dudit Vandelac; que l'arrestation de Vandelac avait été ourdie par le Président de la Commission de Police, le chef de Police et l'inspecteur Lamouche.

En conséquence de ce que dessus, le chef Campeau ordonna audit Guérin de comparaître devant la Commission de Police, afin d'expliquer la conduite qu'il avait tenue en cette affaire.

En conformité à la résolution ci-dessus du Conseil, la Commission Spéciale a étudié:—1. Les faits contenus dans la lettre susdite du chef Campeau; 2. Les faits qui, relatifs à la même affaire, se sont déroulés devant la Commission de Police et qui ont été consignés par écrit par cette dernière; 3. La requête adressée au Conseil par monsieur Guérin.

De plus la Commission a entendu sous serment tous les témoins pouvant l'éclairer et dont l'audition lui a été suggérée par les parties intéressées.

Tel que le dmontre la requête de Guérin, sa d'éfense consiste dans la mégation absolue et complète des accusations contenues dans la lettre du chef Campeau.

La question pour votre Commission se résume donc à savoir si Guérin a prononcé les paroles qui lui ont été mi-ses dans la bouche par le chef Campeau, ou d'autres au même effet, et si oui, dans quelles circonstances et devant quelles personnes ces paroles ont été dites.

Sur ce point, plusieurs témoins ont été entendus, les uns pour établir que Guérin avait réellement tenu les propos qui lui sont imputés, les autres, pour démontrer qu'il n'a-vait jamais proféré les paroles en question ou d'autres comportant le même sens.

Après avoir pesé les divers témoignages qui ont été rendus et prenant en sérieuse considération les causes de reproche que l'on a fait valoir contre certains des témoins entendus, votre Commission est d'opinion que, dans la circonstance en question, Guérin a tenu le langage dont il est accusé dans la lettre du chef Campeau.

Votre Commission se permet de faire observer qu'elle a de forts doutes sur la question de savoir si le Conseil avait le droit de nommer une Commission Spéciale pour s'enquérir des faits relatifs à l'affaire Guérin; il semble que la matière dont il est question n'est pas du ressort du Conseil, car il s'agit simplement du renvoi d'un fonctionnaire subalterne que la Commission de Police, (Commission permanente du Conseil), avait le pouvoir de destituer (règle

Votre Commission, en outre, croit qu'il s'agit ici d'une question de régie interne, et le Conseil peut difficilement intervenir pour reviser ou faire reviser par une Commission Spéciale, ce qui a été fait dans la limite de ses pouvoirs par une commission permanente.

Votre Commission recommande donc que, dans les circonstances, étant donné la preuve qui a été faite et les doutes qui peuvent exister sur le droit que pourrait avoir le Conseil de nommer la Commission Spéciale, re Affaire Guérin, et s'appuyant sur les articles 40, 293 et 532 de la Charte, de ne pas intervenir dans ce qui a été fait par la Commission de Police et de laisser le tout dans le statu quo.

Le tout respectueusement soumis.

Chambre de la Commission, Hôtel de Ville, Montréal, le 20 avril 1909.

Et un nouveau débat s'engageant, L'échevin Mercier propose,

"Que la Comission fasse le rapport suivant au Conseil:

## A LA CITE DE MONTREAL,

La Commission Spéciale du Conseil, nommée le 14 décembre 1908, à laquelle fut renvoyée par ledit Conseil la requête de Ferdinand Guérin, ex-détective, ainsi que l'étude des faits se rapportant à cette affaire. A l'honneur de faire rapport:

Les pouvoirs de la Commission Spéciale nommée par le Consell re Affaire Guérin, sont déterminés par la résolu-tion dudit Conseil qui l'a nommée et qui se lit comme smit:

"Proposé par l'échevin Mercier,

"Appuyé par l'échevin Lévesque, et

"Résolu: Que cette requête soit référée à une Commis-

ordered to spy the said Vandelac; that the arrest of Vandelac had been contrived by the Chairman of the Police Committee, the chief of Police Committee, the chief of Police and inspector Lamouche.

Chief Campeau at the same time ordered the said Guerin to appear before the Police Committee in order to give explanations concerning the explanations concerning the utterances made by him on

In compliance with the resolution of Council above mentioned, the Special Committee has considered: (1) the facts mentioned in the facts mentioned in the aforesaid letter from chief peau; (2) the facts, concerning the same matter, laid before the Police Committee and recorded in writing by Mr. latter; (3) the petition addressed to the Council by Mr.

Moreover, the Committee heard under oath all the witnesses who could enlighten the art under oath all the witnesses who could enlighten the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enlight the committee heard under oath all the witnesses who could enligh the committee heard under oath all the witnesses who could enligh the committee heard under oath all the witnesses who could enligh the committee heard under oath all the witnesses who could enligh the committee heard under oath all the witnesses who could enligh the could be completely all the committee heard under oath all the witnesses who could enligh the could be completely all the committee heard th nesses who could enlighten them and the hearing of whom was suggested to them. was suggested to them by the interested parties.

As shown by the petition of Guérin, his defence consists in the absolute and complete denial of the charges contained in chief Campeau's letter.

The only question, therefore, to be considered by your Committee is whether Guerin made or not the statements attributed to him by chief a not the statements attributed to him by chief Campeau, according to information received or others to improve the state of the s mation received, or others to the same effect, and if so under what circumstances and before what persons such statements were made.

On this point, several witnesses were heard: some to establish that Guérin had actually made the statements imputed to him, others to show the made such imputed to him, others to show that he never made such utterances or others having the utterances or others having the same meaning.

After weighing the evidence adduced and taking into serious consideration the objections raised as to the admission of the depositions of contract of cont mission of the depositions of certain witnesses, your committee are of opinion that, on the occasion in question of Guérin did not make the state. Guérin did not make the statements imputed to him in chief Campeau's letter

Your Committee therefore recommend that, under the ubts as to whether the Green recommend that, under the upon doubts as to whether the Council had the right to appoint a Special Committee to inquire had the right to connected a Special Committee to inquire into the facts connected with the Guérin case: it would with the Guérin case; it would appear that this matter was not within the province of the province of the control of the contr was not within the province of the Council as it namely involved the dismissal of a subordinate official, whom the Police Committee (a standing Council) Police Committee (a standing Committee of the Council) had the power to dismiss (Paula 1771)

Your Committee, furthermore, believe that this is a me r of internal manufacture, believe that the strength of internal manufacture and the strength of the st ter of internal management, and Council cannot connected to revise or cause to be revised by a special continued to the conti mittee what has been done within the province of a standing Committee.

Your Committe, therefore recommend that, under the circumstances, in view of the complete evidence adduced and of the existing doubts or to be completed as council to complete evidence adduced to complete evidence and the council to complete evidence evidence and the council to council to complete evidence evidence evidence evidence evidence and of the existing doubts as to the right of Council to appoint a Special Committee as Guther right of pad in view appoint a Special Committee re Guérin matter, and in view of article 40, 293 and 532 of the Cu of article 40, 293 and 532 of the Charter, not to interfere with what was done by the Police Carter, not to leave with what was done by the Police Committee and to leave the whole matter in the state.

The whole respectfully submitted.

Committee Room, City Hall, Montreal, April 20th 1909.

And a further debate arising,

Ald. Mercier moved, "That the following report be made to Council:

## TO THE CITY OF MONTREAL,

The Special Committee appointed by Council on the with ecember 1908, to investigate the council on the with December 1908, to investigate the facts connected the dismissal of ex-detective Pour and the the dismissal of ex-detective Ferdinand Guérin, and latter's petition, beg to submit the latter's petition, beg to submit the following report:

The powers of the Special Committee appointed by of puncil in this case are determined as Council in this case are determined by the resolution as falls. said Council appointing such Committee and which reads as follows:

"On motion of Ald. Mercier,

"Seconded by Ald. Lévesque,

"Resolved: That said petition be referred to a Special