

fair thing to do, it seems to me they were right in saying that, at all events. I may say, moreover, that an opportunity was given in a general way to the gentleman from whom my hon. friend got a large part of the information on which he has based his charges to make any statements with regard to matters anterior to the five years.

With regard to the charges against Dr. Phelan, it is not necessary that I should go over what the commissioners said. It seemed to me they reached a fair conclusion on that subject. What are the consequences that ought to be drawn from that conclusion is another matter. The first thing that struck me in dealing with this commission and their report was that the great material thing was to improve the conditions that were complained of.

Mr. EDWARDS: What conclusion did they reach about Dr. Phelan?

Mr. DOHERTY: I thought the hon. gentleman read it himself. However, I will read it if he desires. Here is where they state the responsibility for certain conditions:

It being generally agreed that the condition of the insane is and has been for years altogether unsatisfactory, the question "who are responsible?" demands an answer. The responsibility falls primarily upon two men, the surgeon and the inspector. The former, in his annual reports, should have given expression to views such as he presented in his evidence before the commission. This was clearly his duty and would have relieved him of responsibility, but unfortunately a perusal of his reports leaves one with the impression that the state of the insane left nothing to be desired.

Then they go on to deal with Inspector Stewart.

Now here are the particular charges that my hon. friend desires that I shall read. I thought the hon. member was perfectly familiar with them at all events. There were four particular charges made. First he was charged:

(a) With gross political partisanship.

And the commission says:

The counsel for the Government properly says: "I do not propose to argue that the evidence adduced supports the charge of political partisanship."

The second charge is:

Charge (b). The charge of "using violent and indecent language to a guard in the presence of others."

With regard to this the commission says:

The charge of "using violent and indecent language to a guard in the presence of others" is [Mr. Doherty.]

established, but it is claimed that it was used in jest; the evidence leaves this uncertain. In any case, the surgeon entirely forgot the dignity of his position and the discipline of the prison in making use of the language in question; and the incident discloses an unhealthy state of things.

Then:

(c) With conniving at the absence of a guard at an election trial where said guard was wanted as a material witness.

With regard to that the commission says:

The commission did not consider this charge to be within the limits of their commission. It occurred thirteen years ago. Some of the parties are dead. It has no bearing on the present state of the prison.

Then there is the grafting charge, in regard to which they say:

Dr. Phelan admits that in four cases he asked and received a small fee from an applicant for a guard's position as to his physical fitness, and this is a contravention of the statute, as he is not to practise his profession. He says he has not done so for several years. The amount wrongfully taken by him was \$4.

The foregoing are the only charges made against Dr. Phelan by Dr. Edwards.

I have not been able to find in my examination of the evidence any reason to question the conclusions reached by the commission not only upon these particular charges but in regard to Dr. Phelan by reason of the general conditions in connection with the hospital. The action that ought to be taken in consequence of that is another question. The first thing that seemed important for us to do was to proceed to remedy the conditions. The great condition that called for a remedy in my mind was that in regard to insane patients.

Mr. BICKERDIKE: Mr. Chairman, you were particular to call me to order. I would now call your attention to the fact that I do not think there is any quorum and you cannot conduct the proceedings of the committee without a quorum.

Mr. ROGERS: The hon. gentleman is mistaken.

Mr. DOHERTY: I think the hon. gentleman will have to make another count.

The CHAIRMAN (Mr. Seigny): I think the point of order is well taken: there are only 15 members in the House.

Mr. Speaker having resumed the Chair,

Mr. SEVIGNY: I beg to report, Mr. Speaker, that there is no quorum.

Mr. SPEAKER: It is probably my duty to make the count. There are 22 members