

of which, in considering what the real condition of this man's mind was, cannot be overstated, as must be extremely familiar to all those who have made mental alienation a study. These gentlemen were not specialists. Dr. Valade certainly was not; Dr. Lavell had very limited experience, having had, for a short number of years only, the charge of the criminal lunatics in the Kingston penitentiary, because up to a comparatively recent period the criminal lunatics were transferred to Rockwood which was under other orders. Dr. Lavell also, if I be rightly informed as to his views upon a late occasion, that of Lee's examination, was a very improper person to send to find Riel sane or insane, because upon that occasion, if I am rightly informed, his opinion was that the man was sane though the others found him insane. The experts, also, who had been examined at the trial, took no part in the subsequent examination, except, perhaps, Dr. Jukes, who did not take any real part in it. Then we have not the reports of the commission—we have only this edition of their reports which has been laid on the Table—and we do not know what their instructions were or what were the reports on which the Government acted. I say, however, that, for the purpose of a proper discharge of the duties of the Executive in cases of disordered intellect, though not amounting to irresponsibility, those reports, even such as they are, brought down, were of the highest importance. They prove the genuine existence of delusions and hallucinations on the subjects of religion and politics, on the very subjects, on which the delusions and hallucinations were proved, in respect of which the crime was committed. They show that these were persistent; and my conclusion is clear that Riel was so disordered in mind as not, within the accepted rule, to have been a proper subject for the capital sentence. It is impossible, in cases of serious delusion or so called monomania, to be sure how far the flaw has affected the conduct in question. It may not have affected it in some cases, though whether it did or not is very frequently a question beyond the wit of man to determine. But here we know it did, because we know that the flaw had regard to these very two points of religion and politics upon which this rising and these events turned. Criminal responsibility, then, for public security there may and must be, though there may be some mental disorder; but not responsibility unto death; and here again comes in the political nature of the offence, the general rules relating to these offences and the special circumstances of the conduct of the Government in this matter; and my belief, therefore, is, that the maximum sentence for the same crime of which Riel was convicted, had he been tried under the milder procedure of the modern law under which his colleagues were tried, namely imprisonment for life, would have been the proper and adequate disposition of his case. But if the Government doubted this, there was an imperative call for thorough and efficient enquiry, for an enquiry going far beyond what was possible at Regina, and extending to the condition of the criminal not only at that moment, but at other times; there was imperative ground for such an enquiry before a determination should be reached that the sentence should be executed. My own opinion is, then, that a great wrong has been done, and a great blow has been inflicted upon the administration of criminal justice; and for this the Executive is responsible to us. I know the atmosphere of prejudice and passion which surrounds this case; I know how difficult it will be for years to come to penetrate that dense atmosphere; I know how many people of my own race and of my own creed entertain sentiments and feelings hostile to the conclusion to which I have been driven; I know that many whom I esteem and in whose judgment I have confidence, after examination of this case, have been unable to reach my own conclusion. I blame no one. Each has the right and duty to examine

and judge for himself. But cries have been raised on both sides which are potent, most potent in preventing the public from coming to a just conclusion; yet we must not, by any such cries, be deterred from doing our duty. I have been threatened more than once by hon. gentlemen opposite during this debate with political annihilation in consequence of the attitude of the Liberal party which they projected on this question; and I so far agree with them as to admit that the vote I am about to give is an inexpedient vote, and that, if politics were a game, I should be making a false move. I should be glad to be able to reach a conclusion different from that which is said by the hon. gentleman to be likely to weaken my influence and imperil my position. But it can be said of none of us, least of all of the humble individual who now addresses you, that his continued possession of a share of public confidence, of the lead of a party, or of a seat in Parliament, is essential or even highly important to the public interest; while for all of us what is needful is not that we should retain but that we should deserve the public confidence; not that we should keep, but that while we do keep we should honestly use, our seats in Parliament. To act otherwise would be to grasp at the shadow and to lose the substance; *propter vitam vivendi perdere causas*. We may be wrong—we must be true—we should be ready to close, but resolved to keep unstained our public careers. I am unable honestly to differ from the view that it is deeply to be regretted that this execution should have been allowed to take place, and therefore in favor of that view I must record my vote.

Mr. THOMPSON (Antigonish) moved the adjournment of the debate.

Motion agreed to.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to, and House adjourned at 12:45 a. m., Saturday.

HOUSE OF COMMONS.

MONDAY, 22nd March, 1886.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SECOND READINGS.

Bill (No. 44) to incorporate the Bow River Coal Mine and Transportation Company.—(Mr. Robertson, Hastings.)

Bill (No. 50) respecting the Pictou Bank.—(Mr. Tupper.)

Bill (No. 51) to amend the Act incorporating the Nova Scotia Steamship Company, Limited.—(Mr. Kinney.)

Bill (No. 52) to reduce the Capital Stock of the Union Bank of Halifax.—(Mr. Stairs.)

Bill (No. 53) to incorporate the Calvin Company, Limited.—(Mr. Small.)

Bill (No. 54) to incorporate the Medicine Hat Railway and Coal Company.—(Mr. Small.)

Bill (No. 55) to incorporate the Portage la Prairie and Lake of the Woods Railway and Navigation Company.—(Mr. Watson.)

BROOKLYN BREAKWATER, N.S.

Mr. FORBES asked, Is it the intention of the Government to repair the Brooklyn breakwater, Queen's County, N.S. ? If so, when ?