deputy wrote to me that the Minister appreciated the difficulty of getting information as to any specific acts of wrong-doing and asked if I were in the possession of—and I quote now the exact words: 'any information whatever, showing or relating to any specific acts of malfeasance of office on the part of any officer during the past two years." That was the invitation extended to me.

Sir Charles Tupper—Down to December.

Sir Hibbert Tupper—Down to the second December, 1898. There was no limit; it would have seemed extraordinary if there had been. That covered hearsay evidence, and it did not limit the information to acts committed previous to August 25th. A fair answer to that, had I been willing to adopt the plan the Minister suggested of sending this up to Mr. Ogilvie, the officer of his department, would have been to state all I knew about Major Walsh, would it not? Is there a man can say no to that? If there had been immorality and drunkenness in connection with Major Walsh, and I had heard of it, and if that drunkenness affected dealings with Major cepted that invitation, een, as a man of hon- such information? e that any one would been in Dawson, or rect testimony. Every- ble Minister asked me hearsay, and in the na- dence. I did what I had a perfect right to do. I declined to put in his possession any information that had come to my hands, and if he says that his commissioner was right in ruling out everything connected with anything after the 25th August, 1898, my discretion was very well exercised. According to the plan these gentlemen adopted, it would have remained locked up in the possession of the Minister of the Interior. I replied on the 10th December disapproving of the Ogilvie commission and preferring a perfectly independent Royal Commission. I have referred to the matter of how I was treated when I said there what I was asked to say in a letter to the Minister of the Interior which would have been published by sending it to Mr. Ogilvie according to the way in which that letter was framed.

In the province of Manitoba, notwithstanding that the responsibility for the administration of the criminal law was local, we have a notable case where the Federal authorities intervened owing to the financial difficulties of the local administration.

We had before this House the evidence in regard to a matter where, if strict rules and proper precedents had been observed, no prosecutions would have been ventured on by any self-respecting Attorney-General in the province of Manitoba without the order and direction of the House of Commons. In England the rule is, under similar legislation to ours, that when offences are committed against the laws for the protection of the House of Commons these prosecutions are conducted under the order and direction of the House of Commons of England law. But in the case in point it was supposed that there had been a violation of the laws for the protection of elections to this House; but the present Minister of the Interior when the Conservative party were in power at Ottawa, after the general election of 1896, undertook to go to great expense to employ detectives to ferret out information, not at his own expense, but at the expense of the Dominion treasury, relying as he did on being able to induce the incoming Prime Minister of a Liberal administration to finance the bill and put it on the Federal treasury. In regard to that we had the evidence of Mr. Howell, who, acting either for the Minister of the Interior privately as he first did, or for the Minister of the Interior, when he was Attorney-General of Manitoba, as some of his evidence suggests, or as the private prosecutor for the Dominion Treasury, as some of his other evidence suggests.

We have his evidence that from the 26th of June, 1896, and perhaps an earlier date, he began to gather evidence from all sources in order to prove that men in Manitoba had been guilty of offences against the act in relation to the election of members to the Federal Parliament. He testified that Mr. Sifton told him to employ detectives to get evidence, to scatter them all over the country; that he gathered evidence, and after some five months of gathering evidence all over the province of Manitoba, he was told to go on and prosecute. He further testified that in the prosecution where there is a suspicion of crime it is usual to get detectives to work up the case. He had done it under Mr. Sifton's instructions before and he use his own language again, he said, "When we get a suspicion in the province of Manitoba we start." He was gathering information all along during the autumn, gathering it from all sources, and some time in July, and again he said: "It would be a gradual collection of hints till we got the evidence." There is a case in Manitoba, as I have explained, that was primarily under the charge and administration of the Attorney-General of Manitoba. His excuse was, as it will appear later on, that they had not the money to tackle such a formidable case as a suspicion that there had been a stuffing of ballots and illegal conduct at a Dominion election. The honourable gentleman got the co-operation of gentlemen opposite, got the money of the people of Canada, to carry out this work which resulted in some 23 prosecutions and the conviction of a man who was a self-confessed scoundrel in the box.

I am not going to say that I would ask this Parliament to believe that Major Walsh or any of those poor men who were under him were absolutely guilty.

My case is based on information that convinces me in the absence of a thorough enquiry of the guilt of those men. But that does not mean that I would pass my verdict on them off hand and for all time. I do not ask that these men should be prejudged, but pressing earnestly as I press to-day for an enquiry, I must say in the absence of hearing the other side—and they shall be heard if I can have my wish, not only on the preliminary enquiry, but they must be heard in the criminal courts of the country, no matter what the result of the preliminary enquiry may be. Let it not be considered for a moment that I am prejudging the case of these men. I am speaking of the evidence before me. I am showing what it points to. I am charging some guilt on a prima facie statement.

THE CHANGES OF OFFICIALS.

Take the kaleidoscopic changes of officials. Was there ever a thing like it? The conditions of the country may be extraordinary, but look at the condition which comforts you. You have Major Walsh in charge practically from May till August; you have Judge Maguire from some time in February till August; you have other officers, and suddenly they are out of the country. They have gone. Naming these two or three represent the condition of many. You have your $2 and your $1 and your $5 officers; you have your cooks at about the same price, but they do not remain. Many of these men would be witnesses, but they are all of a transient kind, here to-day and away to-

THE MINER'S POSITION.

all said and done, think of the of the miner, of the man who owns the Klondike, when he goes into and dares to beard these men, dares to charge that rascality was rampant in the Gold Commissioner's office, dares to charge that the pet and appointee, the creature of the Honourable Minister of the Interior, was himself corrupt and immoral. Think of what a risk these men run. They know that the title they hold of their lands is under the regulations framed by these gentlemen and the [illegible] benches; they know t[illegible] power is vast even in [illegible] whom they might attempt [illegible] the Gold Commission[illegible] various powers that ul[illegible] Minister of the Interior [illegible] of this Parliament, [illegible] Conservative or Liberal [illegible] ordinary authority which [illegible] case in the case of Neb[illegible], then, of the difficult[illegible] man who would venture [illegible] Lawson to bring these n[illegible] public opinion to challen[illegible] of their conduct, or to c[illegible] allegiance, and something [illegible] us. Need I argue as [illegible] these men who would bring such charges. Conditions may be imposed upon them by these very officials; the time for the representation of a claim may be lengthened; the time for leave of absence may be shortened; there are a hundred ways in which these men could be ground down by orders-in-Council and regulations under it. There is the question of royalty they are on their knees in that district to the Government of the day in regard to what some of them consider an extreme exaction. All these things are in search of gold; all of them are looking after worldly gain, and are not they to reckon with the risk and hazard they would encounter if they dare to come into court, though it be conducted by Mr. Ogilvie, or a judicial commission, and give testimony that would reflect on the men who hold in the hollow of their hands so much of their fortunes?

NELSON AND DONNELLY.

Take the case of Nelson and Donnelly. A word or two about that case, to show the position that these gentlemen on the treasury benches held when any man dares to bring to their doors the responsibility for all the administration and scandals that have occurred in that district. In the case of Nelson and Donnelly in reference to 34 Below Upper Discovery on Dominion Creek, according to the return brought down, the question arose whether this had been recorded under two different descriptions? The enquiry began on June 23rd before Mr. Fawcett, the Gold Commissioner, assisted, if you please, by Judge Maguire, the judge of the court before whom either of these parties, if aggrieved in their legal rights, have an absolute right to appear. Yet this judge was ordered in as an assessor into this court, contrary to all law, contrary to all statutes, and after sitting asked to sit in an informal proceeding and in a proceeding that was conducted illegally from beginning to end. Mr. Wade appeared, if you please, for Alexander McDonald and R. Morrison. This was in June, and in the March before Mr. Wade had handed over the richest real estate property it is possible to conceive to Mr. A. McDonald and Mr. R. Morrison. The land registrar, the officer who held four or five positions, had handed over, as Mr. Fawcett himself says, although Mr. Fawcett's name was used—Mr. Wade had handed over the water front in March or April, to Mr. Alexander McDonald, and he appeared in this case for Mr. McDonald and Mr. Morrison, and Mrs. Lucille Elliott appeared on the action. The enquiry began on June 23rd. She purchased a quarter interest on the 5th of July, 1898, after the enquiry had commenced, and funny things happened. The side into which she purchased the quarter interest went through the whole gamut of these proceedings, and came out triumphant.

Major Walsh was the witness who assisted her, and though he was examined before Mr. Fawcett, forsooth, his testimony was contrary to the testimony he gave in regard to the closing of Dominion Creek, and Mr. Fawcett did not contradict him. Mr. Fawcett contradicts him in 1899, but in 1898 he sat and listened to evidence being given on behalf of Mrs. or Miss L. Elliott, by Major Walsh. She purchased a quarter interest after the enquiry commenced on the 5th of July, 1898.

The contestation began between one Nelson and Lucille Elliott as against McDonald and Morrison. There was also contest in view of the information to come. Taking the information to be correct, and for the moment I assume it to be correct, though forming no final conclusion, you have a scandal connected with the whole outfit through all the improper influence of Lucille Elliott on the one side, the improper influence of this A. McDonald and Morrison on the other, and you have them in this case coming into collision. There is no evidence to show that Lucille Elliott was a purchaser for value without notice of a quarter interest. One Donnelly was in actual possession of the claim, The Gold Commissioner knew of the claim; Nelson knew of it. It was shown that the Commissioner had neglected the regulations requiring the recording of the claim within the specified period. There was no dispute about this from beginning to end. No dispute was lodged, no case was brought into court, when the Crown, through Mr. Fawcett, began this investigation, but something moved the powers and Mr. Fawcett, calling in Judge Maguire as an assessor, as Mr. Ogilvie called in Mr. Clement, proceeded to investigate. To show

THE EXTRAORDINARY INFLUENCE

of the powers that be in the Yukon district, the reason why to my mind hundreds of months are shut in that district that if they had a complaint to make it would be shown to them on the part of the powers that be, would be open—I proceed to refer to this Regulations made by Major Walsh without authority of law, without authority of this Parliament, without any authority under the sun, were agreed upon as covering the case. No one dared to resist them. Major Walsh, with the Minister on the treasury benches in his attempt to conceal private correspondence, private letters, purloined from the public. He had his example. He has his vindication in the practice adopted by the Government of the day in the City of Ottawa, and so we did not get the full report.

The iniquity of the practices of this private correspondence in regard to public business is illustrated further on. You will remember that in this House the Minister of the Interior told us that Major Walsh came home in pursuance of a letter which he had written to the Minister, saying that he intended to come as soon as he possibly could. I asked for that letter. There have been very few letters from our Commissioner, and the few we have amount to nothing. They give the temperature for a large period of time, three or four months, how cold or how warm it was and about the discomforts of the gentlemen who accompanied the Commissioner, and the Indians and all that, and so far as Lake Bennett and Tagish, and so on. But as to administration or policy, there is a blank. I ask for the information on which the Minister of the Interior made that statement, and in the return he brought down in reply I find simply the statement: "This is a private letter from Major Walsh." Then again the Minister stated that before Major Walsh started down to Dawson City in the spring of 1897, he wrote to the Minister and said he did not wish to remain in Dawson any longer that he could help and would like his successor to be sent in as soon as possible, and the Minister said that shortly after getting this letter he cabled to Mr. Ogilvie. All the correspondence outside of that is absolutely private

APPEAL TO THE MINISTER

of the Interior on the 31st January, 1899. Remember, Mr. Speaker, my point is the vast powers that are exercised rightly or wrongly by the Minister of the Interior, and I ask you then to realize the difficulties that you would have if you were prosecuting the charges and asking men to come from their claims on the different creeks around the Yukon, and give evidence that would reflect on the ability and the character and the integrity of the Minister of the Interior or any of his satraps or appointees. Here was an appeal in regard to a valuable property; that it was valuable there can be no doubt. The Minister of the Interior appreciated that when he came to give his decision. He stated in his decision, according to the papers brought down to this House, that it was a case in which the Gold Commissioner had inadvertently issued certificates to different parties for the same ground.

Affidavits having been used in the investigation before the Gold Commissioner and objected to as not being evidence, the Minister of the Interior ruled that these affidavits could be properly read in evidence, and that they were prima facie evidence of the standing at a claim on a certain day. I think to the members of the Bar in the province of British Columbia that would be a delightful ruling and would save a lot of trouble if it were accepted under very similar regulations that exist there. I have not been able myself to find that the rules of evidence have been changed in the slightest particular in this connection by the mining regulations. Nevertheless, we will take the opinion of the Minister. Admitting that he was right, here was a question of evidence on which the claim was allowed, and he ruled that it was good. He goes on to say "I do not think that the Crown would under all the circumstances be justified in insisting upon a doubtful and technical right to overrule its officers. Now you

HAVE THIS AWKWARD POSITION.

You have Lucille Elliott on one side, and you have Alexander McDonald, a big man, a powerful man, not only as to the water front, but as I will show you strongly favourable with regard to this oppressive royalty. Mr. Elliott was one of the richest men on the Klondike. You have this great mining king on the other side. The decision has to be given for one of the other. Now, we will see how the Minister of the Interior worked out the conclusion. He proceeded to confirm the decision of the Gold Commissioner, and said that the plaintiffs, that was Lucille Elliott or those connected with her, were entitled to the claim in question, and he directed this great man, this man clothed with these huge powers, this man whose influence overshadows the Yukon, directed that a renewal certificate for claim 34 below Upper Discovery on Dominion Creek be issued to the plaintiffs and that the certificate issued for claim 17 to Mr. Donnelly, that is through whom Aleck McDonald claimed—be cancelled in the books of the Gold Commissioner. That was pretty hard on Aleck McDonald.

Now let us see how Aleck McDonald's troubles are assuaged. After this the Minister refers to the plaintiffs' faulty and careless proceedings, that is, the parties through whom Lucille Elliott claims, in consequence of which Donnelly, that is the party through whom Aleck McDonald and Morrison claim, had gone to trouble and expense. Here we come to the great chancellor, the man exercising all the powers of common and chancery law, all the powers in the kingdom, because he considers that the cost which this unsuccessful litigant, this great mining king, has been put to in prosecuting the appeal must be very heavy, and just as we see in the case of the mining royalties, where the royalties were heavy and the royalty was big, they had to meet out to Aleck McDonald an easy rule which would enable him to pay by instalments later on, rather than exact from him the payment of the royalty at once; so in this case the Minister proceeds: "In view of the fact I direct that the defendants—that is Aleck McDonald—have no costs upon the claim," that is the claim of Lucille Elliott and others—"for $6,000 for their time, labour and costs, the said sum to be paid within six months from January 1st, 1899, and that the Gold Commissioner hold in his hands the renewal certificate for the claim until the said sum is paid to him for the defendants. All structures and improvements upon the claim shall be left unimpaired and shall become the property of the plaintiffs upon taking possession, which they may do forthwith. There is the power if you like. That is not the order of an imperial judicial tribunal; that is the order of the great Napoleon of the West, and am I rash and unreasonable when I say that it takes a man of some stern stuff whatever race he may belong to, out in the Yukon, to challenge the character of that Minister and to challenge the character of the man whom that Minister has persistently favoured. I say the difficulties are no longer great, that he would not be a coward when in pursuit of gold he hesitates before he ran stilt with the Minister of the Interior.

WALSH THE DISOBEDIENT.

Take page 85 of the evidence, and I find the Commissioner referring to the minutes of Council. He says: "Mr. Fawcett is here and the clerks are here and the minutes of the council are here, which can be examined." What minutes of council have been produced before this House? What minutes of council has the Minister brought down here from the time his officers went up in February, 1898, down to the present? Not a line, though as it will appear later on, there were positive instructions given to Major Walsh to keep this Government advised of every step he took and every thing he did. If Major Walsh had done so, the difficulties of any man who suspected wrongdoing would be in a large measure at an end. Take the Order-in-Council of the 17th August, 1897. The Commissioner, Major Walsh, is ordered as follows: "To make full report to the Minister by each mail of all matters affecting his office, and the administration of the various departments of the Government under his control."

Is there a Minister on this treasury benches who would venture to say now that Major Walsh ever did something of the kind? There is not one man of them who will pretend that Major Walsh made a full report to the Minister by each mail of all matters affecting his office and the administration of the various departments of the Government under his control. But there was wrenched out of Mr. Fawcett—and I used the word advisedly—before the commission reports or letters of Major Walsh with regard to public matters and the administration of the various departments of the Government under his control, marked "confidential." That is the code of the day under this regime. Major Walsh was a paid sinner in comparison with the Ministers on the treasury benches in his attempt to conceal private correspondence, private letters, purloined from the public. He had his example. He has his vindication in the practice adopted by the Government of the day in the City of Ottawa, and so we did not get the full report.

The iniquity of the practices of this private correspondence in regard to public business is illustrated further on. You will remember that in this House the Minister of the Interior told us that Major Walsh came home in pursuance of a letter which he had written to the Minister, saying that he intended to come as soon as he possibly could. I asked for that letter. There have been very few letters from our Commissioner, and the few we have amount to nothing. They give the temperature for a large period of time, three or four months, how cold or how warm it was and about the discomforts of the gentlemen who accompanied the Commissioner, and the Indians and all that, and so far as Lake Bennett and Tagish, and so on. But as to administration or policy, there is a blank. I ask for the information on which the Minister of the Interior made that statement, and in the return he brought down in reply I find simply the statement: "This is a private letter from Major Walsh." Then again the Minister stated that before Major Walsh started down to Dawson City in the spring of 1897, he wrote to the Minister and said he did not wish to remain in Dawson any longer that he could help and would like his successor to be sent in as soon as possible, and the Minister said that shortly after getting this letter he cabled to Mr. Ogilvie. All the correspondence outside of that is absolutely private

CAVALIER METHODS.

Compare for a moment the treatment that Mr. Peters got. Mr. Peters happened to be connected with me in July of last year, and before he was connected with me he sent a cypher message to Sir Louis Davies, I suppose he had some object in putting his message in cypher. He apparently did not think it was to be a public document. What that message was no man knows to this day, but in the desperation of the moment Sir Louis Davies permitted his colleague to do a thing for which no explanation has been given, a thing I cannot pass by without remarking upon. He permitted his colleague to drop this into public, and worse than that, when papers were moved for, he permitted his colleague to fix up the return, to pass it through the hands of the Government and lay it on the table of the House in such form that it should not appear in the return that this cypher message came from Mr. Peters, whether it was when Mr. Peters was a partner of mine, or before he became my partner, I have asked the honourable gentleman opposite to tell me, but I have never yet received a reply to that question. I have never thought that the Minister of the Interior had written a note to the Clerk of the House about it. I pointed out that would bite me as the return, and yet honourable gentlemen opposite, I do not know what has induced them to take such a course. I have not made one step to have that received, but correspondence that, I suppose they thought was private (though no reason was given why it or any one else should have thought it private) has been put before the House as though it were a partner of mine who was concerned about a liquor permit. I would take this occasion to say that I assure Mr. Peters, who is as strong a Liberal as any one who sits on the treasury benches, who differs from me in politics, is indignant, at least I hope so, about the use of his name. But I say without fear of contradiction by any living man, that I had no more to do with that correspondence, and it was no more my business than any Minister on the Treasury Benches. He happened to refer to me in writing to Sir Louis Davies; he used my cypher, but I never saw this telegram; he never put in my hand, and I never heard of it until it was dragged out in this manner. I would not have referred to this, except to make the point, as I do, that hon. gentlemen opposite are ready, when they think they can wound an opponent, to bring down a cypher telegram and all the correspondence surrounding it.

THE CLOAK OF SECRECY.

The Postmaster-General is ready to print at the public expense all the private correspondence he can find in the pigeon-holes of his predecessors in order to wound an opponent, but in the case of the government of the Yukon, there are undoubtedly some men there who are brothers of members of Parliament, and the correspondence in regard to the goings-on there will be so mixed-up, as the Minister of the Interior said on one occasion, with private correspondence, that the records cannot be produced to Parliament. So this subject of private correspondence affords, whether it is intended to or not, a cloak which is the greatest shelter that fraud and rascality can find. Fraud and rascality cannot flourish in the open. Public officers cannot and dare not do wrong as they might do under the cloak of secrecy, when the details of everything they do and everything they receive, is put upon the official record, and is open to be inspected by Parliament. Let us see some of this official correspondence. In this examination, Mr. Fawcett produced a letter marked "private" I dare to put it in the category, the shameful category, I have been referring to.

DR. LANDERKIN AGAIN.

I refer to page 207 of the evidence. This letter is dated the 26th July, 1897. "Unless you are very far wrong, and I do not think that possible, you may be sure that Mr. Sifton and Mr Smart will stand by you." must concur in this statement, and the last sentence of his letter, and I ask the attention of Dr. Landerkin to it is this: "When you write to us, do not forget to put in a few words about Landerkin. I will communicate them to his father, and he will be pleased."

Mr. Landerkin—Did he say anything about the Winnipeg matter?

Sir Hibbert Tupper—No, he does not seem to have thought it so important as the hon. member for South Grey does. He had a mind, and the hon. gentleman has something else.

Mr. Landerkin—The honourable member has not much of a mind or he would not take up the time of the house in this way.

McDONALD'S CASE AGAIN.

Sir Hibbert Tupper—We see, speaking of this, Mr. McDonald who had great favour allowed him: "I would like to know if McDonald got an extension of time."

Mr. Tabor—I object. Mr. Commissioner, to the question. I would like to have the letter produced.

Dr. Bourke—I want the letter produced. Did he write to you?

Mr. Fawcett—He sent a letter to me. I think this is something that he wrote.

Mr. Fawcett looking for the letter; I read to the Minister and I gave my impression that they did write to me at this time. I have a copy of it.

And later on: "You know of this letter from Mr. Walsh to you, and you know that Alex McDonald, for time, I suppose there is no other case like this? No, not that I know of.

"No other case of extension? I don't know. This is the only case that came under my notice."

This, you please, is in regard to the mining king, who got an indulgence under which they were not to collect his royalty as promptly as they collected the royalty of a poor man. They come down on him, easing by instalments. Then, Dr. Burke, said, and, by the way, this is the man who Mr. Ogilvie goes out of his way to abuse, a man who seems to have known a thing or two, he said:

Dr. Bourke—I want this to go on record, and ask for his letter to which Major Walsh hurriedly referred to McDonald's difficulties to meet his engagements, so that Government to know McDonald's position as a practical speculator; a man who holds Government royalty to speculate with, while a poor man who cannot pay for his sluice-boxes is locked up.

The Commissioner—The Government knows that months ago.

Sir Hibbert Tupper interjected:

I suppose the Minister of the Interior will not contradict that.

Dr. Bourke—The public want to know."

The Commissioner—The Government have been asked if there is any way to fix the amount of royalty due by Alex. McDonald.

Mr. Fawcett—I ask Mr. Dougherty the same thing.

The Commissioner—We can collect it. It is a simple matter if you know the amount.

The terrible difficulty seemed in the case of McDonald, and the papers had to come to Ottawa. Of course, when all the papers were shovelled off to Ottawa no one could act until the Ottawa Government had acted and McDonald of course, got delay.

ANOTHER PRIVATE LETTER.

But, as Mr. Fawcett honestly says, he does not know any other man that could work that little racket. Now, let us see what this letter is that Mr. Fawcett could not find. It is found on page 211:

(Confidential.)

DAWSON CITY, N.W.T., July 20, 1898.

Alexander McDonald, Esq., Dawson City, N.W.T.

Dear Sir,—I have just received your letter of to-day with regard to the royalty and the sooner it is paid and the better for your interests it collected at Ottawa. I do not think it is exaggeration to say that he will be the most successful man in the Klondike. Thousands of his mills are coming along the trails in extraordinary numbers. I fully realize the value of all your mining interests, and of the work you have devoted to their development, and also appreciate the fact that besides expending large sums of money in this way, you have also reinvested largely in this territory, instead of simply removing the gold from the country and sending it outside. I believe from what you say, and from what I have learned from other sources, that to insist on the payment of the royalty on your actual output at once might be embarrassing to you. I believe more from a Canadian Government recognize the value of your services in developing the country. I would not care to do anything which might seriously embarrass you, and I do not see anything unreasonable in your proposition to pay one half of the royalty in September next, and the other half in May, 1898. I will write the Gold Commissioner instructing him that you are to have the time mentioned to which to make your payments.

I am, yours truly,

J. M. WALSH,

Commissioner of the Yukon.

Why did he mark that letter confidential? There is no reason I can conceive of other than the reasons that exist for those hon. gentlemen on the treasury benches marking all their correspondence confidential when they leave. The Blair letter to Hoche is a sample, but there are hundreds of them, as we shall see before this discussion is finished. But there is another confidential letter. Mr. Walsh had read (every one doubts) the Order-in-Council of His Excellency to make a full report to the Minister by each mail of all matters affecting his office and the administration of the various departments of Government under his control. Good, easy man, he said, looking to the practice of Ottawa, why that does not apply to anything, I mark it confidential.

"A COWARDLY LETTER."

So on after the 22nd of July, 1898, he writes to Thomas Fawcett, Esq., Gold Commissioner at Dawson, a confidential letter, and if there can be anything more cowardly than for a superior officer, as he was, to write to his subordinate a letter of instruction, a letter of advice, and mark it confidential, I would like an hon. gentleman to suggest it. The first letter might be correct; it might be anything; and the second letter is of the most cowardly possible character, and may possibly be based on corruption too. At any rate, it suggests suspicion, and when we come to read it we will see what its purport is:

(CONFIDENTIAL.)

Commissioner's Office, Dawson,

22nd July, 1898.

Thomas Fawcett, Esq., Gold Commissioner, Dawson.

Dear Sir,—I enclose a copy of a letter I am forwarding to Mr. Alexander McDonald in reply to a communication from him applying for an extension of time for the payment of royalties due by him this season. You will please be guided in accordance therewith and give the necessary instructions to the Inspectors of Mines.

I have the honour to be, &c.

Your obedient servant,

J. M. WALSH,

Commissioner Yukon District.

In other words, I, Mr. Walsh, tell you confidentially to violate the rules and orders and regulations of the Governor-in-Council and your instructions, and I tell you, confidentially, disobey it at your peril. And Mr. Fawcett writes an open letter acknowledging these instructions, and then, forced as he is by the suspicion when the charges of favouritism are made against him, because, poor man, he could not quote to the public any authority to steal [illegible] whose authority he was doing it. That is why we get the confidential letter. It is his justification. He is impaled on a charge and his answer is, I did it on Mr. Walsh's instructions. Where is your authority? Here it is, it is the confidential letter.

A SERIOUS SYSTEM.

Now, I want to show, Mr. Speaker, how serious a thing this system is, if you have been able to follow me in the illustrations I have been giving. When the Government of India was undertaken at long range from home, what was the great guarantee of honesty on the one hand and what was the proof of dishonesty in the minds of able men, notably in the minds of exceedingly able men? The check against dishonesty was publicity and the minute record of every official act. The proof of dishonesty and a dishonest purpose was the obliteration of the record and the resort to private correspondence for the conduct of public business. In the impeachment of Hastings by Bourke he has something to say of the advantages of a government without a record, and a government of record, and he refers to the system that already prevailed and the advantages of a system which, as he says, makes every transaction in the service a matter of record. He adverts to the unfortunate conduct of Hastings; he charged him with having destroyed that system, and having destroyed it by making a fatal mischievous distinction between public and private correspondence, where, as the company made none. He said: "There are thousands of occasions in which it is not proper to divulge your private correspondence, but there is no occasion in which it is not necessary to communicate your correspondence to those who are above you." These are the distinctions Bourke has thought proper to make. The next way without entering to all the ways in which he has attempted to evade this regulation is by appointing spies and under agents, who should carry on the real State business, while there are public and ostensible agents who are not in the secret. And the correspondence of these private agents he has stopped and secreted, and there remains nothing but the shell and husks of a dry official correspondence, which neither means anything nor was intended to mean anything. Could anything be more appropriate? But he goes on and says:

"This is the way in which he has defeated this excellent institution." That was the institution where a record of everything was published, where a record of every transaction was committed to paper. But he has taken a mode of doing it by delegating out of his own hands the whole powers of the company, which he was bound to execute, into hands where they were not bound to record their deliberation, where they were not bound to accord their consent or dissent unless they chose and where, as in a gulf, a most important part, as we shall prove, of the company's transactions has been buried."

Now for a moment let me refer to Todd to show how in this Government in general, in this case in particular, has departed from the sound, the wholesome and the honest rule of Government. Todd lays down, after reviewing the cases in England, and practice in England, the following: "All public transactions of State are necessarily official, and that no public officer would be justified in withholding from official record any document emanating from himself in his official capacity in relation to public affairs."

THE ARRAIGNMENT.

Sir Hibbert Tupper Makes Specific Charges in an Amendment to Supply.

Now, Mr. Speaker, I have endeavoured to prepare the way for the serious step I propose to take, a step that I take after deliberation, after careful thought, impelled by a sense of duty and invited by the challenge of the Minister of the Interior. That hon. gentleman used this language across the floor of this House: "I challenge the member for Pictou or any other member in this House, to lay upon the table of the House the charges that he has to make, and declare his ability to substantiate them by evidence, and he will get his investigation, and I will be able to convince the hon. gentleman who makes that charge that discretion on his part would have been the better part of valour." I propose, therefore, in compliance with that challenge, to move:

That the condition of things in the Yukon district in the North-West Territories was unsatisfactory prior to the time when the present Minister of the Interior became responsible therefor.

That it appears by minute of Council, approved by His Excellency on the 1st June, 1895, that in the year 1887, the Hon. Thomas White, then Minister of the Interior, authorized the organization of an expedition having for its object the exploration of that region of the North-West Territories of Canada, which is drained by the Yukon River.

That the explorers found that in proximity to the boundary line there existed extensive and valuable placer gold mines, on which even then as many as three hundred miners were at work.

That the number of persons engaged in mining in the locality mentioned steadily increased year by year since the date of Mr. Ogilvie's survey, and it was estimated that in June, 1895, not less than one thousand men were so employed.

That for the purpose of ascertaining officially and authoritatively the condition of affairs to which the correspondence referred to in the next preceding paragraph relates, the honourable the President of the Privy Council, during the spring of 1894, despatched Inspector Charles Constantine, of the North-West Mounted Police force, accompanied by Sergeant Brown, to Fort Cudahy and the mining camps in its vicinity.

A copy of the report made by Mr. Constantine on his return date 19th October, 1894, establishes the substantial accuracy of the representations already referred to, Mr. Constantine left Sergeant Brown at Cudahy for the winter, and that officer made reports to his superior officer at regular intervals, the result of which was to keep the North-West Mounted Police Department well informed as to the condition of the settlement, and to fortify still further the demand for organized government. The facts recited established in 1895, first, that the time had arrived when it became the duty of the Government of Canada to make more efficient provisions for the maintenance of order, the enforcement of the laws and the administration of justice in the Yukon country, especially in that section of it in which placer mining for gold was being prosecuted upon such an extensive scale, situated near the boundary separating the North-West Territories from the possessions of the United States of Alaska. The Minister accordingly recommended, in 1895, with the concurrence of the honourable the President of the Council that a detachment of twenty members of the Mounted Police force, including officers, should be detailed at as early a day as possible for service in that part of the North-West Territories; the officer in command, in addition to the magisterial and other duties, he might be required to perform by virtue of his office, and under instructions from the Department of Mounted Police to represent where necessary, and until other arrangements could be made, all the departments having interests in that region.

That it appears by a minute of Council, approved by His Excellency on the 15th May, 1896, that by authority of His Excellency the Governor-General a detachment of twenty members of the North-West Mounted Police was in June, 1895, detailed for service in the Yukon district, the officer in command, in addition to his magisterial and other duties, to represent, where necessary and until other arrangements could be made, all the departments of the Government in that region, particularly the customs, inland revenue and interior. A surveyor was sent into the district for the purpose of laying out building lots and mining claims and generally of performing such duties as might be entrusted to him from time to time. The Government of Canada was at this time keenly alive to the importance of that section of the country and was kept continuously and thoroughly informed of the condition and progress of its business and other affairs as stated by the said minutes.

That it appears by the ninth report of the Select Standing Committee on Public Accounts, dated 3rd June, 1896, appendix No. 2?, that the following correspondence took place in 1896 between the Prime Minister of Canada and the Honourable Clifford Sifton, not a member of this House, but a resident of Winnipeg, in the Province of Manitoba:

Winnipeg, July 17, 1896.

(Confidential.)

Hon. Wilfrid Laurier, Ottawa, Ont.,

Dear Mr. Laurier,—The result of the late election in some of the constituencies in Manitoba indicates to me that a fraud of some kind had been perpetrated in the interest of the Government candidates. I at once placed skilled detectives at work, and have now in my possession conclusive evidence of an organized system of tampering with ballots, which constitutes the most colossal crime against honest elections which I have ever had any knowledge of. I now know that two constituencies were secured by means of these practices. I think it can be proved eventually that others were secured in the same way. I am also in a position to say that there are strong indications that the same practices prevailed in Ontario. As I have said above, detectives are now at work, and my purpose is to promptly but secretly push the enquiry and secure evidence upon which to convict the guilty parties. It is also important that no means be left untried to unearth frauds in the Province of Ontario and punish every one guilty of complicity. The bearers explain this matter somewhat in detail. The expense of such an investigation here is altogether beyond the financial capacity of my department, although I have assumed the responsibility of inaugurating the work and carrying it on so far, from my conviction of its far-reaching importance. I now think, after careful consideration, that it is the plain duty of your Government to furnish the necessary funds for the service in order to carry on this work here, and to take the matter in hand in Ontario yourselves. I, therefore, request that the expense of conducting these enquiries and prosecutions should be borne by the Federal Government. The money will be fully accounted for in detail by me as the officer having charge of the administration of justice in this province.

I have spent a considerable portion of my time since the elections in connection with this matter and I cannot conceive of any more urgent public duty resting upon you as Premier of the Dominion, than to leave no stone unturned to expose these frauds and punish the perpetrators. You must be aware that representative government and vote by ballot are simply a farce if such practices are permitted. In view of what I know I am almost surprised that any Liberal was returned in a close constituency. I cannot impress upon you too strongly the necessity for immediate and favourable reply.

Yours faithfully,

(Signed) CLIFFORD SIFTON.

(EXHIBIT Z.)

24th July, 1896.

The Hon Clifford Sifton,

Winnipeg, Manitoba:

I feel confident that you will unearth the most odious conspiracy which has taken place for many long years, and we will most willingly furnish the necessary funds for the service in order to carry on the work in which you are engaged.

(Signed) WILFRID LAURIER.

That Sir Charles Hibbert Tupper, a member of the Privy Council of Canada and a member of this House, having stated from his place in Parliament that he is credible informed and believes that with the same co-operation (and through the supervision of the Department of Justice) he was given by the Government of Canada to the said Hon. Clifford Sifton, as indicated by the said correspondence herein before referred to, and with the evidence contained in the report of the said committee, he can establish before a commission comprised of eminent judges and clothed with powers as hereinafter suggested, the following facts and charges to wit:

That the Honourable Clifford Sifton, Minister of the Interior, has been guilty of scandalous neglect, delay and mismanagement in the administration of his department in the Yukon district.

That Mr. W. Ogilvie, an officer of the Department of the Interior, who had been employed in that region since 1895, reported in 1896 to the Department of the Interior the richness of the gold deposits, advised that department that great gold development was expected, and that a great rush was likely to be made to the Klondike. He further reported that gold had been found in quantities; that Bonanza Creek was rich in gold; that the excitement was intense; that to prevent a stampede that millions would be taken out of the district in the next four years. He reported that the traffic in liquor would have to be taken hold of and regulated without delay; that legal machinery was absolutely necessary for the trial of cases of contract, collection of debts, and generally the judicial interests of the country; that there had been several applications for land in the vicinity of the mouth of the Klondike and that Inspector Constantine had selected a reserve for Government purposes at the confluence of that stream with the Yukon, 40 acres in extent, and he (Mr. Ogilvie) recommended also that a court of record be established.

That the reports of Mr. Ogilvie upon the subjects and district aforesaid were dated and received at the Department of the Interior at Ottawa, respectively, as follows: His report of the 6th September, 1896, was received 19th October, 1896; his report of 18th August, 1896, was received at Ottawa on the 22nd October, 1896; his report of 5th November, 1896, on the 16th February, 1897; his report of the 9th December, 1896, on the 27th February, 1897; his report of 11th January, 1897, on the 16th March, 1897; his report of 23rd January, 1897, on the 15th March, 1897. (See statement of the Honourable Minister of the Interior—Hansard, 1898, vol. 1, page 674.)

That on the 11th February, 1897, the Surveyor-General of Canada, Mr. Saville, formally and by report in writing communicated the information contained in the said official documents which had then arrived at Ottawa as aforesaid to the deputy head of the Department of the Interior.

That the Surveyor-General of Canada (see report dated 1st February, 1898) to the deputy head of the department as follows:

Here the resolution quotes at length from Mr. Ogilvie's first reports, detailing the situation in the Yukon.

That notwithstanding the foregoing facts the Hon. the Minister of the Interior informed the House of Commons in 1898 that he had nothing but the vaguest and most indefinite information until the 14th October, 1897, when he met Mr. Ogilvie aforesaid at Vancouver, B.C. (Hansard, 1898, vol. 1, page 682.)

That at all events on the 16th February, 1898, at the latest, the said Minister expected and had reason to expect that possibly 40,000 or 50,000 people would reach Dawson in the summer and autumn of that year (Hansard, vol. 1, 1898, page 624-626.)

That the Deputy Minister of the Interior in his annual report, 1898, states: "The great rush which was anticipated as a consequence of the gold discoveries on the Klondike river made it imperative to carry out Messrs. Ogilvie's and Constantine's recommendations."

That no action having been taken on Mr. Ogilvie's reports or that of the Surveyor General aforesaid, the latter called the attention of the Hon. the Minister of the Interior to the fact that the Yukon territory had been neglected, and wrote to the Minister on the 5th March, 1897, as follows: "A perusal of Mr. Ogilvie's report leaves the impression that if prompt steps are not taken for placing the land and mining business of the district under official management, it will soon be in an undesirable condition."

That Mr. Fawcett, the Gold Commissioner, reported under date 19th January 1898, a rush and overcrowding of his office. (Interior report for 1897, page 93), as follows: "The stampede to record claims still keeps up on the office. Our certificate number has now reached over 50 per day. We have used the foolscap paper I brought in with me for keeping records on and have used the last of the stock today. There is none to be had in town and we will have to use the thin paper such as I am writing on. The office falls in for a great deal of blame because the people cannot get into record as fast as they want to. We have nearly protests enough to keep us engaged for a full month doing nothing else but investigating these matters."

That in May or June of 1898 about 30,000 to