

lived the Boston "Globe" of a particular date, and the pieces of paper wadding found by the side of the road where the gun which killed this man had evidently been discharged, fitted in to the remainder of the newspaper found in the House; the shot with which the man was struck corresponded with the size of the shot which the boy had in his possession, and the bullet with which the man was killed was such a bullet as might have been formed by a bullet-mould which was also in the boy's possession. The boy was seen proceeding from near the spot in a very hurried manner a few minutes after the firing, on his way to his foster father's house. All these circumstances are more or less outside of the case now, for the reason that after the boy was convicted he made a confession that the pedlar came to his death by the discharge of the gun which was in his hands, and he set up the theory that the shooting was accidental. Now, throughout the case, from first to last, and during the inquest, and after this shooting was bruited abroad, this boy contended from the very inception of the case until after his conviction, that he had nothing to do with this man's death and knew nothing at all about it, and his counsel, a gentleman of great experience, during the trial of the case cross-examined on that theory, and that theory alone, and cross-examined for the purpose, as will be apparent to any one who examines the evidence, of showing that the man came to his death, not at the hands of this boy, but at the hands of some other pedlar with whom it was suggested deceased may have had some quarrel.

The MINISTER OF MARINE AND FISHERIES (Sir Louis Davies). Was not the suggestion made that the man came to his death from a gun fired by this boy, but not intentionally or fired at him?

Mr. BORDEN (Halifax). That suggestion was made after the boy had been convicted and when his confession was taken down by a clergyman in writing. But from first to last during the trial no such suggestion was made, and counsel did not go on the theory that this boy shot the man accidentally. Counsel went on the theory, under the instruction of this boy, and on that theory alone, that the gun which was discharged and killed this man was not discharged by this boy. That is most important to be borne in mind. Now, I may say in passing, that I am not able to understand the report of the Minister of Justice in this case, for more reasons than one, and I would like here to bring to the attention of the learned Solicitor General, or to the attention of the Minister of Marine and Fisheries if he proposes to deal with the case—

The MINISTER OF MARINE AND FISHERIES. I do not propose to deal

Mr. BORDEN (Halifax).

with it, but I was interested and was following the hon. gentleman (Mr. Borden).

Mr. BORDEN (Halifax). I would be very glad if the hon. gentleman (Sir Louis Davies) would take an interest in it, because it seems to me that the way in which this case has been disposed of does not add any lustre to the administration of criminal justice in Canada.

The POSTMASTER GENERAL (Mr. Mullock). Do you mean by the courts or by the Government?

Mr. BORDEN (Halifax). By the remission of this man's sentence; I pass no reflection at all upon the trial judge. The Minister of Justice, in dealing with this case, has apparently misunderstood what was reported or suggested by Mr. Justice Ritchie, who tried the case, and if the papers have been brought down in full, then the Minister of Justice has misunderstood or misquoted the confession of this boy, because the greater part of the report of the Minister of Justice is made up with extracts from that confession, which I cannot find among the papers at all. I do not understand that the boy made more than one confession. The Minister of Justice quotes from a confession which is not in the papers, and he gives incidents which are not in the confession that was brought down. In fact, the extracts embraced in the report of the Minister of Justice and purporting to be quotations from the confession of this boy are about twice as long as the entire confession of the boy which is brought down here, and verified by the affidavit of the clergyman. It may be that it is owing to the mistake of some official that there has not been brought down another confession, but it will be apparent to any one that what I state with regard to the quotations is literally the fact. Either there is another confession, or the Minister of Justice has drawn upon his imagination, as he certainly has drawn upon his imagination when he undertakes to quote from the reports of Mr. Justice Ritchie. As I have said, this boy made a confession after conviction, and the confession is probably not in the boy's words, but is a confession which was taken down by the clergyman of whose congregation he was a member. I will read what the boy's confession is, and I will say, in passing, that so far as the papers brought down show, it has not even the verification of an affidavit in support of its truth from the boy himself. That such a verification would be sufficient to enable the Minister of Justice to deal with this as a jury would deal with it, surely no practical lawyer in the House would for a moment pretend—no right of cross-examination, the evidence not given viva voce, not given before the tribunal who had to deal with it—and yet it lacks even that poor verification; and that confession alone, so far