

hon. member for St. Lawrence, Montreal, who has such a growing conviction of the hardness of my own heart, scarcely believes all the very forcible things which he said this evening with regard to my attitude upon this question. I do not know whether I shall be able to persuade him in that regard, but I know myself what my feeling is respecting the treatment of the convict, and I am satisfied that we are all agreed on that point. It is an unfortunate and much-to-be-regretted circumstance that this matter of general interest with which we are called upon to deal should find itself bound up with a question of charges against particular individuals. In saying that, I am not minimizing the importance of what the hon. member for Frontenac says when he points out that you cannot expect the best of systems to be worked to good results if you have not good men to work it out. Certainly, if I had to choose between the two, I think I should be disposed to prefer a bad system in the hands of good men to a good system in the hands of bad men. That does not alter the fact that it is regrettable that we have to treat these matters as connected; but the situation is such that we have to do it. I have the responsibility for the method in which this was done, and I am free to admit that possibly it would have been wiser to have separated the two things absolutely; to have investigated by one commission the charges which the hon. member for Frontenac brought forward against the two officers of the penitentiary Dr. Phelan and Mr. O'Leary, and to have left the general question of penitentiary administration and conditions to be separately considered by another commission. Possibly I was unwise in that regard.

Mr. EDWARDS: Was not the object of appointing the commission not only to inquire into the charges which I made, but also to inquire intelligently into matters in general?

Mr. DOHERTY: Certainly.

Mr. EDWARDS: As the hon. minister clearly sets forth in his commission, the commission was to investigate and report, final judgment in regard to the officials as well as in regard to the general question of administration to rest not with the tribunal, but with the department.

Mr. DOHERTY: No doubt the final decision and the final responsibility rests not

with the tribunal, but with the department. For the moment I was pointing out that possibly it would have been wiser to separate the two things. The present remark of the hon gentleman is perhaps more applicable to something I said a moment ago about the necessity of these matters being determined by somebody. I am not seeking to shirk the responsibility of the decision that has to be made both as to the charges and as to the action that has to be taken. I would base what I say on this: We must have a method of reaching some finality upon this subject. What is the method which was adopted, a method which I think the hon. member himself would concede was a proper method. I think the hon. member will recollect that his own suggestion was that we should appoint a commission to inquire, and, as he says, to report. We selected a commission. If ever I tried to be careful to find an impartial commission and one with regard to whom there would be the impossibility even of suggesting that I had selected the members of the commission because I was looking for a result in one direction or another, I did it that time. Everybody was agreed, I think the hon. member for Frontenac was quite agreed, when those gentlemen were appointed, that I had succeeded in finding an impartial commission.

Mr. EDWARDS: I did not know anything about it.

Mr. DOHERTY: I will stand corrected if my memory deceives me, but I understood the hon. member for Frontenac, when this matter was discussed last year, to say, that at the time these names were announced as the commissioners chosen he had no fault to find.

Mr. EDWARDS: That is not quite correct, that I saw no reason why they could not perform the duties properly. I candidly admit that I said that, and I am free also to say that I decidedly have changed my opinion.

Mr. DOHERTY: I think we all quite realize that. What I wanted to point out was that I at least had got this far on a common road with the hon. member for Frontenac that I, from the best information I could get, believed I had got a perfectly impartial tribunal and he saw no reason why they should not perfectly carry out their duties.