

law upon which it is framed, that there is no reason why this commission should be amended. If the government is convinced, as it is convinced, that every ground that it is proper and necessary to cover has been covered by this commission, and that every ground which fair-minded men think necessary has been covered; then, I want to know why we should yield to the request of the hon. gentleman (Sir Charles Tupper) to make some footy alterations, just to enable him to say that we have been compelled to make them at his demand.

After referring to the character of the inquiry that should be made, the commission goes on to say:

They may also inquire into 'any fraudulent conduct' in respect of the poll books, ballot boxes, or the lawful contents, or what should have been the lawful contents, of the ballot boxes.

Everything relating to the ballots, everything relating to the ballot boxes, everything relating to the poll books, and everything which it is necessary to inquire into for a full and thorough elucidation of all the facts, can be inquired into under these words. Do not the words 'fraudulent conduct of the parties' refer to fraudulent practices? If you use the word 'practices' a thousand times, would that word be any more expressive than fraudulent conduct? If you use the word 'means' would that be any? You have already got it, because the commission authorizes an inquiry into the fraudulent conduct, not of any one individual, but of all individuals. It is utterly ridiculous and absurd for the leader of the opposition to press any such contention before this parliament. He is addressing intelligent men; men who understand the meaning of the English language, and he ought to know, and he does know, that the very terms which the government have carefully framed in this commission are full and ample to cover everything he has suggested. The hon. gentleman (Sir Charles Tupper) asks: Why is there not some provision here with regard to the payment of witnesses? Let me tell him that there is every provision for that, when it is supplemented by an appropriation which the Prime Minister has assured the House and the hon. gentleman that he will ask parliament for. The money is to be voted for the purpose of paying the expenses of the commission, for the purpose of bringing the witnesses there and paying their expenses, and when it is voted it will be at the disposal of the commissioners, and can and will be applied towards paying the expenses of the witnesses on the one side as well as on the other. Is it not a frivolous pretense, is it not a hollow sham, to declare that unless there is something specially put in about paying the witnesses, the commissioners will not be warranted in doing so? You might as well say that the commissioners would not be warranted in paying counsel or officers of the court. When the appropriation is passed they will

have all the authority that is necessary to pay all the legitimate expenses that is necessary for carrying on the inquiry, and among the rest the paying of the witnesses. My hon. friend (Sir Charles Tupper) says also: You have limited the character of the counsel who may be employed, and you have perpetrated the outrage that you have compelled the commissioners to select Queen's counsel only. I do not know what are the conditions in Ontario—I suppose the lawyers will be from the Ontario bar—but, if the conditions in respect to the Ontario bar are the same as obtain in my own province, then you cannot get a lawyer of any eminence, you cannot get a gentleman whom you would employ for such a purpose who is not a Queen's counsel.

Sir CHARLES TUPPER. Will the hon. gentleman allow me?

The MINISTER OF RAILWAYS AND CANALS. No, my friend; I cannot afford the time, I have only got a moment. I would not admit that you could not find an able man in the Liberal party who is a Queen's counsel, and if you cannot find amongst the Conservatives a sufficiently astute and able lawyer among the Queen's counsel to efficiently discharge duties of this kind, then the bar must be in a very deplorable condition. However, I know better than that; I know it is not so. I know, too, that when you have the assurance that the lawyers chosen shall be Queen's counsel, you are giving a guarantee that the two most eminent men of the bar can be selected to discharge this duty.

The hon. gentleman tells us that proper provision has not been made for indemnifying the witnesses against prosecution. The hon. gentleman, or those who instructed him for his statement the other day, had not taken account of the Act, 52 Victoria, chapter 33, in amendment to chapter 114, reading in this way:

No witness examined before such commissioners shall be excused from answering any question put to him on the ground that the answer thereto may criminate or tend to criminate him; but no evidence so taken shall be admissible against any such witness in any criminal proceeding, except in the case of a witness charged with having given false evidence at any such inquiry, or with having procured, or attempted, or conspired, to procure the giving of such evidence.

That is as far as it would be proper for this commission to go, and as far as parliament authorizes it to go, in indemnifying a witness against any criminal prosecution for any evidence that he might give. It is there in the law, and why pass another law to the same effect? Would it not make the leader of this government ridiculous if he were to introduce a Bill to do what was already done several years ago? This amending Act of 52 Victoria, provides a full and ample indemnity to all persons who may give evidence before that commission. From a second remark which the hon. gentleman