

LEGISLATURE HAS ADJOURNED.

Dispersed to Await Proceedings
of Commission.

EVIDENCE BILL PASSED.

Opposition Offer Host of
Amendments.

Premier Ross Presents Reasons for
Adjournment, and a Division is
Called For—Members Go Home.

The remaining business which the Legislature had to dispose of before adjourning to allow the Royal Commission to sit was concluded yesterday afternoon, and the members separated until April 21st. Mr. Henry Carscallen presented his amendment to the evidence bill, providing that the commission should make no finding, and argued that the instructions were ultra vires. The Attorney-General, in a spirited reply, taunted the Opposition with being afraid of a report by the Judges. On a vote being taken, the amendment was lost by 41 to 46. Several minor amendments were declared lost on the same division, and the bill was carried, and subsequently assented to by Chief Justice Moss as administrator. The supply bill of \$345,000 for April was not opposed by Mr. Whitney by word, but Col. Matheson offered a want of confidence motion, censuring the Government for not holding the North Renfrew election. This was lost on the same division. A vote was taken on the motion to adjourn for three weeks, with a result similar to the first. The adjournment is, in point of fact, welcomed by many of the members, particularly those from the rural sections, as it will give them an opportunity to do their spring work.

Premier Ross intimated, as already stated in The Globe, that the commission would probably organize before the end of the week.

Is Commission Ultra Vires?

On the motion for the third reading of the evidence bill, Mr. Henry Carscallen (Hamilton) moved the amendment which he had proposed on the previous day, providing that the commission report only the facts, and no finding. He said that he thought the commission was ultra vires, in that it delegated greater power to the commissioners than the House had power to give. The act under which the commission was issued gave power to the House to grant a commission only for the holding of an inquiry. The whole intention of the act, he thought, was to authorize the issue of a commission by the Ministry. From the commencement to the end of the act there was nothing that had any reference to anything but an inquiry or investigation. It applied, however, to cases of subordinates only, and upon a report of which the Ministry could act. What was asked, therefore, by the amendment was that the commissioners should not act as Judges, and should not be burdened

be reported by the commission. The member for Manitoulin (Mr. Gamey), for instance, if any particular evidence were objected to, could state what he proposed to prove by that evidence, and have it so entered in the minutes presented.

Are the Opposition Afraid?

Col. Gibson said that he did not intend to answer Mr. Carscallen at any great length. That hon. member and others on his side of the House had a short time ago declared that the commissioners would have no power to report. Now they were afraid that they would report. (Applause.) What harm, however, could their report do? No matter how lame or unimportant the conclusions might be in the opinion of the hon. gentlemen opposite, the country would have some respect for those conclusions. If those conclusions did not please the hon. gentlemen opposite, they would be able to declare their opinions in the House, after the report was presented.

Mr. J. J. Foy (South Toronto) said the point that the commission was ultra vires had been overlooked by the Attorney-General, and that was a point which had been well taken. He argued that from the point of view of expense it would be well to have the evidence reported without any opinion from the Judges. Several days would be spent probably by arguments of learned counsel. Therefore, for the sake of economy, also in time, it would be better to have only the evidence presented.

Upon a vote being asked for by Mr. Whitney the amendment was lost on the following division:—

Yeas—Barr, Beatty (Leeds), Brower, Carnegie, Carscallen (Hamilton), Clark (Bruce), Crawford, Downey, Duff, Eilber, Foy, Fox, Gallagher, Gamey, Hendry, Hoyle, Jamieson, Jessop, Joynt, Kidd, Kribs, Lackner, Little (Cardwell), Lucas, Matheson, Morrison, Murphy, Macdiarmid, McLeod, Nesbitt, Pearce, Preston (Durham), Pyne, Reaume, Reid, Smyth (Algoma), Sutherland, St. John, Tucker, Whitney, Willoughby—41.

Nays—Anderson, Auld, Barber, Bridgland, Brown, Cameron (Fort William), Cameron (Huron), Carr, Clarke (Northumberland), Conmee, Currie, Davidson, Davis, Dickenson, Dryden, Evanturel, Gibson, Graham, Gross, Guibord, Harcourt, Hislop, Holmes, James, Latchford, Lee, Little (Norfolk), Michaud, McKay, McTart, Pardo, Pattullo, Pense, Pettypiece, Preston (Brant), Richardson, Rickard, Routledge, Ross, Russell, Stock, Stratton, Taylor, Thompson, Truax, Tudhope—46.

Pairs—Caldwell, Powell; Burt, Hanna; Smith, Carscallen (Lennox); Bowman, Beck.

Mr. Gamey's Amendment.

On the motion for third reading Mr. R. R. Gamey (Manitoulin) proposed in amendment that the bill be not read a third time, but that the bill be referred back to a committee of the whole House, with instructions to add a clause embodying the same amendment which he proposed when the House was in Committee of the Whole on Monday. This amendment contained the statement made by Mr. Gamey on Friday last, charging members of the Ministry with conspiracy to bribe the member for Manitoulin.

The amendment was declared lost on the same division as upon the previous question.

Mr. Gamey then moved a further amendment, providing that the words "the last clause of" be struck out of section 3 of the bill, which reads as follows:—

"The statement made in the House on 27th March, 1903, by the said Robert Roswell Gamey shall be deemed to be a charge coming under the last clause of the said commission."

All he wanted, Mr. Gamey said, was to be sure of getting before the commission all the evidence he had connected with that conspiracy.

of the supply bill were passed without discussion.

Reasons for Adjournment.

Mr. Ross offered his motion that when the House adjourns it stand adjourned until April 21st next. The position in which the House found itself was, he said, unusual. They had appointed a commission, and it was hoped that body would meet for organization this week, though perhaps not for taking evidence until next week. They assumed that the commissioners would regard it as a matter of urgency and would act with great promptness. It would be apparent that the members of the Government who might have to appear before the commission would be engaged and consequently absent from the House. It was possible, too, that other members from both sides might require to be in attendance as witnesses. It was also probable that a good many members of the House would like to attend and hear the evidence as it was being taken. It was also true that the members would be so much occupied in attendance and in thought in connection with the trial that it would be impossible to give careful and undivided attention to public business in the House. There was another reason. They did not want the Government to undertake the responsibility for any legislation until the commission closed, or until it appeared, as they trusted it would appear, that the Government were worthy of the confidence of the country. If the charges were proved, then it would be a matter for the Government seriously to consider what next it would do. It was better that they should suspend their functions as a Government until the honor of the House was vindicated, as they trusted it would be, by the evidence. The adjournment would inconvenience no one, and would allow many members to adjust their business affairs, so that when they resumed they could conclude in five or six weeks.

Opposition Objections.

Mr. Whitney replied that the members on his side of the House objected to the motion to adjourn for several reasons. They objected, firstly, on the merits of the proposition, and secondly, on the arguments offered by the Premier in its favor. He believed that the duty of every member of the House, and of the House as a body, was to remain ready to do its work as representatives of the people. If that were the case under ordinary circumstances, it was much more so at present. There was, however, a peculiar reason why the Legislature should remain in session day by day while the investigation was going on. The House had, to a certain extent, divested itself for the time being of certain powers—the powers of taking evidence on the matters under investigation. It was peculiarly necessary that, while the delegates of the House were at work, the House should be at hand in its collective capacity, ready to meet at any moment and express itself in regard to what the commissioners were doing, and to take cognizance of any circumstances that might arise out

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