

weight of evidence. This is especially so in regard to the finding of a jury, which has the advantage of seeing the witnesses, of observing their manner in the box, and so on. So far as my memory goes, however, it is not the practice in a case where there is absolutely no evidence.

Mr. CARVELL: I hope my hon. friend does not contend that is the case in the Galt report?

Mr. CROTHERS: Yes, I do. If my hon. friend has read the evidence at all—

Mr. CARVELL: I have

Mr. CROTHERS: —and the findings of the two judges who considered the matter in Montreal. They did not discuss it as a conflict of evidence; they said that there was absolutely no evidence to warrant the inference drawn; that there was no direct evidence at all, and no evidence warranting the inference. They did not rule on a question of weight of evidence, but they ruled that there was no evidence warranting any such inference.

Sir WILFRID LAURIER: My hon. friend remembers and admits that he introduced the resolution of censure against the hon. member for St. John (Mr. Pugsley) in 1909. He spoke of everybody's speech except his own.

Mr. CROTHERS: No, I spoke of mine.

Sir WILFRID LAURIER: You spoke of the speeches of the hon. member for St. John, and of Mr. Crocket, now Judge Crocket.

Mr. CROTHERS: I admitted that you correctly quoted what I said on that occasion.

Sir WILFRID LAURIER: My hon. friend took a position exactly the reverse of his position to-day. In presenting his motion he took this position: I refuse to look at the evidence; here is the judgment of a court of law, I shall not go beyond the judgment; upon that judgment I ask a vote of censure upon the hon. member for St. John. My hon. friend (Mr. Pugsley) very properly said: This is not the judgment of a court but only the opinion of Mr. Justice So-and-So, and I am prepared to say that in many respects the opinion of the commission is in error. Then there was a discussion between the hon. member for St. John and Mr. Crocket revising the evidence adduced before the commission. If I drew attention to that it was simply to say

[Mr. Crothers.]

that the opinion held at that time by the gentlemen now sitting on the Treasury benches was that a commission of that kind was a court of law, that its finding was the judgment of a court of law, and that if it was such a judgment, it could not be revised by this Parliament. But all of this is now discarded; it is sophistry; the commission of Mr. Justice Landry was not a court of law, the commission of Mr. Justice Galt was not a court of law. The commission of Mr. Justice Tellier and Mr. Justice McLeod was not a court of law, but simply a commission of gentlemen entrusted to do what Mr. Justice Galt was entrusted to do, to investigate certain facts. He made the investigation; he had witnesses brought before him; he could have reported to the Government without an expression of opinion, but he expressed an opinion.

Mr. CROTHERS: The question between my right hon. friend and me is not anything about Judge Galt. The question is whether he stated that we did not use the evidence at all on the motion made in this House in 1909, and if he did make that statement, was it correct?

Sir WILFRID LAURIER: I say that my friend who made the motion never used the evidence.

Mr. CROTHERS: That is not the question. You said the evidence was not used.

Sir WILFRID LAURIER: That was the question as presented to the House, but my hon. friend from St. John riddled the speech of the Minister of Labour; he showed that the commission was not a court of law or its findings a judgment, but that its finding was only the opinion of Mr. Justice Landry and of gentlemen associated with him; and he proceeded to riddle the report made, and there was a controversy between him and Mr. Crocket. No one pretended—I never pretended—that the opinion of Mr. Justice Galt was final. It was simply the opinion of Mr. Justice Galt, a man of high character, at one time an eminent member of the bar, a man selected by the Government to be a justice of the court of Manitoba—and I think it was a good appointment according to everybody. He gave his opinion. But I never contended that the opinion of Mr. Justice Galt was final; it could be discussed and it will be for Parliament, or for the Legislature of Manitoba primarily, to determine whether or not the report is well founded. The Government have taken the position that the opinion of Mr. Justice Tellier and Mr.