

not ripe, even in the opinion of those who thought it would be in a reform, to be placed on the Statute-book. It was no doubt a very important question. The object they had in view in providing for the trial of issues, whether they involved questions of property or questions of personal liberty, was neither to provide for the escape nor for the conviction of either party, but to provide for the ascertainment of the truth by endeavouring to get at the bottom of the facts which were in controversy between the parties. For many years it was insisted that the temptations to commit perjury were so great that it would be wrong on two grounds to permit persons being parties to the case to give evidence: first, on the ground that they ought not to be exposed to the temptation to commit perjury, which would be inevitable; and second, because they would commit perjury so constantly that the investigation of the truth would be rather retarded than advanced by they being called as witnesses. As the hon. member for North York had stated, the earliest attempt to introduce the system into Canada had an ignominious ending. The Bill became law one Session, and, if he rightly remembered, it was repealed the very next Session; at all events it certainly did not live through two Sessions, and that was in consequence of the very strong opposition given to it by many of the Judges, their views preconceived and, as they believed, supported by the short experience of the operation of the law being that it would not conduce to the administration of justice in most cases. After an interval of many years in Ontario that same measure became law. Although the hon. member for Northumberland (Mr. Kerr) had declared there was a vast difference of opinion as to the working of the law, and he (Mr. Blake) admitted there was some difference of opinion regarding it, he did not esteem that difference as general as did the hon. member. His view was that the opinion in favour of the law enormously preponderated over the adverse opinion. His own conviction, drawn from a tolerably wide experience of the application of the law,

was that it had been found exceedingly useful in attaining the object of all trials, namely, arriving at the truth. There were cases, however, occurring every day in civil matters, in which the interests in regard to property and still stronger the excitement occasioned by hostile feelings, particularly in suits between relatives, were so great that the temptations to commit perjury were very great, but, notwithstanding that fact, the operation of the law had been as he had stated. With respect to criminal cases, it was quite true that certain circumstances arose which did not arise, or did not arise in the same proportion, in civil cases. The hon. member for Hochelaga (Mr. Desjardins) had stated one class of cases, fortunately the rarest class, in which there would be no peril to the criminal in committing perjury. It was true that, in cases in which punishment was capital, the terrors of human law were not sufficient to deter the criminal, who was standing on trial for his life or a term of imprisonment for life, from committing perjury. But it would be a mistake to argue that he should form a new law solely with regard to a class of cases which was happily very rare in Canada. Thousands of persons were tried for crime during each year and only, on an average, ten of those were for the crime of perjury. An objection which applied solely to that particular class of crime was not one which could be properly urged as applicable to the whole range of judicial investigation into criminal matters. The question whether the proposed law would bear more in favour of than against the prisoner, was one in which there might be much investigation. His own impression was that in practical operation there would be, as a rule, an unfavourable impression created with regard to prisoners who did not submit themselves to examinations. It was a result regarding which they need scarcely stop to reason, but it was a result which had been found from experience in civil cases. If such were the case, it followed that, as a rule, prisoners would be obliged to give evidence. The question then arose as to whether the law would prove injurious in cases in which the