

MR. CONMEE'S RESIGNATION.

It Was Not Forwarded by His Solicitor.

Legislative Chamber, March 19.

When Mr. James Conmee, the member for West Algoma, decided to become a candidate for the representation of Nipissing in the House of Commons he tendered the resignation of his seat in the Legislature to his solicitor, Mr. J. K. Kerr, Q.C., to be forwarded to the Speaker. Mr. Conmee was defeated in Nipissing by Mr. Klock. Then he discovered that he was still a member of the Legislature, as his solicitor had failed to transmit the resignation to the Speaker. Several months afterward Mr. Conmee offered to resign, but the Attorney-General advised him that it was neither necessary nor advisable then for him to do so. This incident was made the subject of a brief discussion in the House to-day.

A MEAN INSINUATION.

When the orders of the day were called Mr. Charlton rose to a question of privilege. He called attention to a statement that appeared in The Mail and Empire on Monday concerning the interview had by the Toronto Hotel-keepers' and Shop License Holders' Associations and the West York License Holders' Association with the Conservative members for the city and county, which read:—"Messrs. Charlton and Cleland were two Liberal members who obtruded themselves into the gathering. They were not invited to be present, and were not interested in the proceedings, but no doubt when the interview was over the Government were fully informed as to what went on." Mr. Charlton said that the day before this occurred the temperance delegates had waited upon the Government, and when he arrived upon the day in question he learned that the liquor men were also waiting upon the Government. He suggested that Mr. Cleland should accompany him to the room where the interview was in progress. When they arrived at the door they perceived that no member of the Government was present. Mr. Charlton walked over to Mr. Marter, the Chairman, and asked him if the meeting was private. Mr. Marter said "no" and invited him to remain. The proceedings became public through the press.

Mr. Cleland corroborated the statement of Mr. Charlton. He resented the insinuation of The Mail and Empire that he was there spying on the proceedings.

Mr. Marter said that what had been said by Mr. Charlton was literally correct. He had asked him if it was a private meeting and was told that it was not, accompanied by an invitation to remain. He was sorry that the incident had occurred.

Hon. Mr. Gibson, in reply to a question by Mr. Whitney, said the papers relating to the transaction between the Government and the South African Development Company would be ready for distribution on or before Monday.

MR. CONMEE'S RESIGNATION.

Mr. Whitney moved for the correspondence between any member or members of the Government or any official of the Province and James Conmee, elected the representative of West Algoma in the Legislature in 1894, or any person or persons on his behalf, touching upon the question of his becoming a candidate for the representation of Nipissing in the House of Commons, and touching his resignation of his seat in the Legislature, and including copy of any resignation sent in by him to any official or to any person.

The leader of the Opposition quoted the answer given by Mr. Hardy to a question previously asked as to whether Mr. Conmee had resigned his seat in the Legislature before becoming a candidate. It was to the effect that Mr. Conmee had, before accepting the

nomination for Nipissing, forwarded his resignation to his solicitor, Mr. J. K. Kerr, Q.C., that he had several months after the election consulted the Attorney-General and had offered to resign his seat in the Legislature, that the Attorney-General had advised him not to resign, and that the solicitor, for reasons given, had not forwarded the resignation to the Speaker. Mr. Whitney said that before the Nipissing nomination inquiries had been made from Ottawa of Toronto parties as to whether Mr. Conmee had resigned. The answer sent was that he had resigned, and the result was that certain proceedings that would otherwise have been taken at the nomination were not taken. Mr. Conmee would have been guilty of an improper act had he become a candidate for a seat in the House of Commons without forwarding the resignation of his seat in the Legislature. The fact that the resignation was forwarded to his solicitor might or might not absolve him from blame. It depended upon the character of the instructions he had given his solicitor. Mr. Whitney quoted a statement made by Sir Oliver Mowat in the Senate, that for a man to contest a seat in the Dominion House while a member of the Legislature was an "illegal thing." He asked the Premier to state what reasons had been given by Mr. Kerr for not forwarding the resignation.

Mr. Hardy, replying to the leader of the Opposition, said that he had never spoken to the solicitor on the subject, nor had the solicitor personally ever given him any reasons on the matter. The solicitor had discussed the reasons with some person, but he (Mr. Hardy) was not aware who that person was. He quite concurred with Mr. Whitney that it would have been a proper thing for Mr. Conmee to have resigned before running, and that the seat could not have been legally held had Mr. Conmee been elected upon that occasion for Nipissing. There was no correspondence whatever. Mr. Conmee had not consulted him or his colleagues whether he should run in Nipissing or not. When he became aware that he intended to run he (Mr. Hardy) had urged him very strongly against it. That was the only conversation he had had with Mr. Conmee until long after the election was over. This was a matter with which the Government had nothing to do. The resignation would not go through the Government. It must either be addressed to the Speaker or to two members of the House, and therefore Mr. Conmee was not called upon to discuss the matter with the Government. The Government was not concerned directly or indirectly.

GAVE IT TO HIS SOLICITOR.

Mr. Conmee was next heard. He said that after reading the law, not being a lawyer, he had concluded that his resignation should be addressed to two members of the House. He consulted his solicitor and was informed that the resignation should be addressed to the Speaker. He left his resignation with his solicitor, and he was as much surprised as anyone else when he discovered that it had not been presented to the Speaker. The solicitor had given him this explanation: He (Mr. Conmee) was running in a constituency where a majority of the people spoke the French language. It was understood that a French speaker would be available during the campaign. He wrote a letter threatening that unless assistance in that line could be given he might not go to nomination. Mr. Kerr claimed that this had come to his ears and he did not know whether Mr. Conmee would go to nomination or not. It seemed to Mr. Conmee that this was not a sufficient reason, but it was the reason given by Mr. Kerr. Thereafter Mr. Conmee did not immediately offer to resign his seat in the Legislature for the reason that there was a protest on the way. It was only after that had passed over that he had come to the Government and made the statement. There had been no desire on his part to evade the law and he was sorry that the circumstances had occurred as they had.

Col. Matheson professed to have a good deal of hesitation to speak upon such a grave matter. No advantage, he said, should have been taken of the mistake that had occurred, yet Mr. Conmee, upon the advice of the Attorney-General, had retained his seat. He regretted that such should have been the case.

Mr. Whitney said that he would never hesitate to accept any statement made by a member of the House, but