

SIR JAMES DODGES ELK LAKE QUESTION

Declines to Say Whether He Received Telegram

WANTS MOTION FOR RETURN

Will Not be Bound by Precedent Created When He Was in Opposition —
Mr. Bowman Gets Information About Government House Site.

Once again the Elk Lake telegram formed the subject of an interesting discussion in the Legislature yesterday afternoon. Mr. J. C. Elliott (West Middlesex) moved for an answer to his question, "did the Prime Minister, or anyone on his behalf, receive a telegram purporting to be from one Rowlandson of Elk Lake between the 1st and 11th days of December, 1911, addressed to the Prime Minister, with reference to the building of the Elk Lake branch of the Timiskaming & Northern Ontario Railway?"

Sir James Whitney flatly refused to answer. He wanted the question changed to a motion for a return. Several days ago he suggested this to Mr. Elliott, but the matter was allowed to stand. On this occasion the member for West Middlesex appealed to Mr. Speaker: "I would ask my hon. friend," interjected the Prime Minister, "to suggest how, if I refuse to answer, I may be compelled to answer," adding that it did not matter what the Speaker or anybody else said, he would not answer the question.

Mr. Speaker's ruling was: "No Minister is obliged to answer any question whatever."

When moving his question, Mr. Elliott pointed out that a similar question had been allowed last year, and the Prime Minister himself, when in Opposition, had asked such questions of the Ministry.

Sir James replied that he was not bound by that precedent. If the question had been allowed at the time, it was the fault of those occupying the Treasury benches. "My hon. friend asks for the contents of a written document. I will not argue this matter at all. If it is put on the order paper in the proper way, and a return called for, I will give him a copy of it."

Speaker's Ruling.

Appealing to the Speaker, Mr. Elliott said he was prepared to have the motion for a return stand, but he would like to ask the Prime Minister the simple question, which only required a "yes or no" answer.

"For the reasons I have given, I do not propose to answer this question. I am ready to answer in the proper way," continued the Prime Minister.

Add Bacteriology.

Mr. Jas. Torrance (South Perth) introduced a bill to amend the pharmacy act to provide for an increase in the per diem allowance of the members of the Council. This at present is only \$5 a day, and it is proposed to raise it to \$10. It will not prove any hardship on the funds of the institution. Another clause will add bacteriology to the list of subjects in the curriculum.

Cost of Government House.

Mr. C. M. Bowman (North Bruce) was informed that the site of the new Government House at Chorley Park cost \$146,880.50, and \$76,452.33 had been spent in laying out the grounds,

and the estimated further cost to complete was about \$280,000. So far \$195,227.85 had been expended on the erection of the house, which would be ready for occupation early in 1914. There had been no estimate made for furnishing.

Mr. W. E. N. Sinclair (South Ontario) revived the Dempsey case at Cochrane last summer, when a man named Ward was tried and acquitted by the local Magistrate for illegal liquor selling, and then retried and convicted before Superintendent Rogers of the Provincial Police, who has also magisterial powers. In moving for a return of all correspondence and reports in the case, Mr. Sinclair pointed out that a man once acquitted for an offence could not be brought back again on the same charge, and asked on what authority had Mr Rogers sat in review of the decision of Magistrate Dempsey.

Mr. Rowell pointed out that this constituted a remarkable situation. While not concerned with the merits of the case, one of the two sets of facts had to be accepted; either Magistrate Dempsey was not competent to hold office, or if he had acted within his authority his decision should not have been upset, except by way of appeal.

The Attorney-General allowed the order to pass, omitting that clause calling for the reports of the Superintendent of Police. These matters were always confidential and could not be made public.

Mr. Hanna poured oil on the troubled waters by pointing out that the case had originally been launched before Superintendent Rogers. Magistrate Dempsey sat on the case in a mistaken view of the law, and when he was not properly seized of the evidence that was in the hands of Superintendent Rogers. "In that view," continued Mr. Hanna, "Mr. Rogers believed that the court had been imposed upon." The result was that the proceedings before Mr. Dempsey were a nullity.

A number of bills will be introduced by members of the Opposition next week to amend existing legislation. Mr. Sinclair will seek to change the law respecting actions against the T. & N. O. Railway to enable suits to be instituted without securing a fiat from the Attorney-General. Mr. Anderson (South Bruce) wants to raise the basis on which statute labor is computed from \$1.00 to \$1.50 per day. Mr. McDonald (Centre Bruce) would amend the election act to enable persons coming of age within the calendar year to have their names put on the municipal voters' list. Mr. Rowell will ask to amend the act with reference to the expenditure of the \$5,000,000 voted for Northern Ontario to provide that in future all appropriations be voted by the Legislative Assembly. Mr. Munro (Glen-garry) wants to change the assessment act to provide for the taxation of lands held by the Timiskaming & Northern Ontario Railway on the same basis as lands of other railways.