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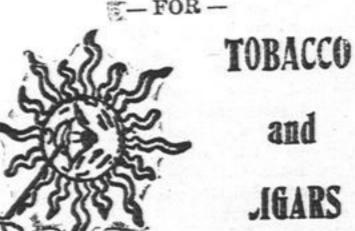
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Mr. Foy Submits the Amendment of the Opposition.

MR. FOY GETS INFORMATION

Special Legislation May Cover Case Incriminating Evidence - Attorney-General's Announcement-Besides Mr. Fey, Mr. Duff of West Sim-

coe Speaks-Mr. A. G. Mackay Begins His Reply.

Toronto, March 25 .- The introduction by Mr. J. J. Foy (South Toronto) of an amendment to Premier Ross' motion to refer the Gamey bribery charges to a Royal Commission of two Judges was the most important event at the Legislature

yesterday.

The speakers during the afternoon, in addition to Mr. Foy, were J. S. Duff (West Simcoe) and A. G. McKay (North Grey). Mr. McKay, in the course of fifteen minutes, which was left before the adjournment, outlined what will doubtless be an important contribution to the debate when the House resumes to-day. At the opening of the House Pre mier Ross presented a motion that the time for receiving private bills

be extended until April 15.

Mr. Duff Resumes Debate. the debate on the Premier's resolution the part of the Crown that no Mr. Duff (West Simcoe) continued tion to relegate the Gamey charges witness may be excused from giving to a commission of judges. He de- evidence on the ground that it would scribed the scene in the House when be against him. They were going the proceeding said the statement made minion Evidence Act of 1898. by the Premier immediately after could be said that a witness, notby both sides of the House with sat- answer." That would be a very isfaction, but in 24 hours all was odious position to take when changed, and to the surprise of mem- witness had assurance from bers supporting the Govetnment, as Crown of immunity from punishpromise of a full investigation.

Agriculture to investigate the de Dominion Evidence Act of 1898 horning of cattle.

diciary, but things had transpired House. which had made the people wonder. Was it fair that one man who had treated to the extent of 50c. six months before the election should be unseated, and another who had spent All kinds of Logs wanted at \$4 or \$5 a day right up to the elecground that he had formed a previous habit of treating?

There had been a good deal of gossip about the two gentlemen named to act on the commission, and if onehalf of the gossip was true these gentlemen should not for a moment think of acting. There were only two courses open to the House, either grant a full inquiry or dissolve the House.

Mr. Foy Moves Amendment. Mr. Foy then arose and moved the

following amendment: That all the words in the motion after the word "that" be struck out, and the following substituted there-

Whereas, certain statements and al-Robert R. Gamey, member for the clause a truthful one. electoral district of Manitoulin, volving the independence of the House and the honor and privileges of its members, and containing a direct accusation that the Honorable James Robert Stratton, a member of this House, and a member of the Executive Council of this Province; one Captain John Sullivan, one D. A. Jones and one Frank Sullivan, did attempt to bribe the said Robert Order you Wir er Suit of R. Gamey, in order to influence him in his proceedings as such member, by the offer and payment of money, the procuring the dismissal or abandonment of a petition against the said Robert R. Gamey, under the Controverted Elections Act, and by the transfer and allotment to the said Robert R. Gamey of the patronage of the said electoral district of Manitoulin, and other considera-

And whereas the said statement and allegations also implicate the following members of this House and members of the Executive Council, viz., the Honorable George W. Ross, Premier and Provincial Treasurer; the Honorable John M. Gibson, Attorney-General; the Honorable Richard Harcourt, Minister of Education; the Honorable Elihu J. Davis, Commissioner of Crown Land, and Honorable Frank Latchford, Commissioner of Public Works, and cast suspicion on the remaining members of

the Executive Council; And whereas it is the undoubted enquire into all charges of miscon- point. duct in office against Ministers of the Crown, and the reference of such matters to a Royal Commission, created upon the advice of the accused, is at variance with the grave responsibility of Ministers of the Legislature, and tends to weaken the authority of this House over the Executive Government and its members. And whereas it is the right and duty of this Legislature to take all steps necessary to the protection and preservation of its own honor; And whereas the Premier of the

Government, representing himself and his colleagues, when the said charges were presented to this House, then gave this House the solemn assur-

"That investigation should be made at once, under the rules of the House. either by a special committee, to be appointed by the House for that purpose, or by the Committee on Privileges and Elections, in the usual Therefore, the matters set forth in

the statements and allegations made

to this House by the said Robert R.

Gamey, as aforesaid, and all matters

and things which relate thereto or

Mr. Gibson replied that the debate had gone on for a week. nell investigation in England, a bill was introduced, and it was discuss-

are connected therewith, or affect or may arise out of the same, be forthwith referred to the Standing Committee on Privileges and Elections, with instructions to enquire into and report thereon, and with power to send for and examine all necessary persons and papers in or concerning the premises.

Mr. Foy's Speech. Mr. Foy then proceeded with his

speech on the amendment. The case had been argued at great length, he said. Every argument had been advanced pro and con., and the case was ripe for the decision of the House. The members had had ample time to fully weigh all the arguments and make up their minds. He would like to be able to convince the gentlemen opposite that the proposition he would bring forward was the proper one under the circumstances. They were dealing with a principle and laying down a policy applicable to all cases of the treating it as future cases may have to be treated. The decision ought not to be swayed by reference to the individual case under discussion.

Referring to the instructions to the commission, Mr. Foy said clause 11, requiring witnesses to answer incriminating questions, was not worth the paper it was written on; it superceded the statute under which the commission was created. The House was entitled to an explanation of the point from some member of the Government.

Goes Further Than Statute.

Mr. Gibson said the clause was not put in the instructions without consideration. It goes further than the statute, and it is not without force. because it amounts to a declaration Mr. Gamey made his charge, and length of the amendment to the Dothe charges were made that they withstanding the protection from would be investigated by a commit- punishment promised, might say: "I tee of the Legislature were received refuse because I am not obliged to well as members of the Opposition, ment. Mr. Gibson said he should the Premier had gone back on his have availed himself of the opportunity of making the explanation at Not one commission appointed by an earlier stage of the debate. Howthe Government had been of any ever, notwithstanding the explanavalue, except, perhaps, the commis- tion, if the Opposition thought legsion appointed by the Minister of islation was necessary to adapt the the commission, he could see He hoped the people would con- reason why this could not be done if tinue to show respect for the ju- it was the unanimous wish of the

Can It Be Effective?

Mr. Foy was obliged to the Attorney-General for his explanation, but would have been better if had been given earlier. The explanation, however, fell short of making the speaker believe that the clause in question was worth anything, unless it was followed by legislation. If it was desired that no witness should be excused, it should not depend on the unanimous consent of the House to make that clause plain. The assurance of the Attorney-General, coming a little late, showed the value of having the subject under discussion for so long a time. It was perfectly clear to him that, notwithstanding clause II., witnesses could be excused from giving evidence, and that the clause was

a dead letter. The Attorney-General had admitted that any witness could defy the instructions. There should be no illusory clauses in a document of this legations were, on the 11th day of kind, and legislation should be March, 1903, made in this House by adopted which would make the

Mr. Foy quoted Sir John Boyd and Chief Justice Falconbridge in support of the contention he was advancing. He preferred the Committee on Privileges and Elections for many reasons. The House had a duty to perform in this matter, and should perform it, even though it be unpleasant.

The Attorney-General had said the Committee on Privileges and Elections was practically obsolete. The Government would like to do away with committees, with the authority of the House, and to have a Government by order-in-council. The people wanted Government by the

Objections to Draft.

It was claimed by Liberal speakers that the Committee on Privileges and Elections would bring in partisan reports. If that were the case, it would mean that men charged with a high duty to take evidence under oath, would disregard altogether the testimony, and that they would not be true to themselves. This was a serious charge to make. It was preposterous that any gentleman would violate his duty, and not give a verdict according to the evidence adduced.

This was not a question of law. but of fact. Judges were not the best persons to come to a sensible view on an ordinary question of fact, and Mr. Foy cited the West El- point out that the form of the right and duty of this Legislature to | gin investigation as illustrating his

members of the Government were implicated, and yet the judges were instructed to investigate the point of the Provincial Secretary only.

What would be the result of hav- contrary to the rules of the House. ing two judges, when the question the admissability of evidence would arise. If they did not agree, the one who negatived the evidence would prevail. This would be more convenient for the Government than to have one judge, or three.

There should be directions to the judges to clear up doubts about the admissability of evidence. The proposed method is to give them power to throw out evidence. Not Referred to Committee.

Mr. Foy asked, in the event of the Government resolution passing. would the Opposition have the opportunity of discussing the clauses more fully?

Mr. Foy argued that, in the Par-

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ed in committee. He continued by saying the Premier's resolution took greater care of the two Sullivans and D. A. Jones than it did of the Provincial Secretary. There ought to be an opportunity given of making this right. There ought to be no loophole. When the instructions go before the judges, they would take them as a hard, cast iron document. The Legislature was competent to judge on the evidence, whether a man was bribed in the manner charged. A Straight Issue.

After the amendment had been read by the Speaker the Premier rose and said:-"While not attempting to discuss that matter now, I desire to ame...dment is contrary to the rules of the House. The recitals are ir-The sceaker said that several regular in drafting an amendment." Mr. Whitney replied that it was not necessary for him to say anything, except that the form of

amendment was not, in his opinion, Mr. Mackay's Commencement. Mr. A. G. Mackay (North Grey) expressed satisfaction with the calm, judicial, courteous manner of the speech of Mr. Foy. It contrasted very strongly with the frantic manner of his leader a couple of weeks ago. (Applause.) The admission that excitement has subsided showed that hon, gentlemen had been great-

ly worked up, and were not fit to serve on a jury. Mr. Mackay announced that in his speech he intended taking up the subject from four standpoints: (1) He would endeavor to show by precedent that the House, in adopting the reference to a commission, was pursuing the usual and proper course: (2) that the powers of the committee, as defined by statute, were ne greater than the powers of a commistion in forcing evidence that might tend to incriminate: (3) he

would frace the history of the statute under which they were proceeding, and show that it had had the unanimous support of the Legislature, and (4) he would discuss the width and scope of the commission. At 6 o'clock Mr. Mackay moved the adjournment of the debate, and the House adjourned.

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THE WATCHMAN

Full Possession Ha cured by Revo

Commander of the Go Has Been Killed-Re Charge of Cable Of ment Land Lines-Killed Is Not Know Many Dead on Both San Domingo,

March 24.-The revo full possession of the Domingo. They have of the cable office ernment land lines. ter Sanchez has soul United States Const ing continues. Ass Echenique and the c Government forces. been killed. It is Government troops will attack the reve are in San Domingo has assumed comma tionary forces. The killed or wounded it is expected many on both sides.

WEST MUST HAV

Sir William Mulock D

Toronto, March Mulock, Hon. Rayn and Mr. Geo. D. Ga guests at the join Young Liberal Club Club last night. Si made a lengthy s the following impo during its delivery: Public Opinion We have in Canad

ways, brought into

Provinces we have

ferent methods.

Railway, built excl lic money and contr ed by the people. railways built pa and partly with pri owned by private by the State. day appears to against subsidizin there any prospect of their own capita line over the thousa try to which I ha 1,000 miles of unpo between eastern a ada), which for fail to supply any on the capital inve are not philanthrop return upon their we proceed to sub railways that are extend their line Shall the country colonial Railway. to the Pacific Oce vesting the capital work itself, but al line, or shall we st way highway, ava per regulations, canal, for the traff between Manitoba of Quebec, with tions with intern Or shall we fold from discharging o

> going onward. SEIZED AS

British Cruiser Pall Venezuelan l

Ibilities, and let t

He closed with a

Port of Spain, 24,-The British seized the Venezue aurador on the grot pirate. The case aurador cites tha was handed over authorities by the dore she began ag and robbery on th charged that she and crews of vess mantled and aba A Port of Spain r itorially of the Res "Such piratical a wisdom of the gen

ed powers. The paper expre retributive justice and more effective

occasion.

Serious Riot in Kingston, St. V A serious riot 2.30 o'clock this of Spain, Trinida despatch just recei A mob attempted ernment buildings lice had to fire on or wounding se The British crui time the despatch landing blue jacke The rioting was on the part of t withdraw an the new waterwork Was read and the mob. The city is

excitement.

Appointe

Toronto, Mar Grant, Deputy Re of Appeal, has r Justice Falconbri pointment as Reg Commission to i ey charges, in the ing to such a trib

Burned by U Toronto, March me, 26 St. David ously burned last sulting from a la is in a critical c hone is entertain digital.