ONTARIO ASSEMBLY.

(Continued from third page.)

Mr. O'SULLIVAN supported the proposition, and pointed out that vessel owners complained that in order to prevent people from throwing ballast they had to keep a bar, and so the bar could only be opened during the summer months, the profits did not cover the expenses of the licenses.

The Committee then rose.

Mr. MOWAT moved the adjournment of the House.

The House adjourned at 11 o'clock.

FRIDAY, Feb. 2.

Mr. HODGINS moved for an Order of the House for (1) a copy of the report of Public Works of the late Province of Canada, dated 3rd April, 1866, on the probable cost of erecting Parliamentary buildings in the City of Toronto; (2.) Report of any steps taken by such Department or by the Government of the late Province of Canada, for the selection of a site for such Parliamentary Buildings, in the University Park at the head of the College avenue, pursuant to the Act 16th Victoria, chap. 164, and for the sale of the land and water lots mentioned in section 4 of the said Act; (3.) A statement showing the sum already expended for repairs of the Parliamentary and Departmental Buildings, and for rents and repairs of temporary offices since 1st July, 1867; (4.) An estimate of the value of the land and buildings now used for Parliamentary and Departmental Buildings and an estimate of the probable cost of erecting proper public buildings for such purposes. He did not think that anyone need be either afraid or ashamed to have public buildings, as no one who looked at them could avoid coming to the conclusion that they were a disgrace to the Province, to the Government, and to the Legislature. (Hear, hear). He hoped, if he could obtain the grounds creditable.

After some debate, the motion was carried.

Mr. O'SULLIVAN moved that a Select Committee composed of Messrs. Farrie, Striker, McMahon, Meredith, and O'Sullivan, be appointed to enquire into the internal management of the Central Prison, the mode of punishment, and other treatment therein practised, the duties of the various officers connected therewith, with power to send for persons and papers, and examine under oath. He did so in order that a fair and impartial investigation should be made into the affairs of the Central Prison. He believed that an enquiry had been made for papers with reference to a so-called investigation which had taken place into the alleged charge of cruelty at the prison some time ago; but feeling that the information would not be sufficient for the purposes he required, he made the motion in order that a fair and impartial investigation into the affair might be made by a Committee of the House. He had heard a great deal about the prison, and he promised that if a committee was granted he would be able to make some startling revelations. It was well known that a great deal of money was spent that the management of the prison had been very bad, and that the punishment of prisoners had been something like cruelty to dumb animals, and had amounted in many instances to torture. He did not say he would be able to prove that that was the case. He would also be in a position to prove that the food given to the inmates was of a character which reflected no credit to this or any other similar Government.

Mr. WILSON seconded the bill as it stood.

Mr. MASSIE argued that as the City Council were the representatives of the whole of the ratepayers, it should be left in their hands to exhaust the law or not as they saw fit.

Mr. ROSS agreed with the last speaker. It was necessary to provide against the machination of railway companies. He thought it was a monstrous proposition that any fifty ratepayers of the city, who could by got by a canvas by a railway company to sign a petition, should have power to compel the submission of a by-law after it had been once submitted.

Mr. PAXTON thought the matter should be left in the hands of the City Council.

Mr. MACDOUGALL said that the citizens had already shown their feeling with regard to this project by petting $100,000 of their money in it, and they were likely to lose that money if they were not permitted to grant this railway some further aid. He held that the people should be allowed to say whether they would grant any more assistance to this project, and that it should not be left open to a few men influenced by private or other motives to prevent them.

After some further debate,

The amendment of Mr. Miller was then put and lost.

On suggestion of Mr. Mowat the bill was referred to the Railway Committee to be reprinted in connection with Mr. Bell's and Mr. Fraser's amendments.

The House went into Committee on the Act to incorporate the Trinity Medical School.

Mr. CAMERON said he should like to have some information with respect to one clause in the bill with regard to affiliation, as there was a question of principle involved.

Mr. CROOKS said the Act would not interfere with the general law under which the Provincial University was carrying on its business. The clause referred to simply gave the School powers of affiliation, but did not affect in the slightest the position of the University with regard to the question of affiliation.

It being six o'clock the Committee rose. The Speaker left the chair.

After recess,

Mr. BETHUNE asked leave before the Committee was resumed to make a statement with regard to an article in the *Globe* of this morning relative to the bill "To enable the Synod of the Diocese of Toronto to confer emeritus and/or cath." He said that he introduced the bill at the request of a number of distinguished members of the Church of England—amongst others Vice-Chancellor Blake—but he might say in justice to the members of that communion that it was perfectly understood at the time the bill was introduced that they did not desire to claim any privileges which would not also be accorded to the members of every other communion; and then, if any such a bill would have been something like cruelty and had amounted to any injustice in whose behalf it had been introduced had thought it could be carried. He (Mr. Bethune) intended moving that the bill be referred back to Committee for the purpose of discussing the question whether such a power in the province should give by its might not be extended to all religious bodies. The object of the bill was simply to enable some aged or infirm clergyman who had in regard to any clergymen who had been acting in such a way as to benefit the Church, but who could not now be removed, on account his or their having property rights.

Mr. MOWAT said he hoped that the Committee would not be hurried into such a hasty decision. He had a friend, and made the statement he was about to make, in the interest of the Church, to say that such a thing as the bill proposed was out of the question. They were entrusted with the power in a fiduciary capacity.

The matter then dropped.

Mr. PATTERSON (Essex) called attention to the fact that there was no quorum, and the House adjourned for that reason.

TUESDAY, Feb. 6.

Mr. MOWAT said he had examined the bill for the incorporation of the Conference of the Christian Church (Disciples) after the order of the House, and had come to the conclusion that it could be incorporated under the General Act, as powers similar to those asserted by other religious bodies were asked for with regard to the property, which powers he could not be granted under the General Act.

Mr. MERRICK held that where there were good reasons why societies or conferences should be incorporated by special Acts the House should agree to such incorporations, but he saw no reason why, in some instances, the Government should refuse an incorporation in the ordinary way. In the case of the Orange Society.

The bill was read a third time.

Mr. MOWAT moved the second reading of the bill respecting mortgages and sales of personal property. In the bill he had intended to provide for a defect respecting property, to which his attention had been recently drawn. The object of the clause in mortgages on record was kept of it, and the clause of the bill was to provide for the cost of discharged mortgages on personal property should be kept.

The bill was read a second time.

Mr. PARDEE moved the second reading of the Act amending the Free Grant and Homestead Act of 1868. He said that by the 6th and 10th sections of that Act it was intended that all pine growing upon the land any land, and all minerals found on any located lands, for which the patents had not been issued, should be reserved. It had reserved pad the property of her Majesty, except on which it is authorized the settlers to cut in fencing and for the purpose of building. The first section of the Public Lands Act of 1869 also provided that the Commissioner of Crown Lands might grant licences to persons to cut timber on such lands as he deemed fit might from time to time be determined. Taking these two Acts together, it was supposed that the Government had the full right of the Government to put under licence lands located as well as unlocated, and to do so without the consent of the Government, in a case which had been recently brought before the Court of Common Pleas, in the Anderson v. The Muskoka Mill and Lumbering Company, it had been decided that as soon as the patent was issued the land could not be held under licence. In other words, the Government simply held the land in trustees for the locatees, and collid not dispose of it. The effect of such a construction of the Acts would be that Government had paid a large amount of money for the right to cut valuable timber on lands which had passed for, and the Government would be liable to pay damages for the sale of the timber illegally. He was sorry that the framers of the Acts that such should be the construction, and as it had been so decided the bill introduced provided that holders of free grants should hold their land in the lower which they had taken up for location, and in accordance with the intentions of the framers of the Free Grant Acts. The intention of the Acts provided that settlers should be allowed to cut timber immediately the five years expired, and to refuse to issue licences on land located would be a great loss to the revenue.

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Mr. MOWAT moved the second reading of the bill respecting the County Court, Surrogate Court of the County of York. He said it was well known that the amount of business done in these Courts was enormously larger than in any other County Court in the Province. There had sometimes been complaint been some exceptional legislation in connection with this county. The present bill was intended to supplement that so as to enable the business of the Court to be transacted with expedition. He might mention, as showing how necessary this legislation was, that the County Court had to meet four times in the County of York while in only met twice in the other parts of the Province, and the former occupied much longer time than the latter. He was told that there were generally eighty references to the Master in Chambers, and that at last December sittings there were twelve appeal cases, forty indictments, and one hundred and twenty-five cases to the Court of Common Pleas. In consequence of the enormous amount of business every contrivance that would make use of for the purpose of enabling it to be done with reasonable promptitude; and the provisions of this bill had been suggested by the learned Judge of the County Court of York after he had been appointed to take the business of that Court. The first two clauses were intended to give a month between the sittings of the Court of Appeal, and they would do this by postponing two of the terms for a week, and by making the Court of Queen's Bench commence one earlier. It was desirable to have the Division court be a week earlier, that it might sent in order that the business might be completed before Christmas. It was proposed also that the Legislature should allow two judges to sit at once, and with a view of still further expediting business the shorthand writer should be employed. He had received from the learned Judge some estimates showing the great saving that would be effected by the employment of a stenographer in connection with the other. He was not the original petition through the business more speedily. He (the Judge) pointed out that the expense which would be incurred every day the County Court sat would be a considerable sum—seventy-two dollars (?) one judge, one sheriff, $18; sheriff, $2.00 a day, cleaning and heating court house, $3 a day, making a total of $123.00 a day saved in that direct way. Of course it would take the savings a very few days to pay the salary of a shorthand writer. Besides what he had mentioned it was estimated that there were sixty witnesses attending each Court every day, as well as the seventy-two jurors who were kept away from their occupations. The total saving to the public which would be effected by the employment of a shorthand writer, to say nothing of the saving in individuals, might be set down at about $325 a day.

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Mr. MOWAT moved the second reading of the bill to provide against the evil that the principal clerkes of the bill were the engrossers of a former member of the House who now occupied a judicial position, the duties of which he discharged with credit to himself and with advantage to the country. It was found that considerable inconvenience arose in regard to the appointment of such officers from the fact that intervals between the Courts of General Sessions, and the bill proposed that the Judge the power of appointing them during the intervals, but left it to the Quarter Sessions to confirm or not. The question met whether the appointments should be permanent. The bill also proposed to give the Judge power to suspend any constable for any conduct which might demand such a course, and to provide that if he suspended an officer it would be his duty to report the matter to the Government.

It was further proposed that the Lieutenant-Governor should have the power to appoint constables who should have the authority and immunities which belong to any constable in any part of the Province. Some doubt had arisen whether a person sent persons to different parts of the country to act as the deputies of the Sheriff, and marks arrests; and a great deal of inconvenience was sometimes felt because these persons were not constables in the particular county to which they went.

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Mr. PATTERSON (Essex) said he was sure a bill which was in any way calculated to improve the status of the Public School teachers would be received by the House, because it appeared to be the general opinion that teachers had hitherto been neglected. He was glad to notice that one of the provisions of the bill was that the salaries of teachers should be paid quarterly, but he thought the payment of the salaries quarterly should be made compulsory instead of optional, because in rural school sections the trustees were in many instances indifferent in that respect. He thought that would meet one of the great drawbacks of the teaching profession, namely, the long delay which from various causes take place; and would, by making the payment of the salary quarterly a permanent one, raise the profession to a higher level. He advocated leniency in dealing with the Public School teachers, and pointed out that in many school sections to be without third-class teachers was equivalent to closing the school. He was sorry to see the clause in the new County Model Schools, by which a third-class teachers would have an opportunity of improving themselves and making themselves eligible for examination for first and second-class certificates. He thought the Public School programme should be made a little more elastic than it is, in order to meet the wants of rural schools, the children in the vicinity of which only attended during portions of the year required to be taught less of the "ologies" and "isms" than were down in the programme, and that a good deal of time was spent in knowledge which would be of use to them in after life. He was in favour of the extension of the summer vacation in rural school sections to the same length of time as in High Schools and Collegiate Institutes. With regard to County Inspectors, he was in favor of the Government taking from the County Council the power to dismiss them without good cause, and especially the power of fixing their salaries. He was of the opinion that they were generally eighty referees, and that the County Council would not also be accorded to the members of every other municipal council in the Province. The bill would have been something like cruelty and had amounted to any injustice in whose behalf it had been introduced had thought it could be carried. He (Mr. Bethune) intended moving that the bill be referred back to Committee for the purpose of discussing the question whether such a power in the province should give by its might not be extended to all religious bodies. The object of the bill was simply to enable some aged or infirm clergyman who had in regard to any clergymen who had been acting in such a way as to benefit the Church, but who could not now be removed, on account his or their having their property rights.

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