

conduct and the prosecution of such inquiries and investigations. What we have had in our minds in using the language which we have used here, and in framing the commission generally, is that the commissioners may be free to take up the subject in such a way as they deem best. What will probably take place will be this. As soon as the commissioners are ready to enter upon their duties, I apprehend that they will notify parties that they will open their court at a date named, and will hear suggestions from persons who are interested pro or con in respect to the subjects of inquiry; and, if necessary, they will frame rules and regulations in order that everything may be done, and well done, that is necessary to make the investigation thorough. If it fails to be thorough, if any difficulty arises of the kind my hon. friend anticipates, it will not be the fault of the commission. I cannot imagine that anything can be clearer than that they may make rules under which persons interested in the matters to be inquired into may appear by their solicitors or counsel and be heard. That is one of the rules that they would make, and I am sure they would not refuse to make it when it is suggested to them; and I doubt if it would be necessary to suggest to them anything so plain and clear as likely to be necessary for the proper conduct of the inquiry.

My hon. friend proposed that parliament should be asked to pass a law to the effect that every witness in this inquiry may be asked how he voted at any of these elections. Now, my hon. friend either is of opinion that a change in the law is necessary in order that such a question may properly be asked and the answer to it enforced, or he entertains a different view. If he entertains the opinion that the law as it stands to-day would not warrant such an inquiry, and that a witness who is summoned would not be compelled to answer, then my hon. friend wants to change the law of the land as it is at this moment and as it was when the votes were cast. I think that is a very serious proposition. He says he wants to make it clear. He is of opinion that in this inquiry a witness can be asked how he voted and can be compelled to answer. If he is right, there is no necessity of changing the law. If he is wrong, I cannot believe that this parliament would say that it would be a proper thing to change the law. We have done the best that could be done under the circumstances. We are not going to change the conditions under which men voted when they cast their ballots at any election which has taken place up to this date. We are not going to say that a man who may have voted in the belief that his ballot was secret and that he could not be compelled to declare how he voted, shall now be placed, in respect to the secrecy of the ballot, in any different position from that which he occupied under the law two,

three, eight or ten years ago. I do not think there can be any purpose or any good public interest served by going to the length of changing the law of the land in this regard. My hon. friend says this is not a controverted election trial or an inquiry in which the seat of any member is involved or can be prejudiced. If he is so confident that he is right in that opinion, why seriously propose to this parliament what may be, if he is wrong, a change in the law? If my hon. friend is right, there is no need of changing the law; if he is wrong, it would be wrong, in my opinion, to change the law. I am sure that this parliament and the country are willing to take the law on this question as it stands to-day and act upon it, and take the consequences. The country will be willing to leave it to the men who have been chosen upon this commission to determine what the law of the land is in that regard.

My hon. friend says that it would be proper for us to take the evidence given before the Privileges and Elections Committee of this House, to hand it over to the commission, and ask the commission to make what use they please of it. Is not that a somewhat novel proposition? Does my hon. friend remember any inquiry involving serious consequence, it may be, to those whose acts and conduct are being investigated, being determined upon testimony given before another tribunal and given when the rights of those who appeared before that other tribunal were not considered at all. The controlling consideration before the Committee on Privileges and Elections was not what are the strict rules of evidence, nor what is the law regulating the admission and rejection of testimony, that was not at all the controlling consideration either on the one side or the other. My hon. friends opposite pressed for the admission of evidence that they knew would never for a moment have been considered admissible by any court of justice. And why? Because they thought that the great majority of the people, who do not know anything of legal rules, would assume that when such evidence was objected to, it was because those objecting to it were trying to exclude it for some improper purpose or because they were afraid of the consequence. Such a disposition was manifested on both sides, and always will be in those inquiries before parliamentary committees, involving political questions. Those who think that such evidence is not admissible are afraid to oppose its admission because they feel that such opposition would prejudice them in the eyes of the people, who, knowing nothing of the rules of evidence, would see only in it a desire to prevent discovery of the facts. That idea was no doubt what moved the committee to allow the admission of a great deal of the evidence received. I have sat upon those committees my-