

lished to the world. Yet, when I afterwards moved for the evidence taken in the Court at Fort Erie, I was refused, on the ground that it would not be in the interest of the public to publish it. Some years afterwards I was told if I moved for it, I should get it, but I declined that offer then. If the hon. member for West Elgin (Mr. Casey) insists on his motion, he will have my vote; because I consider that certain people had great injustice done them by the refusal of the Government to grant the publication of such evidence formerly.

**MR. MASSON:** The Court of Enquiry sat with open doors, and the evidence was published. The motion is therefore unnecessary.

**MR. CASEY:** If the hon. Minister will say that the case is of such a nature that he cannot bring down the papers, I will follow the ordinary course, and withdraw the motion, which I could not do on the general principle advanced.

**SIR JOHN A. MACDONALD:** The Government cannot say that, or make this an exceptional case. We say it is not for the interest of the public to send down any papers on a motion of this kind unless at the instance of a party aggrieved, who states he is aggrieved, and requires them to vindicate his case, and for the remedy of his grievance.

**MR. BLAKE:** I think there can be no doubt of the supreme and preeminent power of this Parliament to enquire into all matters which affect the public welfare. I cannot agree in the limitations that the First Minister has given as the only limitations on general principles, as the only grounds he will concede for bringing down the papers in this class of cases. That is a very good reason for bringing down the papers in a particular case; but I do not believe that the prerogative of Parliament to enquire into affairs of this description, depends wholly or even chiefly upon only private individual making a complaint to Parliament. Because there may be many reasons why an officer who was very ill-used might not choose to bring forward the subject in the form of a complaint. He might think he would put himself, as an individual, in antagonism to the Government, and the Minister of Militia, and the chief officers of the force, by making such a complaint, while Parliament

might say—we believe for all that, the public apart, that an injustice has been committed, and in the interest of the service at large we are determined to enquire into it. That is the reason why I cannot accept that limitation which the hon. the First Minister has stated as the only circumstance under which it would be proper for Parliament to make an enquiry. At the same time there are strong reasons, perhaps stronger than exist in England, there being greater difficulties arising from the acrimony of politics in our country, against interference with the force, except for gravest causes; and, while I have stated the theoretical powers to be exercised, and the practice to be followed in a just cause, even if no officer interferes, I am disinclined myself, when a Minister makes the statement made in this case, to press for the papers in relation to it. If, as I am informed in this case, a miscarriage of justice did occur, and if it has been rectified, I do not see there is a pressing necessity for bringing the papers to Parliament, merely for the purpose of ascertaining what went wrong; and on that ground I am not indisposed to favour the withholding of the papers. In opposition to the principle laid down by the hon. the First Minister, I think that the circumstance that Parliament asserts its power in a fitting case of apparent wrong, in overlooking the proceedings of the militia authorities, is the very best thing to keep those gentlemen in a proper state of supervision in which they are most likely to do their duty. I can conceive of nothing more likely to make them despotic, whimsical, arbitrary and tyrannical than the statement that their proceedings are secret and sacred, above our power, beyond our ken and not to be touched by us—within the holy of holies, past criticism and discovery. That very statement would lead to abuses.

**SIR JOHN A. MACDONALD:** I think the hon. member for West Durham has misunderstood me. I did not, in any way, deny the right of Parliament, to enter into any investigation of this kind. As the Grand Inquest of the nation they have the right to enquire about anything and everything; but I pointed out it was exceedingly inexpedient that that right should be exercised except in the case of