

for Halifax, a gentleman holding a responsible position in the profession, having suggested doubts. In that commission why not remove all doubts and throw away all reason for cavil or complaint in regard to a matter that concerns us all equally, and adopt the amendment proposed by the addition of these few words?

Mr. McNEILL. What are the words which it is proposed to add?

Sir CHARLES HIBBERT TUPPER. The exact words are very few. Coming after the last language I read, it is proposed to add 'and any fraudulent practices, persons or matters connected therewith.' That is what they do not want; at least, that is what the country will say. I was not proposing it in that spirit, but, undoubtedly, I shall come to that conclusion if their only reason for rejecting our suggestion is that it may be suggested that we forced it upon them. We certainly have the right to make suggestions in parliament, and the government is bound, in fair-play and honour, to adopt them unless the suggestions are wrong. Here the government profess to have in view what we have in view, and if this language would be satisfactory to our side of the House and there is no objection to it, why not use it.

The PRIME MINISTER (Sir Wilfrid Laurier). I regret the temper with which this question has been approached by the leader of the opposition (Sir Charles Tupper), and in a minor degree by my hon. friend from Pictou (Sir Charles Hibbert Tupper). I do not think the hon. gentleman (Sir Charles Hibbert Tupper), was happy when he spoke of the judges as being buffers between the government and public opinion. The judges selected are of the highest character possible.

Sir CHARLES HIBBERT TUPPER. As to whether I showed any improper temper, that is a matter of criticism. None was intended. As to my reference to the judges, nothing was further from my thoughts than to use the slightest language directly or indirectly by way of insinuation or otherwise, that would suggest that I had any other opinion of them, than that they would do their duty. I used the word 'buffers,' as in no sense reflecting on them, but as to the language of this commission in hampering them in the discharge of their duties.

The PRIME MINISTER. I accept the explanation as fully as the hon. gentleman puts it, but I still think the expression was unfortunate as applied to the eminent men who compose the commission. Temper was uncalled for in this debate, because there is no disposition on the part of the government to do anything else than to have the fullest inquiry, applying to all parties—applying to accomplices as well as to prime factors, who have been actually guilty of fraud. Let us discuss, in a judicial way, the observations which have been made by the hon. the leader

of the opposition. First, as to the scope of the inquiry. The hon. gentleman suggests that we ought to add to the commission, the following few words. 'That the inquiry should extend to any corrupt practices, persons or means connected therewith.' I will not enter into a criticism of the verbiage, but I will take the sense of the proposal. The sense of the hon. gentleman's suggestion is that the commission should be searching and should apply to all parties—to those who have been actually guilty, as well as to those who have been instrumental in procuring the guilt of others. I may say by way of preface, that I am sorry that I have to discuss this matter at all, because I would prefer to have it discussed by the legal officer of the government, and by gentlemen versed in the law on the other side. I call attention to the wording of the commission:

—be appointed commissioners under the said Act in respect of the election of members for the House of Commons of Canada, to inquire into and investigate any alleged fraudulent alteration, defacing, marking, spoiling, substitution or tampering in respect of election ballots, or by reason of any fraudulent conduct—

Mr. H. A. POWELL (Westmoreland). What does that 'by' mean: 'Or by reason of any fraudulent conduct.' What?—by reason of any fraudulent conduct.

The PRIME MINISTER. I do not think my hon. friend has exercised his ingenuity in constructing these words. However, that is a new criticism. The criticism of the leader of the opposition was that the commission was not wide enough to include accomplices:

—or by reason of 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.

'What should have been the lawful contents of the ballot boxes,' is broad enough to include all categories of offenders. The moment you give power to the commissioners to investigate the conduct of those who may have been connected with what should have been the lawful contents of the ballot boxes, you bring in every one who in any way attempted to interfere with the lawful contents. The lawful contents of the ballot boxes are the honest votes of the electors, and you give the power to the commissioners to investigate the conduct of all persons, and of any person who attempted to remove what should have been the lawful contents of the ballot boxes. In other words, if there is any conspiracy whatever between the parties who committed the deed and the parties who instigated the deed, then, the language of the commission gives power to the commissioners to investigate the conduct of such persons. It seems to me that the words are just as broad as it is possible to make them. At all events, what I did to-day was merely to bring down the opinion of the Minister of Justice on the points that have been raised previously. Lawyers as doctors will

Sir CHARLES HIBBERT TUPPER.