

ployed to conduct this case, and I was present at a meeting at which Mr. Duverney was engaged to see at once that these men were arrested and every one connected with the fraud punished. Mr. Duverney gave his opinion that the only way in which to proceed was by the way of a criminal action. Against the wishes of those who were rather incredulous of the result and afraid to take the risk, that course of Mr. Duverney was pursued. It was necessary to raise private funds for that purpose, and it was with private funds that most of the evidence in connection with this matter was procured. I say that in my judgment, had it not been for the private prosecution of these men, they would probably have been allowed to escape. But the proceedings came to a point where they were put into Mr. Shepley's hands on behalf of the government. I desire to say this to exonerate my hon. friend from Hastings (Mr. Porter) from the charge that he deliberately delayed proceedings.

Mr. FITZPATRICK. As to the statement that on private funds alone the prosecution was entered, I may say that I paid accounts myself and I paid the witnesses.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. R. L. BORDEN. Mr. Speaker, I desire to say only a very few words in regard to the matter that is occupying the attention of the House. I think my hon. friend from West Hastings (Mr. Porter) has presented the case to the House in a very moderate and judicial manner. My hon. friend the Minister of Justice criticised the hon. member for West Hastings for not giving notice. I made some inquiry in regard to this and I find that it is due to a misunderstanding between my hon. friend from West Hastings and myself. He spoke to me on the subject and he understood me to answer that in a matter of this kind it was not necessary to give any notice. It is certainly not necessary under the rules of the House, but it is always desirable, and upon this misunderstanding between my hon. friend from West Hastings and myself must be placed the neglect to give notice in this instance. The Minister of Justice criticised the hon. member for West Hastings for not giving certain information when he was asked to give it on the 3rd of November and he treated in a very casual way the circumstances that at that time there was a proceeding in a case of criminal libel outstanding. Of course, that is one way to look at it, but in a proceeding of that kind great care must be taken and it seems to me that the hon. member for West Hastings took a very proper and fair course in giving the information which he did on a subsequent occasion and in afterwards referring counsel

Mr. OSLER.

employed by this government to his own solicitors, upon whose advice he was acting in that case. However, these are mere details. The real question is, after all, that to which the hon. Minister of Justice addressed himself, and that is, whether or not the government in this case exercised a reasonable amount of diligence in dealing with what undoubtedly was a very grave conspiracy on the part of certain men to deprive the people of certain constituencies of this country of the right to return their representative to parliament. Now, it will not be denied that this matter was made public on the 2nd or 3rd of November. In some of the newspapers of the country there were references to it on the 2nd of November and the Toronto 'Globe' referred to it on the 3rd of November. Notwithstanding that it appears, as I understand the statement of my hon. friend from West Hastings, that no detective, no officer of the government, appeared on the scene or took any action until about the 18th of November.

Mr. FITZPATRICK. No, on the 7th of November.

Mr. R. W. BORDEN. Well, I may be mistaken in that regard. I understand from my hon. friend (Mr. Porter) that no officer appeared in the riding until the 18th of November.

Mr. FITZPATRICK. On the 7th of November there was an officer looking for Mr. Porter in the riding—Inspector Chamberlain.

Mr. R. L. BORDEN. Very good. At what time did any officer of the government first communicate with Mr. Porter?

Mr. FITZPATRICK. On the 7th of November an officer left here for the purpose of being in Belleville. He arrived the same night and on the 8th he called on Mr. Porter in Belleville, but found him absent, and on the 9th of November Mr. Shepley appeared on the scene with his commission. On the 7th of November the officer was in Belleville and Mr. Porter was found to be in Toronto.

Mr. R. L. BORDEN. The unfortunate part of it is that two of the men mainly implicated have been allowed to escape and it does not appear that any warrants had been issued for their arrest until—I do not have the exact date.

Mr. FITZPATRICK. About the 11th or 12th of November. I have not my papers here at the moment but I think it was about then.

Mr. R. L. BORDEN. Of course, the dates are of some importance.

Mr. FITZPATRICK. I have sent for my papers.

Mr. R. L. BORDEN. I understood from the hon. member for West Hastings, in asking some questions during the progress of