

made in this connection, I thought he expressed the opinion that we ought to go further and indemnify anybody from prosecution arising from evidence given before this commission. Did I so understand him?

Sir CHARLES TUPPER. No, no.

The MINISTER OF RAILWAYS AND CANALS. If the hon. gentleman did not intend to go that far, which would be a most absurd and ridiculous length, he cannot go any further than to ask that the witness himself who gives evidence before the commission, shall be free from prosecution; and I do not think there is any lawyer on the other side of the House who will say that the words of this amending statute do not amply cover the ground.

My hon. friend says that these commissioners ought to use the evidence which has already been given before the committee of this House on Privileges and Elections, and draw all their deductions and conclusions from that evidence, and dispense with the necessity of bringing the same witnesses before the commission. There are very cogent reasons, which must be apparent to any gentleman who has had any experience in the trial of cases, why such a course of procedure would be exceedingly inexpedient, improper, and not attendant with the results which the hon. gentleman would have us believe he desires to accomplish. Such evidence would simply be read by the commissioners. That evidence contains all sorts of testimony—testimony which may have been legal or which may not have been legal, testimony which was proper, and testimony which was simply hearsay. It contains testimony which was admitted by the committee under circumstances which were not proper, favourable to the proper elucidation of the facts, or to the holding of a proper inquiry; and I will tell the House why I think so. When the question came before that committee as to whether certain witnesses should be compelled to state for whom they had voted, the question of the admissibility of that evidence was very properly raised by counsel. The result was that the newspapers of the opposition cried out that the committee were stifling inquiry; and the reason that evidence was admitted afterwards—I was present when a portion of the discussion took place, and also when the evidence was finally admitted—was not because in the opinion of the majority of the committee, it was proper or legal evidence, but because they felt that the whole object of the opposition and the opposition press, was to create the impression that the majority wished to suppress the evidence and stifle the inquiry, and, therefore, they felt that it would be better to allow of this violation of the law, rather than to put it in the power of hon. gentlemen opposite to represent to the country at large, who would not know the rights or the wrongs of the matter, that we

Mr. BLAIR.

had refused to permit everything to come out, or to allow the widest possible inquiry. My hon. friend says that it would be proper to allow this evidence to be used by the commission, and that we should pass a law for that purpose. I think he will search in vain throughout the whole legislation of this country or the mother country, to find an instance in which parliament undertook to pass *ex post facto* legislation for such a purpose. We would be taking away from electors the privilege of voting in secret, so that the way they cast their vote would not be known. We have no right to deprive them of that privilege. Therefore, the question with which the commission may properly deal, is a very simple one. If, under the law of the land it is proper to ask each witness, as he comes up, for whom he voted, and to do that in the absence of the ballots, and long after their destruction, then the commission will so judge; they will make their determination in accordance with the law, and not in violation of any principle or rule. You will be getting a solemn adjudication at the hands of gentlemen who are competent to make it, in accordance with the existing law of the land. If, on the other hand, this is not a question which may be properly asked, and answered, these commissioners will be able so to determine. But what the hon. gentleman asks us to do, is to introduce a law to have a retroactive operation, providing that the privilege which these men thought belonged to them when they cast their ballots, shall not continue to belong to them, but shall be taken from them, and that in this inquiry everybody will be compelled to state for whom he voted, whether he will or no. This would be unjust, and I think it might fairly be characterized as most iniquitous legislation. For these reasons, Mr. Speaker, I think the hon. gentleman has no just reason to complain. The commission will be found amply to cover everything; and I hope the hon. gentleman and his friends, when they find how utterly futile and unreasonable have been the objections which he has made to this commission, and how fully it will cover all the ground, will be frank enough to acknowledge that these furious diatribes of his have been utterly unfounded. I move that the House do now adjourn.

Sir CHARLES HIBBERT TUPPER (Pictou). The hon. gentleman who has just spoken introduced his speech with the remark that there was some manœuvring in this matter. The manœuvring, in my mind, is to sidetrack an investigation which had been begun under the auspices of this House, into the Brockville and West Huron elections. We were half way through the trial of those cases, when the government, for what reasons it is not now necessary to discuss, decided to stop without a conclusion of them; and public opinion was undoubtedly aroused to a very healthy condition, when it was learned that the government