

do not wish a publication of the facts, then, of course, I do not want to press the matter. I have had no communication that they do. I cannot endorse the principle that the House has no right to secure publicity of the proceedings of these Courts of Enquiry, but if my withdrawal of the motion be taken as not denying the right of the House to secure such publicity, I would consent to withdraw.

MR. MASSON: Parliament has no right to interfere with these cases.

MR. CASEY: I do not ask it to interfere.

MR. MASSON: If once this motion were admitted there is an end to all discipline.

MR. CASEY: I cannot withdraw the motion on that understanding. Of course I will not press it to a vote; but it may be called lost.

SIR JOHN A. MACDONALD: The hon. gentleman ought to withdraw the motion. He says he cannot endorse that Courts of Enquiry cannot have the evidence taken before them laid before Parliament. It is just a thing that should not be done; such evidence ought not to be laid before the House. The proceedings of Courts-Martial may be laid before us, as may those of the Queen's Bench or other courts. But the Court of Enquiry is different; it is semi-confidential in its nature. I will give one instance: We will suppose that one officer is appointed to a particular command over another who is his senior; the latter pleads that he has a right to the command, he being the senior officer; he appeals to Parliament; the Court of Enquiry may have privately and confidentially decided that the officer, on the ground of want of intellectual capacity or military spirit, is unfit for the command. These things are never sent to Parliament. There is no suggestion of a grievance here in this case now brought up by the motion, and the hon. gentleman should withdraw it.

MR. MACKENZIE: I cannot agree with what the hon. gentleman says, as to what determines the publication of documents. What determines the publication of documents, is not the mere question of whether they are of a military nature, or connected with military matters, but whether the Government consider that they are or are not of such a character that

it is advisable not to give publicity to them. I think he cannot lay it down that we have no right to order any papers of this kind to be laid before the House. He cannot, I think, lay down the principle that in England it was invariably the rule not to bring any papers in connection with a Court of Enquiry. I would be disposed, as a general rule, to withdraw a motion upon the strong representation of a Minister that it would injure the public service; but not merely upon the assertion of a principle I did not believe in. Can any of the papers asked for be produced? The right answer to a motion of this kind is, that there are certain papers which, in the public interest, it is not desirable to produce, but that the others would be. It would never do to set a Military Court of Enquiry above Parliament, which is the principle practically laid down by the hon. the Minister of Militia, and, I fear, endorsed, to a great extent, by the hon. the Premier. In this particular case there was a great injustice done. The hon. Minister says, first, there was no injustice done, and, second, that, if any was done, it was remedied. We ought to know something of the proceedings that led to that course.

SIR JOHN A. MACDONALD: What object is there in letting the House know it?

MR. MACKENZIE: There is no doubt in the minds of the people that this 10th Regiment got thoroughly demoralised.

MR. MASSON: It is all right now.

MR. MACKENZIE: Such was the popular belief, and great interest was excited by the dismissal of the officers. True, they may have condoned that ill usage; but I do not think it can be called improper for Parliament to enquire into the circumstances.

MR. MCCALLUM: I moved once for the statement of evidence taken at a Court of Enquiry held at Fort Garry, and the Government refused my request, although they had established a precedent on a former occasion, under like circumstances, for granting my motion. Hon. gentlemen will remember a Court of Enquiry was held at Hamilton in regard to the management of the 13th Battalion, the evidence taken being pub-