

did not intend to go further into matters, which, at any rate, looked serious enough to be sifted to the bottom, according to the pledge given by the Prime Minister last session. That subject came under discussion this year, and the government endeavoured to show the unfitness of the Committee on Privileges and Elections to deal with the cases of the West Huron and Brockville elections. The whole discussion was concerning those two elections. Some hon. gentlemen, supporting the government, endeavoured to use the *tu quoque* argument, and made counter charges which had never been sent to any committee, and were only thrown in as a last resort at a desperate stage of the debate, and finally, to the surprise of his followers, the right hon. the First Minister was forced to announce that these questions would go to a Royal Commission.

Why these other matters, to which I have referred, should have been imported into the commission at all I could never see, but the hon. the leader of the opposition and his supporters did not see fit to raise the slightest objection to the scope of the proposed commission going far beyond the West Huron and Brockville elections. And undoubtedly, the country will be amazed to learn that the government propose to break off the inquiry which parliament had begun, and take up matters of ancient history, comparatively, so that if the chronological order should suggest itself to the commission, they may think proper to begin at the beginning, and thus throw off from the public mind, for a long time, the consideration of the very matters that brought about the existence of the commission, and with which parliament was dealing last session, through one of its committees.

The hon. the Minister of Railways (Mr. Blair) has made some statements which, coming from a lawyer, are of a very extraordinary character. He pretends that the statute chap. 33 of 52 Victoria could not have been read by the hon. the leader of the opposition or the senior member for Halifax (Mr. Borden) when they pointed out in what respect the commission was defective. But, chap. 33 of 52 Victoria, when compared with the Imperial Act 15-16 Victoria, referred to by the leader of the opposition, and our own statute, chap. 10 of the Revised Statutes, will show that the Minister of Railways could not have given the attention and study to this subject which, being a lawyer, one would have expected him to do, and I am amazed that any Minister of Justice would have put his signature to the statement furnished by the present Minister of Justice. It is clear that if the minister read, as, no doubt, he did, 52 Victoria, chap. 33, he never read the Imperial Act to which the leader of the opposition referred or the clause in the Corrupt Practices Act which the leader of the opposition quoted.

We had 52 Victoria, chap. 33, before the House last year, and I then raised the same point with reference to the Ogilvie commis-

sion that my hon. friends have raised with reference to this commission. It was found in the Ogilvie matter, that the miners were handicapped and had to withdraw, because, in order to prove wrong-doing in the Yukon, they had to confess to being parties to it. Although it is provided in 52 Victoria, chap. 33, that if a man gave evidence it could not be used against him, that would not prevent an indictment being preferred against him for the offence he admitted having committed; and witnesses before the present commission will be in exactly the same position. Mr. Blake, who was a lawyer of equal standing at least to the Minister of Railways, saw that in connection with inquiries into corrupt practices, in which you are trying to ferret out crime, you must rely on criminals to a large extent, and use their evidence; and in order to obtain the fullest evidence the courts must have power, not merely to do as in ordinary cases of public inquiry, but to go further and absolutely pardon the witness, so that no indictment could be preferred or warrant proved against him. It is clear that this point was not considered by the Minister of Justice, when making out his written opinion; and when the Minister of Railways taunts the leader of the opposition with ignorance of the statutes, he has simply laid himself open to the charge of never having taken the trouble to read the Imperial statute to which the leader of the opposition referred, and which was followed by Mr. Blake in framing the Corrupt Practices Act. Take the clause in the statute referred to by the Minister of Railways, 52 Victoria, chap. 33:

No witness examined before such commissioners shall be excused from answering any question put to him on the ground that the answer thereto may criminate or tend to criminate him; but no evidence so taken shall be admissible against any such witness in any criminal proceeding, except in the case of a witness charged with having given false evidence at any such inquiry or with having procured, or attempted, or conspired, to procure the giving of such evidence.

Mr. Blake thoroughly understood that that did not go far enough, if you want it to get at the very bottom of corrupt practices. He understood that it is not sufficient to hold that bait out to a man who had been implicated in the fraud. You must put another power in the court, and that power was this, given in section 9, chap. 10 of the Revised Statutes, entitled 'an Act respecting Corrupt Practices at Elections':

Provided always, that when any witness answers every question relating to the matters aforesaid which he is required to answer, and the answer to which may criminate or tend to criminate him, shall be entitled to receive from the commissioners, under their hands, a certificate stating that he was, from this examination, required by them to answer one or more questions relating to the matters aforesaid, the answer or answers to which criminated or tended to criminate him, and had answered any such question; or if any information, indictment or penal action is at