by Hon. Mr. Fraser and Dr. Wilson, and was allowed to take his seat.

PETITIONS.

Mr. Hardy—Of the Township Council of Brantford, for certain amendments to the Municipal Loan Fund Act.

Hon. Mr. Pardee—Of C. Mackenzie and others, of Sarnia, for certain amendments to the Assessment Act.

Mr. Deroche—Of the first coloured Baptist Church of Toronto, for an Act to enable them to mortgage or otherwise dispose of certain property.

Also—Of J. G. Miller and others, for an Act to incorporate the Huron and Ottawa Railway Company.

Mr. Prince—Of the Township Council of Sandwich and Sandwich West, to define and establish a certain road allowance surveyed by Frederick S. Foster. Also—Of the Sandwich and Windsor Passenger Railway Company, to amend their Act of Incorporation.

Mr. Baxter—Of Clement Lambier and others, also of Robert Coverdale and others, of North Cayuga, for certain amendments to the School Act.

Mr. Corby—Of the Grand Junction Railway Company, to consolidate and amend their several Acts of Incorporation.

Mr. Fairbairn—Of the Town Council of Peterboro', for an Act to construct Water-works.

Mr. Clemens—Of Richard Blain and others, of Galt, for certain amendments to the Assessment Act.

Mr. Scott—Of James Cleland and others, of Meaford, to incorporate the town of Meaford.

BILLS INTRODUCED.

Hon. Mr. CROOKS—Respecting the Railway Grant and the Railway Subsidy Fund.

Also To amend and consolidate the law relating to the sale of Fermented and Spirituous Liquors.

Hon. Mr. MOWAT—To provide for voting by Ballot at elections for members of the Legislative Assembly.

Also—To provide for the inspection of railways.

REPLY TO THE ADDRESS.

Hon. Mr. MOWAT brought up the reply of His Excellency the Lieut.-Governor to the Address, which was read by Mr. Speaker, and was as follows:—

Mr. Speaker and Gentlemen of the Legislative Assembly,—

I thank you for the Address with which you have presented me, and I recognize with pleasure your determination to give your careful attention to the important subjects which will be laid before you, and feel confident your deliberations will conduce to the advancement and welfare of the people of the Province.

WAYS AND MEANS.

Hon. Mr. CROOKS moved the House into Committee of Ways and Means for the purpose of obtaining a vote of credit.

The following resolution was passed in Committee:—

“That a sum not exceeding three hundred and seventy-six thousand three hundred and four dollars and twenty-nine cents (\$376,304.29) be granted to Her Majesty to defray the expenses of the Civil Government, and for other purposes (as mentioned in the Statement accompanying the message of His Excellency the Lieutenant-Governor to this House, and annexed hereto), from the first day of January, 1874, to the passing of the Appropriation Act for the year 1874, and not exceeding the last day of March, 1874. Such expenditures to be confined to the ordinary necessary payments for the different services to which they respectively relate, and a detailed statement of such expenditures to be laid before the House, before the second reading of the Appropriation Act of 1874; and the details of the said several services to be included in the detailed Estimates to be brought down to this House, as though this Resolution had not passed; it being declared that the expenditure under the head of ‘Public Works and Buildings’ shall, in all cases, be confined to lapsed appropriations for 1873.”

The Committee on rising reported the resolution, and asked leave to sit again.

The report of the Committee was adopted.

LAW OF ESCHEATS.

Hon. Mr. MOWAT moved the House into Committee on the Bill to amend the Law of Escheats.

Mr. CAMERON requested, not having been in the House when the second reading was obtained, that the provisions of the Bill be explained. He was not aware that there was any necessity for it at present—no reason that he was aware of for treating the property of private individuals in a different way from what they had been for many years.

Hon. Mr. MOWAT said the Bill was introduced in consequence of a number of cases which had come before him since he became Attorney-General, every provision of the measure being framed with a view to meet the difficulties of the circumstances. The present system of proceeding was extremely cumbrous, expensive, and useless. It was adopted centuries ago, when it was thought of great importance to prevent the Crown from taking possession of escheated lands. He explained the various provisions of the Bill, as on the second reading, characterising the old law as a relic of a past age, and concluded by moving the House into Committee, which was carried.

In Committee,

Mr. CAMERON, in the course of his reply, reminded the Attorney-General that at present lands are escheated to the Crown, and he contended that some other name must be inserted in the measure instead of that of the Crown, which it was proposed to strike out. He contended that the Bill ought to, as it did not, provide that the disposition of the lands should be placed in the hands of the Government, under the superintendence and with the consent of Parliament. By the mere *ipse dixit* of the Attorney-General, the lands would be disposed of, and, seeing that his allegation alone was necessary to initiate proceedings to take possession by the Crown, such possession might be taken while a man had really not died intestate.

Mr. THOS. HODGINS argued that under the provisions of the Bill there would be no record of the finding of the Attorney-General upon which it was resolved to take possession; and he thought an amendment should be introduced to provide that the Attorney-General should, upon evidence produced upon oath, determine that the owner died intestate, and escheat lands to the Crown.

Hon. Mr. MOWAT said he did not think that the Attorney-General should have any such power as that proposed. He, for one, would not be willing to take that power, and