

Scammell was the deputy returning officer at Rathwell, and he confessed, and the proceedings against him were abandoned. He (the Attorney-General) had been subjected to a very great deal of criticism in connection with these cases, and it had taken the shape of an organized attack upon himself and his department in connection with a motion by an hon. member, because the department had not commenced proceedings for perjury against a certain individual. He took the stand then, and now, that his department only took hold of such a case after the accused had been committed by the magistrate. The hon. member claimed that in the well-known Chamberlain case, the department had taken the initiative. Such was not the fact. Chamberlain was arrested on June 22, 1893, at the instigation of W. R. Talbot, a private individual, but not on a charge of perjury; he was arrested for personation, and brought before the magistrate on that charge. The case was conducted by Mr. Monkman on behalf of Mr. Talbot, and, after having been remanded from time to time, some evidence was taken in the case. Suddenly, Chamberlain broke his bail and, while the case was still pending, took refuge across the boundary. Two or three months afterwards he reappeared, and was seen in the city of Toronto. It was due to the administration of justice in this province that he should be brought back and punished. A warrant for perjury was accordingly sworn out, executed at Toronto, and Chamberlain was brought back for trial. He was indicted for perjury, and after surmounting several technical objections, he was found guilty and sentenced to three years in the penitentiary, although he was released by the then powers at Ottawa, after serving about a year and a half. That case in no way affected the rule of the department, and no case of perjury has ever been taken up until it has first been brought before the magistrate by some individual.

Some time ago, he was replying to the hon. member for Woodlands, and took occasion to remark, in the Marquette election case, that the counsel for the respondent, Mr. Tupper, admitted to the counsel for the petitioner, that corrupt actions sufficient to void the election had been committed. He had lately received the following letter from Mr. Tupper:—

“Winnipeg, March 23, 1897.

“The Hon. J. D. Cameron,

“Attorney-General, Winnipeg.

“Dear Sir,—In the Winnipeg daily ‘Tribune’ report of your speech on Mr. Roblin’s resolution of censure respecting the failure of your department to prosecute Wm. G. King, the petitioner in the Marquette election case, the following appears:—

“‘Hon. Mr. Cameron—The counsel for the respondent admitted to the counsel for the petitioner, that corrupt actions sufficient to void the election had been committed.

“‘Mr. Roblin strongly protested against this, and said Hon. Mr. Cameron should not make statements which were not true. He had never heard of any such admission. Hon. Mr. Cameron said he was telling what was absolutely the case in every particular, and Mr. Roblin might rest assured of it.’

“As you are aware, I am Dr. Roche’s counsel, and I am at a loss to understand how you ventured to make the above statement, as it is absolutely untrue that I ever admitted to the counsel for the petitioner that any corrupt act had been committed in connection with the Marquette election by any one, and I may add that in November

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last, four months after the petition was served, Dr. Roche informed me that, not only was he not personally guilty of any corrupt act, but that, after the most careful inquiry, he was unable to find a single case in which an agent of his had violated the Election Act by the committal of any corrupt act. Under these circumstances, I hope that I shall not appeal to you in vain to state on the floor of the legislature that you find, upon inquiry, that you were not justified in making the above statement respecting myself.

“Yours truly,

“J. STEWART TUPPER.

“P.S.—I am sending a copy of this letter to the ‘Free Press’ and the ‘Nor’-Wester’ for publication.”

While he (Mr. Cameron) was not very familiar with the rules of etiquette as they relate to open letters, yet it seemed to him (the Attorney-General) that when a member of the same profession as himself sends a letter to two newspapers in addition to one directed to himself, that he was called upon to answer it, though he must confess that letter had the appearance of a political manifesto about it.

Continuing, he said he had known for some time the terms of agreement between the two counsel in the Marquette election case. Mr. Ashdown had been defeated by some 60 or 70 votes, and upon asking Mr. Ashdown for further information upon this subject he sent the following letter:—

“Winnipeg, March 26, 1897.

“Hon. J. D. Cameron, city:

“Dear Sir,—In answer to your inquiry regarding the Marquette election protest, I would say that originally I declined to go into a protest until I had facts laid before me that rendered it certain to my mind that I had been done out of my seat by very unfair means. I was not prepared to fight the question if it was only one of technicality, but when I was satisfied that we had good ground on the merits of the question to go ahead, then I instructed that to be done. The mass of evidence which we finally gathered was very considerable, and when the verbal understanding between Messrs. Tupper and Howell was come to regarding the vacating of the seat, I was a consenting party to same; but was not willing that the matter should be left to the memory of those two gentlemen, and therefore at my suggestion a letter dated the 14th December, of which the inclosed is a copy, was written by Mr. Howell after suggestions and changes by myself. Subsequently under date of the 16th Mr. Tupper replied, as per copy inclosed. I thought at the time that Mr. Tupper, having gone over some, at least, of the evidence which we were prepared to offer, was thoroughly satisfied that on the merits of the case his client had no show whatever, and consequently he agreed to the terms set.

“Yours respectfully,

“J. H. ASHDOWN.”

The following is the letter of Mr. Howell, and D. Tupper’s acceptance of the terms of same:—

“December 14, 1896.

“Stewart Tupper, Esq., Q.C., city.

“Re Marquette.

“My Dear Tupper,—Mr. Ashdown has just been with me and has asked me if we have made binding arrangements respecting the settlement in this matter. I think, therefore, it is better that we should have everything in writing, so that there may be no mistake.