

## COMMITTEE ROOM,

THURSDAY, 15th June, 1899.

Committee on Public Accounts met, Mr. FRASER (Guysboro') in the chair.

Mr. N. F. HAGEL, Q.C., was called, sworn and examined :

*By Sir Charles Hibbert Tupper :*

Q. Mr. Hagel, you are a member of the Ontario, Winnipeg and British Columbia bars, I believe?—A. Yes.

Q. You practised for some time at Toronto?—A. Yes, Sir Hibbert.

Q. Some years there?—A. Some ten or twelve years.

Q. Is it right to say that you had an extensive practice in criminal courts in Toronto?—A. For my age, yes, I would think so; perhaps for my age at the time, probably it would be safe to say so.

Q. And in Winnipeg or Manitoba afterwards?—A. Yes, rather more than the average there.

Q. You were engaged in the prosecution for alleged ballot frauds, so-called, in Manitoba in 1897 or 1898, were you not?—A. In the spring of 1897 I was retained for the defence.

Q. In all of them?—A. I was generally retained; yes, a general retainer for the defence, although I took—

Q. And in the trials in the assizes in these cases do you remember in which you personally conducted the defence?—A. Every one of them, except perhaps the Saunders case, in which the large part of it was taken by Mr. Cooper. May I explain that I had not been retained before the magistrates in any instance.

Q. You were aware of the procedure adopted before the magistrates in so far as there were special magistrates told off to conduct the preliminary inquiries?—A. I became aware of that from the proceedings laid before me.

Q. In your experience in Manitoba had that practice been adopted on any other occasion in criminal prosecutions?—A. I know of no instance in which a magistrate ever went out of his locality, except one, and I know there was a strong feeling against such a thing being done.

Q. Did you know the magistrates that were concerned in these cases?—A. Some of them I knew, some of them I did not.

Q. Those whom you knew, can you say by whom they were appointed, by what government?—A. By the Liberal government of Manitoba, by Mr. Greenway's government.

Q. Are you able to say whether these were men of pronounced Liberal feelings?—A. I think that is safe to say, but by that I speak of the only one I have in my mind, Mr. Dawson. I think he was of strong Liberal leanings, but an extremely fair-minded man, I am bound to say. However, I do not remember the other magistrates unless their names were given me.

Q. Who conducted the prosecution, who acted for the Crown in these cases?—A. At the assizes?

Q. Yes?—A. Mr. Howell, with the assistance of Mr. Wade.

Q. Well, who was leading counsel?—A. Mr. Howell was the leader.

Q. He had acted on many occasions for the Crown before, had he not, in criminal prosecutions?—A. Yes, for many years.

Q. And you had acted for the prisoners on many occasions when he was acting for the Crown?—A. Very frequently.