

the cause of great embarrassment through the consumption of time or in frustrating the efforts of the commission to probe these frauds to the very bottom. Then, in regard to the use of the evidence, I have only to say in reference to the minister's observation, that he did not, it seems to me, seize the idea conveyed in this resolution. It is not to force the acceptance of legal evidence, that is, evidence to be inquired into in a court of law, but to provide that the commission shall be free to use such parts or the whole of such evidence if they think proper.

Then, the hon. gentleman (Mr. Blair) discussed the action of the Committee on Privileges and Elections. Has he forgotten—certainly the House has not forgotten, those who have read the evidence knew—that so far from that committee being controlled by the prejudices or caprices of the opposition, so far from the opposition being given full latitude, as he suggested, the whole control of the investigation was taken out of the hands of those who had any responsibility in connection with it. The senior member for Halifax (Mr. Borden) took the responsibility upon himself of making serious charges. So serious were they that reference to a committee was granted. Other hon. gentlemen undertook the responsibility of assisting him in producing the evidence to substantiate these charges. But, to the surprise of most reasonable people, it was found that the majority of that committee, the friends of hon. gentlemen opposite, took the whole charge of the conduct of the proceedings, to such an extent as to compel the gentleman who had made the charges and those who had undertaken to prove them to put on the stand first the alleged criminal, disturbing the order of calling the witnesses, not only the way in which these gentlemen intended to call them, but the reasonable order in which they should have been called. I pass by the reflections that the hon. gentleman (Mr. Blair) has cast on the committees of this House—that they are incapable, practically, of acting as reasonable men, which is the inference from the observations made by the Minister of Railways and Canals. It is not a great compliment, I may say, to the party—his own party—who have control of every one of these committees at the present time. I think this is the first time such strong language in regard to them has fallen from the lips of a minister of the Crown.

Then, on the question of the Clerk of the Crown in Chancery, I think the quotation of Sir John Bourinot's book and the reference to Hatsell pretty well took the wind out of the minister's sails. At any rate, after that authority was read, we did not hear any longer the argument that the Clerk of the Crown in Chancery was not an officer of the House. Perhaps I am doing the Minister of Railways and Canals an injustice in arguing this point, because he conceded a doubt

about the jurisdiction of the commission to force the attendance of the Clerk of the Crown in Chancery before them with the documents that are in his custody. And, if I understand the hon. minister right, he has suggested that this question could be dealt with in the Election Bill, and all doubts on that subject put at rest. I have this to say—that it certainly cannot be said to be clear that any commission could compel the Clerk of the Crown in Chancery to produce our documents before it, unless some statutory authority could be shown. It is in virtue of a statute that he appears with those documents now in the different courts of law, not under subpoena, but after obtaining an order. In 1886, in the case of North or South Leeds, I think it was held that unless the provision of the statute was exactly followed, and the case came within the provision made for compelling the production of those documents, the Clerk of the Crown in Chancery need not obey the order in court, let alone the subpoena.

Then the hon. gentleman suggested, in regard to the order of hearing these different cases, that there was no particular urgency for taking up one case first more than another. Well, is that a fair view? I submit it is a most unfair view to take, although what would be unfair in one sense as we consider it, might appear to the court in a different sense altogether. They must utterly ignore, so far as they can, all that has happened in this House; they must separate themselves in so far as they can from the controversies that have been waged on these different questions; and therefore, with nothing to guide them, unable to resort to the arguments we used, it might possibly occur to them that they should begin at the beginning as these matters go. As we understand them, the beginning is not in 1896, the beginning as we understand it here, is where those cases did begin. Taking a fair view of it, one case has already been begun and the investigation stopped, and it was not intended it should go on. Pressure was brought to bear, and finally the government had to yield, and a promise was made that the inquiry should be resumed, and it was an after-thought that neither case should be inquired into. But the first matter for investigation was undoubtedly the case of the West Huron and Brockville elections; consequently I think in all reason, direction should be given to this commission to begin the investigation where it left off, and that was in the cases of the West Huron and Brockville elections, and then to proceed as they saw fit in regard to the others, which have not even been suggested by the government as proper cases to inquire into.

Then we had the hon. gentleman's assertion all through of the desire of the government to purify and to observe as far as they can the sanctity of the ballot in political elections. Now, all of these pro-