

Mr. PRINCE said that in consequence of the serious illness of Mr. Pardee he would move for leave of absence for that gentleman, both from the House and from the Proton Committee, and that Mr. Farewell be appointed in his stead on the said Committee.

Mr. CAMERON said he did not offer any opposition, but it was evident that the Government must attach much importance to this Committee, or they would not have compelled Mr. Pardee to remain till his successor was appointed.

Mr. BLAKE repelled the insinuations of the member for East Toronto. The Government were not so inhuman as to compel Mr. Pardee to remain on the Committee on their account, when he was labouring under severe illness. Mr. Pardee, he was sorry to say, was now so seriously ill that it was questionable if he could now go home.

Mr. H. S. MACDONALD had no objection to the resolution, and only regretted that there was occasion for it (Hear, hear.) He had no objection to Mr. Farewell, but the Government should not desire to fill up Mr. Pardee's place.

Mr. PRINCE said he had reason to know that the statement of Mr. Cameron that Mr. Pardee had been compelled to remain on the Committee was incorrect.

Mr. LAUDER had no objection to the motion, nor to Mr. Farewell on personal grounds; but on general grounds. Mr. Farewell, it must be said, had not heard all the evidence.

The motion was passed.

A QUESTION OF PRIVILEGE.

Mr. CAMERON asked the leader of the Government if he proposed to take any further steps with reference to summoning the witness Mr. Dwight, and compelling him to produce the telegrams before the Proton Committee? The privileges of the House were peculiarly in the keeping of the Government, and the means of compelling Mr. Dwight's attendance was a question of privilege.

Mr. BLAKE was amazed at the question of the honourable gentleman. When sitting with closed doors yesterday, he had thought it his duty to suggest to the House what was the proper course to adopt, and he believed the House was unanimous, with the exception of the hon. gentleman himself, as to the propriety of adopting that course. A report having been laid upon the table the views he tendered to the House were rejected by the member for East Toronto, and now he proposed to cast upon him, (Mr. Blake) the responsibility of either disclosing in public what took place with closed doors, or of giving the answer he had now given. He had sufficient care for the honour and dignity of the House not to advert to what had taken place with closed doors, and to leave the matter with the House.

Mr. CAMERON had understood that the member for Lincoln thought he had discharged his duty in reporting the question to the House, and considered that it rested with the leader of the Government to take the necessary action to protect the House.

Mr. BLAKE said that, so far from thinking he had discharged his duty, the member for Lincoln expressed his willingness to move the motion which he (Mr. Blake) had suggested, and that course was agreed to by everybody except the member for East Toronto. He agreed with the hon. member for Lincoln that, after the opposition offered by the hon. gentleman, he could do nothing except leave the matter where it stood.

Mr. CAMERON said his only objection was that the Committee of Privileges and Elections was not the place to which to send this question at this time, when the proceedings of the House were nearly brought to a close, but he thought that more prompt action should be taken. The duty to take that action rested with the Government.

Mr. WOOD, (South Brant,) remarked that the member for East Toronto ought to know that two years ago an Act was passed which distinctly claimed for this House the right to deal with such questions. He ought to know that the Minister of Justice, for whose opinion he supposed he had a high respect, reported to the Privy Council that this Legislature had no right to clothe itself with the powers in question of dealing with contempts. His representation to the Judicial Committee of the Privy Council at Ottawa was sent home to England to the Colonial Secretary, who took the opinion of the Attorney-General and Solicitor-General of England. They sustained his view, and consequently the Act was disallowed. If he could devise any means whereby this Legislature could acquire that power it was unfortunate that he had not done so during the two years which had since elapsed. The Judicial Committee of the Privy Council in England had decided that no colonial legislature, deriving its authority from an Imperial Act, had any power to punish for contempt. That power must be conferred by Imperial Act on Imperial authority. The law of custom which appertained to the House of Commons gave a right which had existed for a number of years, but it belonged to them exclusively, unless conferred by Imperial authority. He could not see that this House could do anything.

Mr. FERGUSON was very sorry that Mr. Dwight's evidence could not be taken.

Mr. GALBRAITH was proceeding to relate the circumstances under which Mr. Dwight refused to produce the telegrams, when

Mr. WOOD hoped the hon. member would not go into the proceedings of the Committee, as it would create a precedent, which might be taken advantage of.

Mr. RYKERT also deprecated a discussion of the Committee's proceedings.

Mr. CAMERON said the Quebec Legislature had passed an Act conferring these powers.

Mr. BLAKE observed that the Quebec Legislature had at first passed a similar Act to that introduced by the hon. gentleman, but they wisely withdrew it and passed another Act very different, which was not disallowed. The hon. gentleman and his friends would not bring in such an Act as that.

Mr. WOOD understood, from the statements of the Minister of Justice, that they had not the right to clothe themselves with the power to punish for contempt.

The discussion then dropped.

The following Bills were read a third time and passed:—

To incorporate the Pacific Junction Railway Company of Canada.

Amending the "Act to incorporate the Port Whitby and Port Perry Railway Company."

To incorporate the Sandwich and Windsor Passenger Railway.

To legalize a certain bye-law passed by the Corporation of the town of Galt, and to enable the said Corporation and the Grand Trunk Railway of Canada to obtain certain powers to construct a railway from the village of Doon to the said town of Galt, and to enable the said Company to extend their railway from Berlin to the village of Waterloo, and to legalize and give power to carry out an agreement entered into between the said Corporation and the said Company.

To incorporate the South Simcoe Junction Railway Company.

RAILWAY AID.

The order of the day for resuming debate on the Railway Aid Resolutions was then called. No person rising to address the House, the yeas and nays were called, and the House divided upon the amendment proposed by Mr. Grange, which is as follows:—

That all the words after "That," be struck out, and the following words be substituted therefor—"considering that the sum of one and a half million dollars has been already set apart from the fund of this Province in aid of railways under the Act of last session, and considering that the Dominion of Canada, of which we form no inconsiderable part, have invested in railways about forty-seven million dollars, and have given a pledge of one hundred million dollars for the proposed Pacific Railway, and whereas many of the counties, while large contributors to the Exchequer, will not in the least derive any benefit for railway allotment, and considering the fact that many of the counties believe that any further distribution of the surplus should be made equitably among the counties, based either on assessment or population, to be used by them either in payment of their present indebtedness for the erection of public buildings, or for making good macadamized thoroughfares leading from the back country, due precaution may be taken for the application of the money, and provision being made that the allotment to any county indebted to the Municipal Loan Fund should be applied on account of said indebtedness; and in view of these facts this House cannot at present entertain any further appropriation of the public funds of this Province in aid of railways."

The amendment was declared lost on the following division—Yeas 7; nays 57.

YEAS—Messrs. Guest, Lauder, McCallum, Monk, Prince, Rykert, and Fooley,—7.

NAYS—Messrs. Ardagh, Barber, Baxter, Bethune, Blake, Boulter, Boulton, Calvin, Cameron, Christie, Clarke (Norfolk) Clarke (Wellington,) Clemens, Cook, Corby, Craig (Russell) Crooks, Crosby, Cumberland, Deacon, Deroche, Farewell, Ferguson, Finlayson, Fitzsimmons, Galbraith, Gibson, Giffard, Gow, Graham, Hamilton, Harrington, Hodgins, McCall, McQuaig, Macdonald (Leeds), Mackenzie, McLeod, McManus, McRae, Merrick, Oliver, Patterson, Perry, Read, Robinson, Scott (Gray), Scott (Ottawa), Sexton, Sinclair, Smith, Springer, Webb, Williams (Durham,) Williams (Hamilton,) Wilson and Wood (Brant)—57.

Mr. Grange paired with Mr. Wood (Victoria)

Mr. WOOD (Brant) said if he had been in the House when the amendment was proposed he would have objected to its being put, as it was out of order. It should never have gone upon the journals of the House.

Mr. McCUAIG moved another amendment as follows:—"That until the excess of the debt of Ontario and Quebec over \$62,500,000 of joint debt, amounting to \$10,500,000, has been apportioned between the Provinces, and the debt of Ontario definitely ascertained, it is inexpedient for this House to entertain any proposition towards granting \$400,000 for Railway Aid Fund in addition to one million and a half already voted, and to pledge the credit of the Province to the extent of \$100,000 a year for twenty years as proposed." He argued that instead of granting so large a sum in aid of railways, it would be more in the interests of the country to devote a portion of the surplus money of the Province to the encouragement of manufactures. He pointed out the indebtedness of the Province, and maintained that so long as we had a debt we virtually had no surplus.

Mr. CAMERON considered the amendment of too sweeping a character to receive his support. He repeated his opinion that the Government should bring down the railways they proposed to aid, and then if the million and a half was not sufficient it would be time enough to increase the fund. He proposed to criticise the arguments advanced in support of the Government policy, repeating the objections raised in yesterday's debate. He contended that under the policy of the Government there would be no end to the grants to railways; that new enterprises would require still further increase of the fund, and there was no telling where it would stop.

The House then divided, when the numbers were—Yeas, 10; nays, 56.

YEAS—Messrs. Cumberland, Giffard, Lauder, McCall, McCallum, McQuaig, Monk, Richards, Rykert, Wilson.—10.

NAYS—Messrs. Ardagh, Barber, Baxter, Bethune, Blake, Boulter, Boulton, Calvin, Cameron, Christie, Clarke (Norfolk) Clarke (Wellington,) Clemens, Cook, Corby, Craig (Glengarry), Craig (Russell) Crooks, Crosby, Deacon, Deroche, Fairbairn, Farewell, Finlayson, Fitzsimmons, Galbraith, Gibson, Gow, Graham, Guest, Hamilton, Harrington, Hodgins, Macdonald (Leeds), McKellar, Mackenzie, McLeod, McManus, McRae, Merrick, Oliver, Patterson, Paxton, Perry, Read, Robinson, Scott (Ottawa) Sexton, Sinclair, Smith, Springer, Webb, Williams (Durham), Williams (Hamilton), Wood (Brant)—56.

The amendment was therefore declared lost.

Mr. RYKERT moved the following amendment: "That all words after "that," in the original motion be struck out, and the following substituted: "While this House cheerfully will consent to such further aid in favour of railways as may be necessary to keep faith with all bona fide enterprises, provided it is shown to this House, upon a careful investigation of the merits of the several applicants for aid, that the present fund is found insufficient for that purpose; but it feels bound to express its dissatisfaction that the public credit of this Province should be pledged for the further enormous sum of \$2,000,000 for railways, while no appropriation is made for the older counties, which have already pledged their

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TORONTO, SATURDAY, FEB. 24.

Parliament of Ontario.

SECOND PARLIAMENT—FIRST SESSION

FRIDAY, Feb. 23.

The SPEAKER took the chair at three o'clock.

PETITIONS.

By Mr. Farewell—From the Town Council of Whitby, praying against the Bill to amend the charter of the Port Whitby and Port Perry Railway; also from J. H. C. McMillan and others, of Whitby to the same effect; also a number of petitions for the establishment of an inebriate asylum, and for certain restrictions on the sale of spirituous liquors.

By Mr. Clarke (Wellington)—From Robert Cochrane and others, against the repeal of the superannuation clause in the School Act. Other petitions for an inebriate asylum, and for restrictions on sale of liquors.

BILLS INTRODUCED.

Mr. Cumberland—An Act to amend the Act 16th Vic. cap. 80, entitled "An Act relating to the University of Toronto.

Mr. Baxter—An Act to amend the Ontario Medical Act.