

Minister of Justice, recommended no interference, and he was executed on the 23rd of May, 1873. Elizabeth Workman was convicted of the murder of her husband, and recommended to mercy. The judge reported that he had nothing to say favorable to the prisoner. She was executed on the 23rd of May, 1873. Angus McIvor (Manitoba) was convicted of murdering Geo. Atkinson, and wounding with intent B. Charette. Chief Justice Wood charged against the plea of insanity, and the Minister of Justice (Hon. Mr. Blake) reported that he saw no reason to doubt the evidence, nor any extenuating circumstances. McIvor was hanged on the 17th December, 1875. Thomas *alias* Iroquois (Manitoba) was convicted of murdering Henry Corneil, with a recommendation to mercy. Judge McKeagney made no comments. The Minister of Justice (Mr. Blake) reported the crime clearly proved, and the convict was hanged on the 4th of April, 1876. William Vaughan was convicted before Mr. Justice Wetmore at the city of St. John on the 1st April, 1878, of having brutally murdered an old woman of 70. On the 6th of the same month he was sentenced to be hanged on the 22nd June next ensuing. Insanity was not pleaded as a defence; but after the sentence it was suggested by the Attorney-General (Mr. King) to the then Minister of Justice (Mr. Laflamme) that there was undoubted insanity in Vaughan's family, his paternal grandfather having been of weak intellect, and one of his aunts on the same side insane for several years, while a sister of his was subject to fits, and prisoner himself of rather feeble intellect, though apparently perfectly aware of the moral character of the crime. Mr. King added that Dr. Steeves, of the Provincial Lunatic Asylum, had examined the prisoner, and would report, if asked to do so. Mr. King was asked to send, and sent Dr. Steeves' report, which corroborated what the Attorney-General had stated as to insanity in prisoner's family, and mentioned, besides, that the prisoner had two feeble-minded brothers, both criminals. The report concluded:

"There is, therefore, without doubt a congenital neurotic defect running through this branch of the Vaughan family, and that William possesses a faulty intellect and an effective nature, utterly bad, is proved by his last senseless crime, and also by his erratic habits, his lying and his thefts.

"Wm. Vaughan's mind is in a measure imbecile. He probably began life with an imperfectly developed nervous organisation, his affinities for evil gratifications were strong, and by easy gradations he passed to his last great crime. Notwithstanding this consummation, however, Vaughan possesses a pretty clear knowledge of the nature, character and consequences of his acts, and yet there is an element operating in him, due to congenital neurotic defect, rendering oblique his affective nature, perverting his volition and tending to produce crime."

The sentence of death was carried into execution. Many years ago the rising of what were called the 'Luddites,' in the west riding of Yorkshire, England, resulted in the hanging of 17 offenders. The organization had for its object the prevention of the introduction of machinery into the manufacturing of fabrics, in which the towns of Yorkshire and Nottinghamshire were specially engaged in producing. With reference to one of the prisoners, Thomas Smith, the verdict of guilty was returned, the jury recommending him to mercy. The recommendation was disregarded and he was hanged. The chronicler of this case says: "After this somewhat severe example of the danger attending those connected with such lawless acts, the spirit of the Luddites was broken and was never again revived in Yorkshire." I think, Mr. Speaker, I have shown that when recommendations to mercy are not accompanied by a recommendation from the judge, the Minister and his executive very seldom extend Executive clemency. But we have found throughout the country this Government condemned because there was a recommendation from the jury at Regina—a sentimental recommendation, perhaps—and it was referred to the judge, but he failed to endorse it, and referred it to the Minister of Justice, who, as I imagine, laid it before the

Mr. MACKINTOSH.

Executive. And because in the case of Riel and the others that policy was adopted, we find the hon. gentlemen opposite prepared to condemn this Government and endeavoring to make party capital out of questions of high constitutional law. Sir, I have shown, as briefly as possible, the battles the Conservative party have fought for national union, a union of all classes of people; I have shown that in questions of sanity and insanity, doctors and experts differ; I have shown that in cases of recommendations to mercy, this Government and the Reform Government on many occasions, when there was a recommendation to mercy, when there was an insanity report by medical experts, failed to take cognisance of those reports, and hanged the criminals. Again, Sir, even the respites granted Louis Riel have been turned against the Government. Take a similar case in England which now suggests itself: Michael Barrett, found guilty of the memorable Fenian outrage at Clerkenwell, England, was sentenced to execution on the 12th of May, 1868. The Government instituted an enquiry into the truthfulness of the alibi set up by several witnesses from Glasgow. Proper persons were appointed to sift the matter thoroughly. The investigation as to the enquiry did not terminate; the day of execution drawing near, a respite of several days was granted. This respite ended on the 19th of May. A further respite took place, and on Sunday, the 26th of May, the chief official connected with the Newgate goal intimated to the Fenian convict that the enquiry had closed, and that the Home Secretary saw no reason to interfere with the carrying out of the sentence. Early on the morning of the 26th of May Barrett was hanged, after being twice respited. I have now to quote in contrast to the almost inhuman action of some hon. gentlemen opposite, the words of their leader, when it suited him to sneer at the Province of Quebec and thus make capital with the other Provinces. I have expressed the humble opinion that I believe that if this sectional question is continued we will have ere long in this country a conflict of race and nationality and a policy of provincialism. If we do not stand by the federal constitution, grave results will follow. In this view, I am glad to know that the leader of the Opposition once agreed with me. He has laid down broad and strong, the great principles of federal government, the principles of federal stability; and looking over one of his speeches the other night I find an earnest appeal made, particularly to the Province of Quebec, to maintain the federal principle. In a speech on the address, delivered January 18th, 1884, the hon. gentleman said, referring to Mr. Belleau, who had just been returned for Lévis:

"I would say to the hon. gentleman (Mr. Belleau, the then member for Lévis) that when he has adorned this Parliament a little longer, he will find that if there is one thing this Parliament is disposed not to do, it is to meddle with Quebec, and he will find that any danger which Quebec runs is because it is not always the case that the hon. members from that Province—and I have now one of them in my eye—who are, or make themselves the special guardians of its rights in the Parliament, are equally careful of the application of the same principles which they would desire to see applied to their own Province when the question concerns some other Province. I would desire him to remember that it is by a firm and careful adherence, and a uniform and undeviating application to all the Provinces of the same hon. gentleman's principles of respect for the federal principle, of respect for the local rights, and by resisting as endangering the whole fabric any attempted infringement upon them in any one Province, that the views of my hon. friend will ultimately prevail; and that so long as we find jealousy with respect to those rights when they affect a particular Province, and indifference, or even a disposition to assist in their impairment when only other Provinces are concerned, so long it is impossible to say that what the hon. gentleman wishes, namely, the maintenance on a sound and immutable basis of the federal principle has yet been attained."

Mr. BLAKE. Hear, hear.

Mr. MACKINTOSH. The hon. gentleman says "hear, hear." I ask him to turn to his supporters and while he says "hear, hear," I ask if they can sincerely say so too.

Some hon. MEMBERS. Hear, hear.