

NOW SATISFIED IS ROBERT GAMEY.

Commissioners' Report Expunged From House Journals.

THE DEBATE WAS SHORT.

Government Majority on First Division Thirty-nine.

Speaker Directs that the Desire of the House as Expressed by the Majority be Carried Out—A Number of Bills Read a Third Time.

The first division of the Legislature occurred at yesterday's session on Mr. Gamey's motion to rescind the vote of censure of the last Legislature. Mr. Harcourt and the Premier were the only speakers beside Mr. Gamey himself, and the vote of 60 to 21 represented the party strength of the House. There were seven pairs and three members absent.

The following bills were read a first time:—

Mr. Preston (Brant)—To confirm certain by-laws of the city of Chatham and townships of Dover and Chatham.

Mr. Lucas—Respecting the First Colored Baptist Church of Toronto. It gives leave to the trustees of the church at Queen and Victoria streets to sell their property.

Third Readings.

The following bills were read a third time:—

To authorize the Law Society of Upper Canada to admit William Edgar Foster to practice as a barrister and solicitor—Mr. Carscallen (Hamilton).

Respecting the Church of England cemetery in the town of Ingersoll—Mr. Sutherland.

To confirm by-law No. 1,493 of the city of St. Thomas and for other purposes—Mr. Macdiarmid.

Respecting the city of Kingston—Mr. Pense.

Respecting the Stratford Young Men's Christian Association—Mr. Torrance.

Respecting the village of Grimsby—Dr. Jessop.

To confirm by-law No. 1,664 of the city of St. Catharines—Dr. Jessop.

To confirm certain alterations in the Point Pelee marsh drainage system and to consolidate its indebtedness—Mr. Auld.

Mr. Gamey's Motion.

Mr. Gamey asked that the Clerk read the resolution of the House passed on June 26, 1903, adopting the report of the commissioners in his case; thanking them for their conduct in the matter referred to them, and regretting that it had become the duty of the House to place on record an expression of censure of the conduct of the member from Manitoulin. This was done, and Mr. Gamey then moved that the resolution be expunged from the journals of the House. In speaking to the motion Mr. Gamey said he had decided, after long consideration, that such action was due to himself and his family. He had objected, it would be remembered, to the manner in which the case was tried; he had afterwards objected to the finding of the commissioners, and he had shown on the floor of the House that the report was unfair. They now had the fact that there had been during the late campaign a most complete discussion of this case from end to end of the Province, before what might be termed the great jury of the people, and from them he had obtained the vindication which came on January 25 last. That jury having decided in his favor, he was only reasonable in asking the House to do what the people of the Province seemed to desire, them to do. The report of the

commissioners he criticized as being full of falsehoods. As an illustration—the only one of many which he could quote—it was stated on page 22 that on the forenoon of September 11 he had deposited \$900 in the Ontario Bank. That was absolutely false. The whole report was unfair, untrue, and should not be in existence.

Rejoiced at Liberal Defeat.

No one in the Province, he said, could have felt the same satisfaction and joy that had been his on the occasion of the defeat of the late Government. He had felt he was getting even with the men on the floor of the Legislature who had forced through the motion he now desired to expunge, and with two Judges without human hearts. He had thought, then, as now, that the leader of the late Government must realize that the people were not going to be humbugged, that fair play, decency and respectability were the best methods to be followed in conducting a Government. If the Opposition desired further evidence in the case he had it in his pocket, but if they were not anxious for that he would keep it for awhile. In concluding he said he was alone responsible for the motion, which did not emanate from the Government, and he did not want any member to vote for it who did not feel in his heart that he should do so.

An Unusual Motion.

Mr. Harcourt, on rising, said he presumed that no one expected or desired that the motion would be discussed at any length or that the details should be reopened. The subject matter constituted one of the most regrettable episodes in the public life of Ontario, excepting perhaps the bribery plot of 1884. Mr. Gamey had told the House that it was an unusual motion, and, as night follows day, he asked what inference should they draw. It was so unusual that for the first time the House was asked to pass such a motion. Only one other, and of a far different kind, that of William Lyon Mackenzie, could be discovered. In England the Bradlaugh case, twenty years ago, and the Wilkes case, 123 years ago, were the only precedents.

Mr. Harcourt read the resolution sought to be expunged. Members should remember it was impossible, except in a formal way, to obliterate those records.

Upright Judges.

The Government of 1903 reluctantly—and they would observe that the word "regret" appeared in the resolution—did what they were forced to do by the report of the commissioners, and now the Opposition, attenuated though it was, had no option but to support their predecessors of the Liberal party. If the Judges on that occasion had acted impartially the Opposition were precluded from voting for the present motion. Sir John Boyd was one of those Judges, and the passage of this motion would be a censure upon one than whom none sat higher in the respect and affection of the people, and who was appointed to the Bench by a Conservative Government, as a compliment to his probity, honesty and integrity. Mr. Harcourt eulogized Chief Justice Falconbridge, and proceeded to speak of the independence of the Judges, which was the bulwark of British liberties. They should not be brought within the political arena. (Government applause.) There was a danger of converting an upright Judge into a political partisan, and he was astonished at the attitude of members opposite. The Conservative leader had sought to withdraw the question from partisan politics by plunging it into the seething cauldron of a partisan committee. In England no Judge could be removed but by a joint address of both Houses of Parliament. Goldwin Smith had said that "since the independence of the English judiciary was secured the purity of the ermine was unshaken." So secure was their position, so certain their independence, that in 200 years none had been removed from office for political offence.

The Attorney-General's Duty.

No Judge had been impeached in Can-