

'Copy.

"OTTAWA, 27th March, 1883.

"Sir,—Having reference to your letter of the 3rd instant, transmitting a petition of certain inhabitants of St. Thomas, praying for an enquiry into the grievances they labour under so long as His Honour Judge Hughes is permitted to occupy the position of County Judge for the county of Elgin, I have the honour to say, in regard to your reference to a public investigation had many years ago, that this is not now a matter for investigation.

"The other statements in the petition are of too general a nature and character to justify an investigation.

"You should state specifically the time and the place at which and the case in which, by reason of what you allege, he has brought himself within the terms of the Act of 1882.

"I am, Sir,

"Your obedient servant,

"GEO. W. BURBIDGE,

"Deputy Minister of Justice.

"JAMES STANTON, Esq.,
"St. Thomas."

The County Crown Attorney, who is charged with the duty of seeing that the law is properly administered, forwarded these charges. He received the following letter from the Deputy Minister of Justice:

"Copy.

"OTTAWA, 3rd March, 1884.

"Sir,—With further reference to your letter of 21st ultimo, I have the honour to call your attention to the fact that the petition accompanying your letter, which you stated to be the specification of the charges, and of the grounds on which the petitioner's complaint is based, is not signed by any person.

"I have also to call your attention to the fact that in a number of cases, no time is stated at which the matters complained of took place.

"It would be convenient, in stating the charges and grounds on which the complaint is based, to state them in the order of time in which they occurred.

"The petition is therefore returned to you for signature, and for amendment in the particulars indicated.

"I am, Sir,

"Your obedient servant,

"GEO. W. BURBIDGE,

"Deputy Minister of Justice.

"JAMES STANTON, Esq.,
"St. Thomas."

It will be observed that the suggestion or statement was made that the petition was returned. Immediately the First Minister made the announcement that no petition or charges were in the possession of the Government, I wrote to Mr. Stanton. He immediately had the charges signed by the former petitioners, or as many of them as he could find. He had the petition signed, and he, acting for petitioners, forwarded the document to the Department. That document was mailed in St. Thomas on the 24th. A letter of the same date was written and mailed to me. I received the letter on the morning of the 25th, and on the afternoon of the 26th I had a notice on the Paper enquiring of the Government if they had up to to that time received any such document. When the question was asked of the Government the Minister of Public Works, in the absence of the First Minister, stated that no petitions were in the possession of the Government; and when I further asked whether the Government intended to take any further action in the matter, the reply was that they could take no action, as there was nothing before them. Now, I do not accuse the First Minister—I do not say he is to blame in the matter—but what I do say is, that there should have been better supervision over the Department of Justice, so that when an Address is passed here, and when we are entitled to receive the papers covered by that Address, the Deputies of the Departments should furnish the Ministers with correct and reliable information. The Government are in possession of the petition, and they are asked to investigate the matter. It is their bounden duty either to act upon that petition or else to give a positive

refusal and say that the charges are not ample and sufficient for investigation. They have certainly a right to say that the impeachment and the suspense of judgment which took place in 1862 should not now be revived. We all know perfectly well that a Judge is not entitled to hold his position a day after he has been found guilty of using his public position in any way to better his private circumstances. This was proven after full and fair enquiry. Now, I have done my duty in regard to these charges. Some may say that I have brought this matter up on personal pique. I have taken no direct or indirect part in the matter, and I should not have referred to it at all had it not, to a certain extent, been the impression that I was trying to get information out of the Government that the Government was not in possession of. How it is that these petitions have been lying in the Department of Justice, and that, though I have time and again asked for them, which an Address of the House called for, and yet that information has been withheld, is something which I cannot account for. However, if the Government choose to take that course, upon them be the responsibility and not upon me. Having placed the matter before the House so as to exonerate myself from any censure in connection, with the matter I leave it in the hands of the Government, hoping they may see their way clear to give some definite information, so that I may be able to say to the people of the county whether or not the Government intend to enquire into these charges.

Sir JOHN A. MACDONALD. I am rather sorry that the hon. gentleman did not tell me that he was going to bring this matter up, for this reason, that only yesterday I had a letter from Mr. Stanton, whom I know very well, stating that I must have been under a misapprehension when I stated that there was no petition signed. Upon that I communicated with the Department of Justice, and I suppose there will be an answer to-morrow. At present I have nothing more to say than I stated before. Immediately on the appearance of the enquiry of the hon. gentleman on the Order Paper, that question being:

"Whether the Government have taken any steps to enquire into the charges preferred against the official conduct of D. J. Hughes, Judge of the County Court of Elgin; and if not, whether it is their intention to do so, and when?"

I immediately called the attention of the Department of Justice and the Deputy Minister sent me this memorandum:

"An unsigned petition, asking the investigation of certain charges against the Judge, was received. A copy of this petition was sent to Mr. Hughes, and the original returned to the person who forwarded it in order that the signatures of the petitioners might be supplied, and also the dates (where not given) of acts complained of."

There is the further statement by the Deputy Minister:

"That petition was received in the Department on the 21st January, and the Address was moved on the 28th; the petition was unsigned and complained of acts happening a great many years ago, as well as recently, and also of acts the dates of which were not given. It was returned for the following purposes: First, for the signatures of the petitioners; secondly, for the dates when the acts complained of were done; and thirdly and generally, for a more orderly arranged statement of the grounds. At all events, it was manifestly unfair to make these charges public before the Judge had an opportunity of answering them. Although the petition was unsigned, we asked the Secretary of State's Department to send a copy of it to Judge Hughes, which was done."

It was upon the authority of those papers that I made the statement to the hon. gentleman with respect to the impeachment which took place so long ago as 1862, and I think the House will agree that it is far too late to enter on the discussion of charges against a Judge which were made more than twenty years ago, he having gone on as Judge ever since, and I suppose he has given satisfaction, so far as I know, at least. The papers in reference to that impeachment are not to be found in the Department. The last known of them, they were in the hands of Mr. (now Chief