

—defacing, marking, spoiling, substitution or tampering in respect of election ballots, or by reason of any fraudulent conduct in respect to the poll books—

The MINISTER OF RAILWAYS AND CANALS. That is it; go on.

Sir CHARLES HIBBERT TUPPER. That is limited to poll-books:

—ballot boxes, or the lawful contents—

Having named these things in regard to which the fraudulent practices may be, it goes on:

—or what should have been the lawful contents of the ballot boxes, whether by way of fraudulent alteration, addition, withdrawal or otherwise.

That being the language it seems to me to be a direction to inquire into fraudulent practices, being the acts perpetrated, and not into conspiracies organized outside, and from which these fraudulent practices emanated. If there is room for any doubt, what objection can there be to amplifying it and making it clear as we are seeking to do. It is done every day in the case of an ordinary Bill. I have heard the Minister of Marine and Fisheries ask the advice of members and suggestions from them on important questions which he has submitted to this House. I have seen the Solicitor General yield his own opinion to the opinion of others, and when it was advocated that language should be inserted in a section, I have heard him state that although he did not think that was necessary yet as it carried out the object he had in view, he would accept it. If this language which we advocate should be inserted, simply makes the thing clear, why not insert it? Sir, the position of the Minister of Railways forces me to the conclusion that the government is not sincere in desiring that the scope of this commission should be as broad as the language of the ministers would lead one to believe they desire. Otherwise there is no reason why we should quibble over a matter like this, especially considering the very few words that are suggested from this side of the House. Let the House remember the language used by the Prime Minister when he was making his promise that this commission should issue. Let us see whether the actual language of this commission is as consistent with the words he used then, as is the language which we ask that the commission should be couched in. The Prime Minister said on that occasion:

Some investigation must take place—deep, searching, complete, penetrating everywhere, so as to ferret out the evil, to search out the criminals, and if legislation be necessary to punish them, and to punish them adequately

We must have, at an early date, immediately, a tribunal composed of the best judges of the

land, so as to have the fullest, the most complete, the most searching inquiry into all that we know, into all that has come to the attention of the House, of the press and of the courts, and into what also has not yet come to the attention of the public; to ferret out that system and expose it, and to eradicate it for ever from this land of ours.

There is the strong and emphatic language of the Prime Minister and here in the commission is the narrow and dangerous language of the half-hearted attempt at performance. I again call the attention of the House to the fact that the words 'any fraudulent conduct' seem to be qualified by the words following in the context, but I think, however, the hon. gentleman will understand that that was my argument. The argument of the Minister of Railways regarding these different statutes was to my mind an extraordinary one. I would not profess for a moment to reflect on the hon. gentleman's legal ability or on his ability to interpret the spirit of a statute, but I say that when he came to deal with the indemnity clause his argument was not the argument of a lawyer but was the argument of a politician—the argument of a man who was destitute of any argument that a lawyer or a statesman could use in reply to the contention of the hon. senior member for Halifax (Mr. Borden). I am not referring to the chaff (for it must have been chaff) in regard to the alleged contrary opinions of Sir John Thompson and Mr. Blake. But, when the hon. gentleman (Mr. Blair) dealt with the suggestion of the hon. member for Westmoreland (Mr. Powell) as to whether there is jurisdiction in His Excellency in Council to commission these judges to inquire into these frauds under that statute respecting inquiries into any matter relative to good government; surely the hon. gentleman (Mr. Blair) could have used other arguments than he did. However, we must deal with the arguments that he did use. If the hon. gentleman (Mr. Blair) follows his argument to its logical conclusion, then parliament wasted time in passing the Act relating to controverted elections, and the Act relating to corrupt practices, because if all these things relate to the good government of Canada, then all that would be necessary would be to issue inquiries into matters relating to controverted elections and corrupt practices at elections. The hon. gentleman will see that his argument would apply to the cases of controverted elections, and to corrupt practices, as well as to this case. I venture to think that the Minister of Railways never took time to consider, why it is that upon the statute-book side by side, we have one statute relating to corrupt practices, and another passed in order that under a certain state of affairs a commission of judges could do the very thing that you are attempting to empower these judges to do here, namely, to inquire into, to probe, and to ascertain to what extent corrupt practices