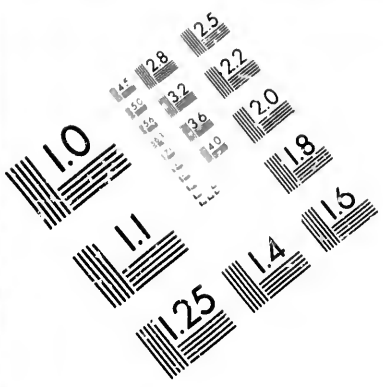

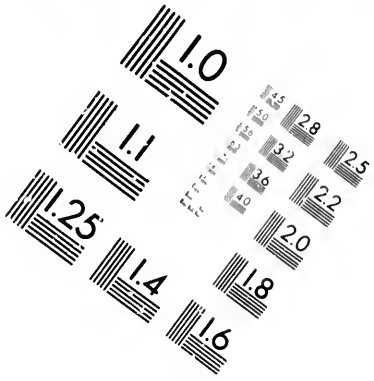

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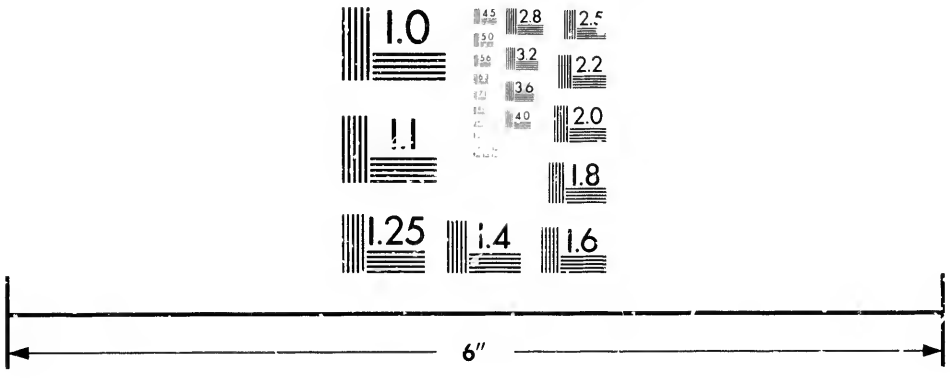

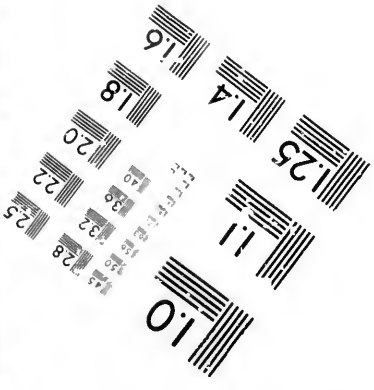

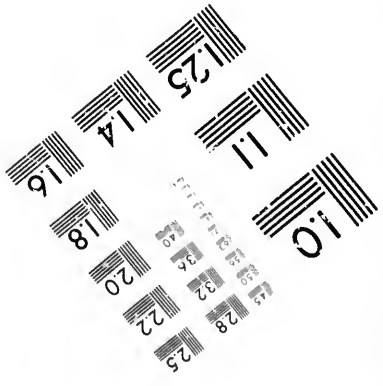

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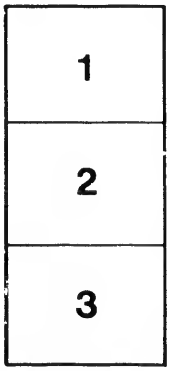

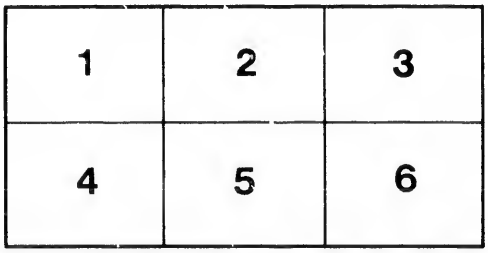

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P. 9

ADDRESS

BY

MR. BLAKE AT BOWMANVILLE.

1873

(By Our Own Reporters.)

On the evening of Tuesday, the 26th ult., Mr. Blake addressed his old constituents in the Town Hall of Bowmanville. Mr. Blake began by referring to the connection which had subsisted between himself and his audience for the six preceding years, and after recounting its story and expressing the feelings of affection which he entertained towards West Durham, stated that he was that night before them for the purpose of bidding them farewell. Having spoken for some time upon these topics, Mr. Blake proceeded as follows :—

I have come also for another purpose. I have come because I have been told, and I believe, that it is my duty to say somewhat to my fellow countrymen on the great topic which is now agitating the public mind. I cannot hope to say much that is new, but what I do say shall at any rate be, according to my convictions, true. The subject is of such vast scope that I cannot hope to treat it in one address, I shall therefore endeavour to point out what I believe to be the true history of the matter up to a certain period, reserving for another time and place the detailed expression of my views on the later phases of the story. In order fully to realise the situation, it is necessary that we should go back to the close of 1871. You will recollect that the Canadian Government which met Parliament in 1867 with a very large majority—with a majority in the whole of about 75 votes, and a majority from the Provinces of Ontario and Quebec of some 47 votes—had during the four preceding years been engaged in building up its political strength by means which we condemned—by grants of the public monies, given in some cases almost openly, or in other cases in fact upon a consideration of the political opinions of the constituency or its member, and not solely, as we contended these grants should be given, upon public grounds and with reference to the general interest. There can be no doubt, owing to the demoralization of public sentiment in various quarters from various political occurrences, that this atrocious doctrine received considerable countenance, and that the practice of it produced considerable effect within the walls of Parliament and in several of the constituencies. The last session approached, and with it came the preparation for the general elections—that great trial the verdict in which would establish whether or not the Government retained the confidence of the country.

Some of the principal preparations of the Government were these:—They determined to play the part of Conservatives as to the Election Law; to insist on retaining that law, which was vicious in two important particulars. First, in that it gave to the Government the power of determining the order in which the election should be held, a circumstance by no means insignificant in its effect on the general result; because, as we all know, the effect of carrying twenty or thirty constituencies at the commencement of a general election may be very great. It is calculated to excite the hopes and animate the exertions of the winning party, to damp the spirits and depress the energies of those who are losing, and to transfer from their ranks to those of their adversaries that too large body of weak-knee'd and faint-hearted voters whose convictions of the right are too feeble to withstand their fondness for the winning side. The Government determined to retain to itself the advantage of fixing the order in which the great trials to take place before the people between the two parties should take place, and so to arrange the elections as to give themselves every advantage, and to inflict on their adversaries all possible discouragement. But the second particular in which the Election Law was vicious is of infinitely greater consequence. I refer to the machinery for the trial of controverted elections. We knew well the evils of this law; we had experienced them for many years. So strong had been the popular feeling that remedies had been applied in several of the Provinces, but it was quite obvious that the advantages of undue influence and corruption were too great to be thrown away by a Government which could procure means to exercise undue influence and to practice corruption, and so they determined to resist this great reform. The additional preparation which the Government made for the coming contest, was to arrange for the means of influence and corruption. I need hardly tell you that that preparation was the Pacific Railway charter. That gigantic scheme was to be accomplished after a fashion unexampled in modern times, and calculated to give to the Government powers and facilities for influence and corruption of a most extraordinary character. The Government determined that two private companies who applied for incorporation, should be chartered on precisely the same conditions. But they

stated that in order that the country might not be at the mercy of either of these companies or both, in case there should be a combination, they would ensure competition by taking unto themselves power to charter another company. They also determined to take to themselves power to agree upon all the terms and stipulations of the contract, with the exception of some very general provisions which were contained in the Act of Parliament—provisions so general as to give an extremely wide discretion as to the disposal of the money and land subsidies. They took the power of making the company as they chose. They assumed the control of the $30,000,000 and 50,000,000 acres of land, and the large additional acreage for the two branch lines. It is difficult for the mind to apprehend the magnitude of these figures. $30,000,000 is a national treasure; from 50,000,000 acres you can carve several independent States. But these were not the limits of the affair. The national control over another 50,000,000 acres, the power of dealing with that immense additional area, was also demanded for themselves by the Government. They went further still. By this extraordinary Act, it was provided that the order of the Privy Council should override the order of Parliament, the provisions which Parliament had, during the same session, deliberately determined to be wise and needful in the public interest. This enactment, ceding to the Executive the control, unchecked by Parliament, of transactions of such enormous magnitude, gave a means of exercising undue influence, and of acquiring funds for improper purposes, altogether beyond the means which had been in the possession of any Government of Canada at any previous time. Now, sir, these were the views with which the Government were preparing for the struggle. There was another body also preparing for that memorable meeting—the whole army of speculators. They saw before them in the prospect of this great railway no ordinary contract, no ordinary job. The treasury of a nation, and the area of independent States, a predominant and commanding position in the country, were all to be the prize of some fortunate ring of speculators, and they too were making preparations to influence Government, Legislature, and people in favour of their particular views, and in furtherance of their private and personal objects. You know I do not state this from repute merely or from rumour. You know it from what has been published of the correspondence of these gentry. Let us look for a moment at what they wrote. Let us listen to the utterances of these birds of ill omen. They saw before them a mighty carcase, and where the carcase is the eagles—but I will not so degrade the name of the noble bird—no, the cormorants and vultures (applause) were gathered together ready and anxious to batten on their country's vitals. What says James Beaty, junior:—

"I had some confidential communication with a member of the Government, when in Ottawa, of great importance to us. I want to profit by it. We must be prepared for a fight, and now is the time to begin. There has been—as you are no doubt aware—a new Government formed in Ontario, the Opposition element preponderating in it, although a friend of the Ottawa Government is a member, and I may say to you he went in on the advice of Sir John. The result may be that this Local Government will eventually be driven from power, and that the entire party will side to a certain extent with the Ottawa Government, or it may eventually go in direct opposition to them, especially at the next elections this year. Our Bill and arrangements must therefore be made this session to be safe under all circumstances. I am in that position to advise a united effort in co-operation with the Government to carry this thing successfully. To do this money will be necessary, and a considerable sum. I therefore write to say that I ought to be supplied at once with $50,000, and another $50,000 when the session opens, and I think that will do it. I will give an account for the whole of it, and I think I can guarantee a satisfactory charter. Of course, *this is not to be whispered this side of the line*, and on your side only as far as necessary to obtain it. It would play havoc with us if it were known that any money was in hand connected with it. I see now the best use to make of it, where prompt action is necessary. A letter of credit to Patterson & Beaty, or Bank of Montreal, or Bank of British North America—I prefer the Bank of British North America for various reasons. It is unpolitical, &c., and the same notice would not be taken of it there as in the Bank of Montreal. Of course, I always understand you were prepared to come to the requirements of the case when necessary, and I therefore write in this way. *It is now necessary* to redeem myself, to satisfy parties that must be satisfied, and to ask no questions at present. Kersteman does not know of this. It must not be known, and will be the more effectual the less it is known."

Hark again:—

"I have had about three months' correspondence both by letter and personal interviews of the first importance to the Government, and all this with the ultimate object on my part of settling the Pacific. The project had more of direct reference to the elections, and I always understood you to say that some thousands of dollars would be no object in reference to our common object."

Again,—

"The Government have now taken the matter in hand, and will have, it is expected, $100,000 subscribed in a few days to promote their influence in the country, which might have been done under one direct control and with special reference to one scheme."

What were these unhallowed mysteries between the Canadian Government and James Beaty? But let us not waste our time, let us turn from this minor villain (hear, hear, and laughter), and listen to the utterances of a bigger and still baser man. In the same month Sir Hugh Allan (laughter and groans for Sir Hugh) writes:—

"DEAR SIR,—It seems pretty certain that, in addition to money payments, the following stock will have to be distributed:—

(naming various sums and parties to amount of $850,000.) To meet this I propose that we give up of our stock as follows:—C. M. Smith, $250,000; G. W. McMullen, $250,000; Hugh Allan, $350,000; total, $850,000. (Cheers and laughter.)

He goes on to say:—

"Please say if this is agreeable to you? I do not think we can do with less, and may have to give more. I do not think we will require more than $100,000 in cash, but I am not sure as yet. Who am I to draw on for money when it is wanted, and what proof of payment will be required? You are aware I cannot get receipts. Our Legislature meets on the 11th of April, and I am already deep in preparation for the game. Every day brings up some new difficulty to be encountered, but I hope to meet them all successfully. Write to me immediately.

"Yours truly,

"HUGH ALLAN."

And then comes the postscript. (Laughter.) Like the ladies' letters, the most important part is in the postscript,—"I think you will have to go it blind in the matter of money—cash payments. (Laughter.) I have already paid $8,500 and have not a voucher, and cannot get one." (Laughter.) There, Mr. Chairman, is the language of this gang, working their work in darkness, because their deeds were evil. (Cheers and laughter.) Urging the necessity of silence, pointing out the impossibility of getting vouchers or receipts, and saying, each in his own language, that their correspondents must ask no questions, but go it blind in the matter of money. I think, considering the difference in situation, in standing, and in every attribute of the two men, that there is a wonderful family likeness in them notwithstanding (cheers and laughter); and I suppose it is only to be accounted for by the fact that they were of the same class—engaged about the same dirty business, proposing the same dirty means, and so revealing in private that baseness of heart which no scruples of conscience, but their dread of the public wrath, caused them to conceal from the public mind. (Cheers.) The discovery of these letters has disgraced their writers in the sight of every honest man. (Cheers.) Now you have had a glimpse at the preparations of the speculators; you have heard a short extract from the language of the prince of bribers (cheers), and of his humble follower, Beaty (laughter); and I shall next direct your attention to the preparations which were being made by another body in the State. The Liberal party was making ready to foil the devices of these corrupters of public morality, the Government and the speculators. It was proposing to offer to the consideration of Parliament and the country, additional grounds for reposing confidence in its policy and for reversing in 1872 the verdict given for the Government in 1867. (Loud cheers.) We proposed measures which, had they been received by the Government—had they been heeded by Parliament—would have obviated the very great scandal which has since arisen, and saved the country from descending into the humiliating position in which, I am sorry to say, it stands this day. We recalled, sir, in anticipation of the great contest, the fundamental principles of Liberty. We were not forgetful of the maxim that public virtue is the foundation of popular Government; we were not forgetful of the great truth that unless there exists in the people a high degree of public virtue, they will be unequal to the grave responsibility of self-government. We remembered that whatever tends to vitiate, degrade, or weaken this principle, tends to the destruction of popular Government, which is endangered by the introduction of motives conflicting with that principle, and must, the moment such motives become prevalent, inevitably fall. When that high sense of public virtue has been so far weakened as to leave the country practically at the mercy of men who, by money or influence, control the exercise of the suffrage, they have succeeded in converting that which has been regarded as the shield of liberty into an instrument of tyranny. (Cheers.) Feeling that the exercise of the suffrage, the greatest political right that belongs to a freeman, must, amongst the mass of the electors, be based on public grounds, not upon grounds of private affection, or of prejudice, and far, far less upon the basis of undue influence, or of the purchase of the vote, we regretted to see that there had been growing, from general election to general election, a system of bribery and corruption. We were aware that, pressed by similar difficulties, the longing for a remedy had so far animated the people of the old land that they had pressed upon Parliament, and Parliament had agreed to, the new election law. We were proposing to do not only what had been done in Great Britain, but what had been done by the Local Legislatures in our own Province, in New Brunswick, and in British Columbia. Thus a large majority of the constituencies of the Dominion, in their local elections, were ruled by that law, and we felt that we could do no greater public service than forthwith to make it the law of the Dominion. We felt that it was a law which would give comparatively cheap, speedy, and certain justice in the trial of controverted elections. We felt that that law, severe and harsh as some erroneously call it, would really be most beneficent, fulfilling the highest function of a law, acting as a preventitive, and not simply as a punishment, of bribery and corruption. I say a preventitive, for the candidate and his supporters, knowing that under its provisions the use of undue means would ensure defeat and failure in the accomplishment of their object, would be restrained from the crime. Under the existing law, so great was the difficulty of trying such charges, so enormous the expense, so marked the uncertainty, that to have obtained, by whatever means, a seat, was for all practical purposes, to have secured it for the entire Parliament. The new law, and one for simultaneous polling, were pressed upon the consideration of Parliament. But the Government said no. They told us in grave and impassioned tones that it would be most improper to ask the

judges to try such cases, even if they consented. They told us that it was impossible for the judges to find time to try them, even if it would be proper to ask them; and they referred us to a single case in Ireland, where the language used by the judge produced great excitement, as a most consinsive reason why we should not adopt that law in this country. Of the weight which, in their own minds, they attached to these arguments, you and I can well judge, knowing, as we do, that no sooner had their true object been accomplished and on the meeting of the new Parliament the same law was proposed by themselves. (Hear, hear.) Now, may we not justly conclude that their true object was simply and solely to obtain the benefit in the coming struggle of the evil system which they so soon afterwards agreed to abandon? (Hear, hear, and cheers.) But it was absolutely needful for them just then to retain the old law, because without that their means of undue influence and corruption would have been of little avail. As I have said, they had to go further. They proceeded to find the means of influence and corruption. They introduced and carried, in spite of our opposition, a law giving them those extraordinary powers with reference to the Pacific Railway contract. We all remember the often quoted saying of a Minister at the Toronto Convention of '67, that the Intercolonial Railway would give Sir John A. Macdonald ten years' lease of power, and also how far that saying has been verified. But it would puzzle anybody to determine how many times more powerful the Pacific Railway scheme would be than the Intercolonial, the enterprise being infinitely more gigantic, and the mode upon which it is being carried out infinitely better adapted to give unlimited power to the Executive of the day. When that measure was proposed we contended that a constitutional principle was involved. We were told in reply that the powers of the Executive would be used on constitutional principles, and that no harm would result. But we contended that a violation of sound principle would produce unsound practice. Practice is simply the reduction of principles into action; and to be sound in practice you must be sound in principle also. (Hear, hear.) Now, sir, the principle which was violated was this, that in free Constitutions the Executive power must be guarded, limited, and restrained, and must not be permitted to encroach on the rights of the people and their representatives. Executive power it is which has at all times been the great foe of liberty. The name under which this power is exercised is wholly immaterial. Whether it be a King, President, or Cabinet which wields the Executive power, the constant tendency of those possessed of such power, is to invade the domain of the other branches of the Government, and to enlarge their own jurisdiction. In the great struggle which subsisted for so many years in England, out of which the liberties you now hold were gradually evolved, this was the main principle. This lesson was graven on the hearts of the British people, and we must never for an instant forget it. I warn you to beware lest the length of time since that struggle ended should make you heedless of the prize which it secured. By gradual steps, here a little and there a little, the liberties of a people may be invaded, and results accomplished by degrees which, had they been proposed as one operation, would have been rejected as monstrous. It is then the duty of every representative of the people narrowly to watch any proposal which may tend to give larger authority to the Executive than it has, according to the well-established principles of the Constitution. These principles were violated when we gave the Executive power to conclude irrevocably, and without the assent of Parliament, such a gigantic contract as that for the construction of the Pacific Railway. An ordinary steam-packet contract is submitted to Parliament for approval. There have been two contracts made in the last year with Sir Hugh—one the contract for carrying mails across the ocean for a short period, and an amount, too large, indeed, but still insignificant compared with the Pacific. That comparatively trifling affair was properly submitted to Parliament; but the other and enormous contract made with Sir Hugh for the Pacific Railway, was left in the hands of the Executive without any power being reserved to Parliament. Can these things be reconciled? But argument was vain; the Government prevailed, and certainly at the close of the session it seemed as if they had won the battle. They had maintained the bad election law which gave them facilities for bribery and corruption, and they had obtained power to make the mighty contract which was to give them unlimited influence and funds for corruption. In the meantime the bribers had been at work. We know that Sir Hugh received some $40,000 during the session from his American associates for the secret purpose referred to in the latter part of the letter I read. He spent the money, he tells us, in polluting the press, the bar, the pulpit, and, I suppose, he entered the legislative halls as well. To him no place was sacred; in his eyes every man had his price; and in his mind the only questions were, how cheap he could be bought and whether he was worth the money. There has arisen in these days, through the extension of the press, a means of influencing public opinion more potent than any known to our ancestors. You know there have been no speeches on recent developments in this great scandal, but you are familiar with the arguments on both sides because you read the papers. But what confidence can you place in those utterances, if you are told by the man who is said to be the representative man of Canada, commercially, that he bought and subsidised the newspapers and so polluted public opinion at its source? He undoubtedly gathered around him a very strong influence. He combined certain local interests in Quebec with the great scheme he had in hand. There was a very strong desire to promote a railway from Montreal to Ottawa, and thence westward. This he took hold of and identified it with the Pacific Railway scheme. He told those locally interested that both should stand or fall together—that if he obtained the contract for the Pacific Railway their anticipa-

tions would be more than realized. And having so gained their confidence he took his stand. He stood a gigantic figure in the path of the Government, and dominated the situation. The Liberal party in the meanwhile was preparing to fight the battle on the grounds which it had indicated during the preceding session, confident that it was sustained by the public voice, and, Sir, this confidence was not misplaced. The arrangements which had been made for the earlier seriously contested elections to suit the convenience and wishes of the Government turned out most propitious to the Liberal party. Seat after seat was wrested from the Government in Ontario. In Quebec Sir Geo. Cartier's election and those of other friends were in imminent danger, and it became evident that unless some new lever were brought into action they would be lost. The situation of the Government was desperate. Under these circumstances, in the last of July and the first of August they yielded to Sir Hugh Allan. His influence and money became necessary to them. Adverse as Sir George Cartier had been at an earlier period to Sir Hugh Allan's pretensions, he yielded, and arrangements were made between these persons satisfactory to Sir Hugh Allan. What precisely was the assurance Sir Hugh obtained is matter of controversy, but those who are well-informed with regard to the history of the negotiations say that there were more formal assurances than those Sir Hugh has produced. But it is enough for our purpose to know that there were assurances given which Sir Hugh accepted as satisfactory. Well, the matter was to be kept quiet till after the elections, partly because embarrassment might be created in Ontario. Mr. Macpherson was at the head of another company, and he was opposed to any preference being given to Sir Hugh. So Sir John Macdonald states, and he makes the stipulation that nothing was to be known till after the elections, so that he might have Sir Hugh's assistance from below and Mr. Macpherson's assistance from above. The influence which Sir Hugh had been prepared to exercise till that moment to defeat Sir George Cartier and his friends he turned in their favour on receipt of the assurances for which he bartered that influence. A few days after the assurances were given, upon the 8th of August, he appeared at a public meeting in the city of Montreal, beside Sir George, and formally stated to his friends that he had received satisfactory pledges, and intimated his desire accordingly that they would support Sir George and his party. At the same time that Sir Hugh Allan's influence was thus acquired, arrangements were made for his advancing money, not merely for Sir George Cartier's election, but for other elections generally, the elections in the Montreal district—in the city of Montreal and surrounding constituencies—were managed by a central committee, which had its headquarters in that city. Arrangements were made for the supply of funds to this Committee on Sir George's requisition, to be dealt out amongst the constituencies. All these arrangements were contemporaneous with the giving of the satisfactory assurance to Sir Hugh Allan with regard to the Pacific Railway contract. These things are incontrovertible. There is no question of their truth. But it is stated in defence of Sir Hugh Allan and the Government that the several transactions had nothing to do with one another; they were mere coincidences. (Laughter.) The fact that Sir Hugh Allan having insisted upon a particular thing being given to him, upon a certain memorable day obtained it, and the further facts that on that day he turned round and extended his influence in favour of Ministers and their friends, and upon the same day arranged for the supply of money for the same purpose, you are to regard as entirely distinct—mere coincidences (laughter), events which, though occurring at precisely the same time, had nothing whatever to do with one another. (Ironical cheers.) It was a pure accident that they happened together; that is the argument. Now, all those of you who have ever been suitors, or witnesses, or jurors, or spectators in a court of justice, must have heard and seen, time and again, similar absurd but utterly futile efforts to persuade the court that two contemporaneous transactions between the same parties were yet wholly independent of each other. The answer has always been, in the words of the proverb, "I can put two and two together;" and if such a flimsy argument were presented in a court it would be laughed out of the place. It is perfectly ridiculous and unworthy of every intelligent and honest man to argue that these facts had no connection with one another. (Cheers.) I say it was utterly impossible for the Government to have honestly, even for legitimate election purposes, taken one shilling from Sir Hugh Allan, or from John Abbott, in the relations which they mutually occupied to them. Sir Hugh was then at any rate a competitor for this great contract. If he had not already obtained it, he was at any rate seeking it, and had received certain assurances, satisfactory to himself, as he tells us in his affidavit. Standing in that relation to him, was it possible that honest men could have received from him or from his solicitor and agent contributions even for honest election purposes? Could they be free in dealing with him afterwards? Yet these men had supplied Sir John A. Macdonald with money to the amount of about $100,000, and the Central Committee to an amount approximating to $150,000; and all this money was supplied during the election times, not, as the amounts plainly showed, for honest purposes, but for the purpose of bribing the electors of this country. (Cheers.) Now, sir, let me remind you of some of the declarations of Sir John Macdonald. You will remember that while this business was going on, while these transactions were being accomplished at Montreal, Sir John A. Macdonald was making an election tour through Ontario, and after they had been concluded, he continued that triumphal tour; he made his impassioned speeches; more than once he called his God to witness that his hands were clean. He poured filth upon his adversaries. Let me read you from the *Mail's* reports what he said. At Clinton, on the 17th

of August, he said :—"After the long service he had given to the public he could now come forward and challenge friend or foe to state on the hustings before the people, or in private discussion, that he had ever been guilty of an unclean and disreputable act. In the United States they had seen one judge dismissed and dying broken-hearted, and another brought to his death-bed, because improper conduct had been proved against them. There, too, they saw corruption rife in all political parties, public men, depraved officials purchased, whole communities sold like sheep in the shambles, and the public outraged by such indecent venality. But nothing of the kind was seen in Canada, and why?" Can you conjecture why, my friends? Let me read on:—"Because for seventeen years *he* had been the chief member of the Government, and during all that time had looked steadily to the mother country for an example. There might be political contests in England, but whoever led the Government there, whether Mr. Gladstone or Mr. Disraeli, both of whom were his personal friends, they might be certain it would be composed of honest and upright men who would earnestly devote the intellect and capacity God had given them to the best interests of the country. It was his pride and boast that he had endeavoured to pursue the same course in Canada. He might without dishonesty or dishonour have used occasionally the means of information possessed by every Minister of the Crown in order to amass a colossal fortune; but from the beginning of his political career he had laid down this rule, and not only had he insisted upon it himself but he had insisted on the observance of it by his colleagues, that no Minister of the Crown should make one farthing beyond the salary which he derived from his office. If ever there had been a suspicion, or a doubt, or a charge to the contrary—and sometimes there had been charges—he had investigated the matter to the bottom, and sometimes they might have seen that Ministers had disappeared from his Government." A curious statement this! The charges which had been made against members of his Government were true then, and the gentleman told the public that he had found, if not himself, at least some of his colleagues, guilty of acts of corruption charged against them. But he, forsooth, was a moral and high-toned gentleman—(derisive laughter)—and dismissed them from his counsels as unworthy of his distinguished company. (Hear, hear.) At St. Mary's, two days afterwards, on the 19th August, where Mr. Kidd was the Conservative candidate, he said:—"He appealed to Mr. Kidd to say whether he had received or been promised any money from the Government to carry on the contest in South Perth?" Mr. Kidd replied "Not a farthing." Sir John Macdonald said "the same answer would be given by every candidate in Ontario if he were appealed to."

Now, Sir, this is a statement made by himself—that every Government candidate would say, if appealed to, that not a farthing had been supplied to them by the Government to aid them in their elections! At Sarnia, on the 21st of the same month, his speech is thus reported:—"He went on to charge the Government of Ontario with using its powers corruptly, by granting silver lands in return for assistance at these elections. This would be proved before a Committee of the House during the next session of Parliament." On the 30th of August, four days after the famous 26th, he said:—"He had come to Lindsay for the purpose of doing what he could in his humble way for his personal and political friend Mr. Dormer. * * * He referred to the attempts that had been made to corrupt the constituencies during these elections. He charged the Opposition with bribery on an extensive scale. * * * He did not doubt that large sums had been raised as a corruption fund among persons interested in timber licenses under the Ontario Government. He said that already a case had been made out against them which would demand legislative action of the most stringent kind. To show the capacity of the Opposition for corrupt work of that kind, he referred to the outrages that had been committed in Proton and elsewhere, and said that these matters would undoubtedly come before Parliament at its next session." This was on the 30th of August, while his hands were reeking with pollution. (Hear, hear, and cheers.) This was while he was putting those unclean hands into the money-bags of Sir Hugh Allan and Mr. Abbott, and bribing the electors of Canada with money obtained by his cession of the rights of those whom he was thus corrupting and demoralizing. (Cheers.) I need hardly say to you that four days before that last speech he had sent the now famous telegram, "Must have another ten thousand. Will be the last time of calling. Do not fail me" (laughter); showing that there had been "ten thousands" sent before, and that the money was being received and spent at the very time he was making these assertions of his innocence, and accusing others of guilt which was his alone. Sir, I need not remind you that he did not repeat those charges against the Government of Ontario during the session. His statements that there would be a Committee of investigation, when these facts would all be brought before the House and the country, have not been made good. The session began and ended, but he never dared to moot the subject in the House. (Hear, hear.) He knew he had no ground or pretence for these charges, which were utterly false, but he sought by charging others with what he had been guilty of himself to divert public attention from his own culpable proceedings. He acted like the robber who, while he is running away with the spoil, cries "Stop thief" very loudly all the time. (Cheers and laughter.) Now, these are the circumstances, as they appear before you, undisputed and indisputable, occurring while the elections were proceeding. While he was at this work in Ontario, the Central Committee and Sir George Cartier were at like work in Quebec, and as I have told you, a still larger sum was disbursed down there than was disbursed up here. Well, sir, it was said at one time that the money had to do with the Northern Colonization Road. That is of no consequence. Of

course it is equally improper to [illegible] with money obtained from one quarter as with that obtained from another, but at any rate the Northern Colonization Road was identified with the Pacific Road. They were part of the same scheme. It was said, again, that it had to do with Sir Hugh Allan's political feelings—that he was an ardent Conservative and subscribed these sums for the interest of the cause. (Laughter.) His letters have told how much he thinks of politics. There he describes the two political parties as factions, and informs his correspondent that the Lower Canada members, whom Sir George Cartier influenced, held the balance of power and could control this country. He does not tell you in the freedom of private correspondence of political aspirations of one kind or another; on the contrary, he intended to stand in the path of the Government, determined to do his best to defeat them, unless he obtained the Pacific contract, willing to support them if he should get that contract. He an ardent politician! I am told he never subscribed to an election in his life before. He is conservative of one thing—I mean his money. (Hear, hear, and laughter.) But it was not because he had any interest in politics for their own sake, one way or another, that he advanced these monies. It was a pure—or rather an impure—business transaction, and his letters show that the whole amount he expended, including the $40,000 which he obtained from his American *confreres*, nigh $400,000 in all, was an expenditure made in order to obtain, and charged upon, this contract, believed by his American associates to have been so expended, and claimed by him to be payable to him after the contract was secured, and yet men will dare to tell an intelligent people that these are political subscriptions by a public man, without any reference to contracts, or anything but political purposes. Sir, the culprits may come forward, and they may pledge their oaths to their innocence; they may call their God to witness again, as they have called their God to witness before. I know no difference in the solemnity of the adjuration, whether it be made upon the hustings or in the witness box, but in the face of all these letters and telegrams, and in the face of these admissions, it is utterly impossible to believe any such statement. It is utterly impossible to find any means of escape from the conviction that "those hands" are unclean, indeed. It is utterly impossible to find means to escape from the conviction that the enormous powers entrusted to them in reference to this contract were used for the purpose of procuring influence and cash from the contractor to whom they agreed to give the contract. What, sir, was the result of this profuse expenditure? I have said that the Government majority in Ontario and Quebec had been forty-seven, and even after this expenditure that majority was turned into a minority of nine in these two Provinces. (Cheers) The disgraceful conduct in reference to the seats for South Renfrew and West Peterboro' took two of those votes away, making four on a division. (Hisses.) There was, therefore, on the whole a change in the two Provinces of old Canada from a majority of forty-seven for the Government to a majority of five against it. (Cheers.) Now, with such overwhelming evidences of the change in public opinion, what would have been the result if $350,000 of the Pacific money had not been put into the scales? I venture to say that I am speaking far within bounds when I say that twenty constituencies in Ontario and Quebec have been purchased by that expenditure, and that instead of the Opposition being in a majority of five in both Provinces, they would, if that money had not been used, have been in a majority of 45. (Cheers.) The situation of the Government was desperate, they had taken these desperate means to remedy it, and yet when Parliament met, their power depended upon the men from the Maritime Provinces, the majority of whom had belonged to the old Liberal parties in those Provinces, and were by no means strenuous supporters of the Government. They were able to obtain a majority on the first vote, and having done so they obtained temporarily the control of the House, but by no certain tenure. There was no moment at which their position was easy during the session. The people of the outlying provinces did not feel satisfied with the course they were taking in supporting a Government which had only a limited share of their confidence, and which had lost its hold on Ontario and Quebec, while what strength it had was obtained by the corrupt means to which I have referred. Some of the friends of the Government urge that they are less blameworthy than if they had pocketed this money themselves; and seem to wish a verdict of not guilty on that ground. They were not charged with having pocketed the money; but I declare to you that I conceive that would be a crime less grave than the one with which they *were* charged. It would certainly have been a more sordid, a meaner crime—a crime which would expose the perpetrators to greater contempt, but by no means to greater indignation. In the case supposed it is the disgrace of the Minister alone, whilst in the actual case it is the disgrace of the whole country. In the case supposed you can easily punish the criminal Minister, but in the actual case how are you to vindicate public justice? $350,000 have been scattered broadcast throughout the country in corrupting thousands of electors. Sad experience has shown that those who have been once bought are more likely to make merchandise of their votes hereafter. Thus not one but thousands of crimes have been committed, and the moral sense of the community has been sensibly lowered. You may indeed punish the Minister, but how shall you punish these unworthy voters—how shall you restore the purity and independence which has been bought away? Again, remember that by what has been done, a majority has been purchased. The free voice of the people has been overborne, and these men rule, not because the free voice of the people has so decided, but in spite of the utterances of that voice. I deny that my rights or your rights are to be subject to the control of those who sell their votes. That is not the theory of popular

Government, and in practice would be found intolerable tyranny. Such a House should be purged at an early day, and if it were found continuously that the unbiassed vote of the country were crushed by the purchased vote of some unworthy men, the time would have arrived for such a change in the system of Government as would render it tolerable by free men; and I have no doubt that in that evil day you would be found ready for the exertions and sacrifices to which you might be called, as your ancestors were ready when the day came for the vindication of liberty against tyranny. But it would be in truth an evil day; and it is because I am so fully sensible of its horrors that I am inclined to describe as the most heinous of public crimes such a betrayal of your liberties as would result in your being forced to rise in their defence. Shortly before the session began the Government made the great charter contract. I shall not enter into its details to-day. You are familiar, I suppose, with its provisions, which have been the subject of discussion in the press. They have not yet been the subject of an exhaustive discussion in Parliament. We saw before the session was far advanced that there was a prior question. Before we came to discuss the charter we had to discuss the charterers; we had to discuss the parties, and the considerations moving them, before we came to the terms of the document itself. A word or two I may say with reference to the composition of the Company. I have seen it stated that while Sir Hugh Allan is only President of the Company, the other corporators are respectable gentlemen, with the great majority of whom he has but little connection. I am willing to admit that some of those gentlemen are very respectable, others are less so. The subscription shows that they have as a rule taken up $750,000 each and paid down $75,000 each, and we well know that there are very few of these gentlemen who could pay the 10 per cent. Not a single man, except Sir Hugh Allan, could pay the $750,000. It has been seriously pretended that these subscriptions and payments were made *bona fide*, but respecting some of them at any rate there can be but little doubt. (Hear, hear.) The payments of some of these gentlemen were, I believe, advanced for them, others subscribed upon an understanding that they should not be called on to assume any continued responsibility, and it is said that one of the corporators was not aware of his situation till after the formation of the company; and on the whole it is impossible to describe what has been done as a *bona fide* subscription and security for $10,000,000.

The cash it seems has been arranged for, so that it is to remain undrawn at the various banks at 5 per cent., under the deposit receipts of the banks. These have been accepted by the Government upon the same terms, so that unless Parliament should otherwise order, the money is not to be drawn out of the banks in which it is said to have been deposited. You understand what that means. (Hear, hear.) It means that the so-called payments were in some instances, at any rate, made through the banks, nominal payments representing merely transactions of accommodation, and not cash at all. Now, sir, it is said that this Company is not to stand or fall by Sir Hugh Allan; but I say that the memorandum of Sir John A. Macdonald upon the contract shows that Sir Hugh is the great controlling spirit of the concern. (Hear, hear.) He is the head of this Company, and if no honest man is to be found—and for the honour of my country I hope no man will be found—to vindicate Sir Hugh Allan, whatever may be the result to the Government of the great cause now so long pending, it is utterly impossible that we can entrust to a man, the author of a correspondence the most scandalous and profligate of modern times, the asserter of his own disgrace, that influence and position which is to be looked for and must be the property of him who is to be the President of the Canadian Pacific Railway Company. (Loud cheers.)

The honourable gentleman then intimated that he had arrived at that stage of his narrative at which he proposed to close his more detailed remarks, and that he would endeavour, in a very few words, to give a cursory account of the subsequent transactions in this connection. Neither their patience nor his strength would permit him to deal with the whole subject just now as he desired or as its importance deserved. He then reviewed the subsequent events, referring, amongst other matters, to the constitution of the Royal Commission, and pointed out that it was not to be wondered at that the head of the judiciary of Ontario should have (as it was publicly stated he had done) repelled the approaches made to him on the subject of his becoming a Commissioner, and this on the ground that the proceeding was unconstitutional.

The hon. gentleman took his seat amid loud and oft-renewed applause, having spoken upwards of two hours.

MR. BLAKE
AT LONDON.

The following is a full report of the speech delivered by Mr. Blake, at London, on the evening of Thursday, the 17th ult. Having been formally introduced by the Chairman, who briefly explained that the subject of the address would be the political situation,

Mr. BLAKE said :—Mr. Chairman, Ladies, and Gentlemen—Deeply conscious, as I am, of my incapacity properly to handle the great question to which you, sir, have alluded, I did not feel free to decline the invitation extended to me by my political friends in this city, considering that it was my duty at this great crisis to contribute my quota, however small, to the defence of the common weal. The subject is so large, and involves so many con-

siderations of a historical as well as of an argumentative character, that I should not attempt even the most cursory summary within the limits of one address. On a recent occasion I took the opportunity of discussing some of the earlier events bearing on the situation of to-day. Trusting to your acquaintance with public affairs, I shall not now review those events in detail. (The speaker proceeded to summarize the account given by him in his speech at Bowmanville, already reported in our columns, and continued as follows) :—Permit me, then, to commence my detailed remarks by adverting to some of the incidents of the late session. In accordance with a promise contained in the speech from the Throne a law for the trial of elections was brought forward, and then was seen the hollowness of the pretences on which, only a few months before, when a similar law had been proposed, it was kicked out of Parliament by the very men who now introduced it. All the difficulties which they had announced anterior to the elections had vanished when the elections were over. The steed had been stolen, and the stable door was about to be locked. (Laughter.) But not just yet; there was yet a steed to steal. (Renewed laughter.) Some elections were expected shortly. Some vacancies there were already in the Cabinet, and further changes were known to be imminent. Although it was acknowledged now, so late, that this was a good law, which it was in the interest of the country to pass; yet even at this late moment the Government resolved to postpone its operation until the month of November next, leaving the intermediate elections to be held under the provisions of the old and abandoned law. This action on the part of the Government was utterly indefensible, but it was necessary for the completion of Ministerial arrangements. South Ontario must retain the bad pre-eminence it has of late years acquired amongst the constituencies of this country. Mr. Gibbs must become a Minister, and Mr. Gibbs must not be deprived of the only means by which he ever had represented or ever could represent that unhappy Riding; and so for a while longer the powers of darkness were to prevail. The Minister who has so long ruled this country with a cynical disregard of consistency and principle, perhaps the most remarkable feature in a remarkable career, was now to give one more example of this characteristic. That good and great man, the echoes of whose speeches against the bill were still lingering around the hall, was now to propose its adoption ; and hardened though he was, he felt the embarrassment of the situation. He did not attempt to defend this change of policy. The measure was introduced in silence; the second reading was moved in silence; and it was in Committee of the Whole, where the details alone are considered, that we obtained the first opportunity for discussion. A single evening's debate proved so unsatisfactory to the Minister that he postponed the resumption of the subject until the very last days of the session, when it was impossible to resist the action of the Government. The bill is certainly an immense improvement on the existing law, but it is by no means as satisfactory as it would have been had the free will of the House been allowed to operate upon it. It requires, and I hope will shortly receive, serious amendment. (Cheers.) Now, Sir, while the strength of public opinion, as evinced during the elections, was forcing the election law upon Ministers, rumours which had been current for a considerable period of an enormous job in connection with the Pacific Railway gradually assumed consistency and shape. Many who were aware of suspicious transactions in times past, and believed that there had been corruption in connection with the distribution of public monies and public contracts, were yet of opinion that even if there had been some wrong doing as to the Pacific, it would be as in former years, impossible to ascertain the truth. We know that, as a rule, these transactions are conducted in all the obscurity, surrounded by all the barriers, and cloaked by all the devices which can be planned by the ingenuity of man, and that it is always difficult, and frequently impossible, to establish them; nor do I wonder that even those who most suspected Ministers of such improprieties, should have been very doubtful that they could be proved. But the transactions were so large, the interests so numerous, the conspirators so audacious, that the plans for concealment were baffled, and shortly after the commencement of the session, circumstances became known to Mr. Huntington which warranted him in making, and since they warranted, bound him in the discharge of his public duty, to make the statement which has created so much discussion. I need not repeat the words; they are graven on the hearts of the people of Canada; but you will remember that he alleged his ability to prove certain high crimes and misdemeanours against Ministers, and members of the House, and moved for a Select Committee to enquire into the matter. It was a mighty issue. Its determination was to affect the character of Canada and her institutions for long years to come; for if it be true that such guilt has invaded the land, and yet public sentiment shall permit the culprits, adding crime to crime, to violate the Constitution in their flight from justice, and to escape the just reward of their accumulated guilt, we shall have degraded ourselves in the eyes of the world, and shall have pronounced ourselves unequal to the position of a self-governing people. How was the motion met? It was met by the Government with no word of denial, with no word of explanation, with no word of reply. Assuming an attitude of injured innocence and offended dignity, they called upon their followers to vote it down, and their followers were equal to the occasion. (Cheers.) The step was a bold one, but in their desperate situation not unwise. Could they have maintained their ground it would have been well taken; but they could not maintain it. The reaction was almost instantaneous, and within six hours it became obvious to those who had the opportunity of observing the turn of events and the drift of public opinion, as evinced within the walls of Parliament, that a retreat must take place and an enquiry be conceded.

The change was announced next day, and shortly afterwards the Minister himself moved the reference of Mr. Huntington's statements to a select Committee. By that motion, to which the House unanimously assented, the Minister acknowledged first, that Mr. Huntington had preferred these charges in a proper manner and upon a proper statement, and secondly, that he had proposed the proper mode of investigation—that same tribunal which the Minister himself asked the House to adopt for the purpose. In the discussion the Minister announced that the motion was in substance an impeachment. And he was quite right. It was not, of course, technically an impeachment, because in that Constitution for which he is chiefly responsible, with wonderful prescience, he was careful to make no provision for the establishment of a Court of Impeachment; but it was as he said, substantially an impeachment, and that for a high political offences such as have always been disposed of exclusively by Parliament. In his motion he somewhat limited the enquiry proposed by Mr. Huntington; and he added a clause giving the Committee power to sit if need be (mark the words "if need be") after the prorogation of Parliament—a thing impossible according to ordinary Parliamentary doctrine, which lays down that the House cannot give to any of its Committees a life longer than its own; but I suppose, justified to himself by the Minister on the ground before alluded to, that this was in the nature of an impeachment, since it is well settled that not even dissolution, much less prorogation, abates an impeachment. That proposal was remarkable in another particular, in that it indicates that then, at any rate, the minister did not believe, or, if he did, that he chose to conceal his belief that the work of the Committee would necessarily be unfinished in May or June, the anticipated period of prorogation. The proposal was simply, that "if need be" the Committee should sit after prorogation. Therefore the work would possibly be finished, and would, of course, be commenced before prorogation. It is obvious enough that he did not then intend the House to understand that it was out of the question for the Committee to examine a single witness before prorogation. The motion was carried, and the Committee was forthwith struck according to the usual plan, by which each member gives a vote for one person as member of the Committee; and thus, of course, the Government secured a majority; having three votes to two from the other side. Not long after the Committee had been organized it recommended, in accordance with suggestions thrown out by both sides, the passage of what is known as the Oaths Bill. The Minister professed doubts as to the power of the Canadian Parliament to pass it; but upon that question he at any rate was committed. As leader of the House he had shortly before carried through Parliament and placed on the statute book an act conferring upon the Senate, the other branch of the Legislature—that of which you—sir—are a distinguished ornament—(loud applause)—the power of administering oaths at its bar. That measure is objectionable on precisely the same reasoning as that which has effected the disallowance of the Oaths Bill, and is defensible only on the same grounds on which the Oaths Bill may be defended. If one is contrary to the Constitution so also is the other. Yet, for that Bill, the Minister himself is specially responsible. His opinion then must have been that Parliament had the power to pass such an Act, or he was grossly derelict in his duty when he promoted its passage. Again, he was in other ways committed. In two of the Local Legislatures, those of Ontario and Quebec, measures were passed by which those Legislatures assumed to arrogate to themselves the powers, privileges, and immunities of the House of Commons of England, as they stood at the 1st of July, 1867. The Minister here and the law officers of the Crown in England all reported against these measures as being beyond the competence of the Local Legislatures. From that conclusion, the accuracy of which I never doubted, and which I had myself announced in the Legislature of Ontario, it plainly followed that the Local Legislatures were unable to take to themselves the powers, privileges, and immunities of the Canadian House of Commons, which were the same as those of the English House on 1st July, 1867. In conformity with that opinion, these acts were, under the advice of the first Minister, disallowed and struck off the statute books of the Provinces. The powers of the Local Legislatures in this particular having been thus determined to be more limited than those the House of Commons of Canada, these same Legislatures nevertheless each passed an Act giving power to their committees to examine witnesses under oath. It is the duty of the Minister, as he has himself declared, to consider all acts of the Local Legislatures and to advise disallowance of such as are beyond their competence. He considered those acts, but did not advise their disallowance. He advised that they should be left to their operation, and they were so left. Upon these occasions, therefore, it is perfectly clear that the Minister must have been of opinion that the Local Legislatures, with fewer powers and privileges than the Parliament of Canada, had, notwithstanding, the power to pass this very Oaths Bill, in respect to which he now professes to doubt the power of the Parliament of Canada itself. (Cheers.) But whatever his doubts were, he overcame them. As leader of the Government, it was his constitutional duty to see that no improper legislation passed the House, and as law adviser of the Crown, it was his special duty to advise the Governor with reference to each Act submitted for assent, as to whether the assent should be given or not. This measure he permitted to pass, and he recommended the assent, and so it became law; but not without delays in its progress, through your branch of the Legislature and subsequently. These delays had excited impatience both within and without the walls of Parliament; and before the passage of the Bill the Committee had summoned a large number of Mr. Huntington's witnesses, and had procured their attendance, I having announced that unless the

Bill were assented to at once I would propose to the Committee to proceed forthwith under the existing law. On the day on which I was to make this motion we were informed that the Bill would be assented to on the Monday following, and we adjourned to the Tuesday, ordering the witnesses to be then once more in attendance for the commencement of the business, already too long deferred. The assent was given, and on the appointed day we met, the House and the public expecting that at length, after so many preliminary difficulties, we were to be allowed to begin. During all this time no hint had been dropped of further obstacles—on the contrary, the speeches of the Minister had all been in the opposite sense; but the evil day had come at last, and he was forced to develope those plans for still further delay which either originally or in the meantime had suggested themselves to his fertile brain. He appeared before the Committee and announced the absence of three individuals—Sir George Cartier, Sir Hugh Allan, and Mr. Abbott—and that there was no expectation of their return until June; facts of which we had all been aware ever since the date of the original motion. He startled us by the statement that in their absence the Government felt it impossible that the Committee should proceed, and he requested an adjournment until the 2nd July, in order that Allan and Abbott, who he said were the only witnesses of the Government, might be present. He also threw out a proposal that the Committee should be secret. A member of the Committee following almost immediately made a speech developing a striking coincidence with the views that had just been enunciated. He produced from his pocket and proposed certain resolutions carrying out these views. Against these resolutions Mr. Dorion and I voted, but they were carried over an amendment proposed by Mr. Dorion that Sir Francis Hincks, a witness summoned and then in attendance, should be called and examined. Well, sir, the resolutions were reported to the House, whose sanction was asked to them. A very strong feeling was developed immediately against the proposal that the Committee should be secret (cheers), a proposal which I do not hesitate to say was of a most scandalous character. (Loud applause.) The members of the Administration and their friends have not unfrequently descanted, when it served their turn, on the purely judicial character of that investigation, and who, living in a free country, is ignorant of the fact that one of the greatest securities for the continuation of that freedom is the publicity of judicial proceedings? But, sir, that proposal shocked the sense of the House, and it was withdrawn. The proposal for adjournment was debated on our side at any rate, the other side declining discussion, and relying on that power of numbers which enabled them, by a very considerable majority, to carry it. I never doubted that many gentlemen who voted for the adjournment did so conscientiously, I always agreed that there were two sides to that question, although my own view was strongly adverse to the proposal that the work should not commence till the 2nd of July. I was always of opinion that any witness wanted by the Government should be called, and that any adjournment necessary for that purpose should be granted, but I was not of opinion that there existed at that time, and under those circumstances, a case for postponing the commencement of the enquiry to the 2nd of July. The Minister had stated that the work would last from four to six weeks, and it was therefore plain that a very great mass of evidence would have to be taken. It was also plain that extreme inconvenience was likely to occur, if the House were not to sit while the Committee was sitting. This mistake, it was, from which all the other evils flowed; but for this mistake we should not have been here to-night, deploring baffled justice and violated right. The presence of the House was required, first, in order that the Committee might be able to apply to it for instruction and guidance, in case of any difficulty in the prosecution of the enquiry, and for the interposition of its authority to compel the attendance and the answering of witnesses; and secondly, in order to give the members of the House, who were to be the ultimate judges of the case, the opportunity of hearing and seeing for themselves the taking of the evidence. (Cheers.) I should like to know whether any of you who have ever been suitors in a court would prefer that the evidence should be taken down in writing, in the absence of the judge or jury who were to decide upon a subsequent perusal of the evidence, or whether you would not prefer that the witnesses should be examined in the presence of the judge or jury. (Cheers.) Are you not aware that the demeanour of the witness, his hesitation in answering, the difficulty in extracting replies, or, on the other hand, a suspicious fluency, that a hundred circumstances only perceptible to the man within sight and hearing of the witness—are most material, nay vital, to juries in coming to a conclusion as to the honesty or the accuracy of the witness, and the weight to be given to his evidence. (Cheers.) Therefore I felt that it was right that, if possible, every member of Parliament should be in court while the examination of witnesses was going on. There were several other reasons, but I will not now detain you by detailing them; suffice it to say that the proposals of the Government were adopted, and as a necessary consequence, in order to keep the Committee alive, it was arranged that the House should adjourn instead of being prorogued; but there was another reason, unsuspected by us, why it was important in the interest of the Government that the House should not be prorogued, but adjourned during the enquiry. It has since transpired that the infamous Allan letters were in existence, in the hands of Mr. Starnes, on terms which were devised to keep them secret so long as the session should last, but to set them free after a prorogation; and who can doubt that the hope of the guilty men was that by arranging for the prosecution of the enquiry before prorogation, these documents might be kept concealed, and so the evidences of their guilt might be suppressed? But truth was to prevail! Mr. Huntington became aware of the

existence and custody of these papers, and justly dreading their destruction, he took steps for securing them, to which I shall presently refer. (Cheers.) During the various discussions which took place upon the enquiry, the First Minister had more than once indicated his preference of a Royal Commission to a Parliamentary Committee; but his suggestions were received with the most marked disapprobation in a House, which in nothing else had dared to disapprove of anything he said. No voice in Parliament, save his own, was ever raised in support of this proposal; and the gentleman who had taken the most active part amongst all his supporters during the whole session in sustaining his every view—the gentleman who argued for him the West Peterborough case, who argued for him the Muskoka case—the gentleman who had never hesitated to come to the front on doubtful and desperate issues in other instances—I mean the member for Cardwell—even he (though not till his leader had yielded) enunciated in the strongest way his disapproval of the plan of a Commission, adding that he would have declined to serve on a Royal Commission while the proper tribunal, a Committee, was available. (Cheers.) The Minister, I say, yielded to this unanimous expression of opinion, and professed to abandon his idea of a Commission. Thus the House made choice in the most marked manner of a Committee in preference to a Commission, and to that view every single member was an assenting party. One alleged precedent alone did Sir John Macdonald cite in support of his proposal, namely, the Ceylon case. Mark first of all, that this is no precedent for the issue of a Royal Commission without an address of the House, for the Commission issued in the Ceylon case was issued upon address. But I shall show you in a very few words that this precedent is wholly and entirely inapplicable. There had been an insurrection in Ceylon, in the suppression of which it was alleged that Lord Torrington and the local authorities had acted with great violence and brutality; and a select Committee was ordered to investigate these charges. The evidence was to be obtained principally from witnesses living in Ceylon, and owing to this difficulty the Committee did not get very far, and towards the close of the session recommended that a Royal Commission should issue to enquire on the spot into the circumstances connected with the suppression of the rebellion. That recommendation was declined by the House. Thereupon the Committee reported, recommending that it should be re-apppointed next session, and that means should be taken in the meantime for summoning witnesses from Ceylon. The Committee was re-appointed next session, and in the prosecution of the enquiry it appeared that a proclamation had been issued, purporting to be signed by Captain Watson, an officer serving in Ceylon, to the effect that any persons having in their possession or knowing the whereabouts of certain property, who did not deliver up or disclose the whereabouts of the property, should be killed, and their effects confiscated. Captain Watson, who happened to be in England, denied having signed this brutal proclamation. Certain evidence to the contrary having been tendered to the Committee, they decided not to enter into a question affecting the honour of an officer of Her Majesty's Army. Subsequently an address to the Crown was moved and agreed to without debate, for the issue of a Royal Commission, to enquire on the spot into the circumstances connected with the papers presented to the Committee under Captain Watson's signature. The Committee itself proceeded with the investigation of the charge referred to it, in which the Imperial Government was only indirectly concerned, through the suggestion that they had improperly approved of Lord Torrington's proceedings, but there was no hint of the Government being in anywise responsible in connection with the Watson proclamation. The Committee reported the result of its labours, and once more suggested a Royal Commission to the House for certain purposes, but no such Commission was ordered. In the third session the House took up the question on the evidence reported by the Committee, and finally disposed of the charge against the Government. This is the history of the Ceylon case, and you will see that so far from its being a precedent for the enquiry by a Royal Commission into charges of high crimes and misdemeanours preferred against Ministers and members of the House, it furnishes precedents against that course, both by what was done and by what was declined. But the Ceylor case is a precedent upon another point upon which the Minister did not cite it. At the end of the session, during the absence of Mr. Dorion and myself, objection was taken for the first time to our presence as members of the Committee, upon the grounds that our position in the House was such that we should have declined to serve—the Minister arguing that Mr. Disraeli would have scorned to serve on such a committee against Mr. Gladstone—and on the further ground that the speeches we had made in the House showed that the Government could not expect to get fair play from us. These are two separate points. Upon the first I will cite the Ceylon case. Mr. Disraeli, who was leading the Opposition, was an active member of that Committee, and in the House he moved motions, and made strong speeches on the subject. (Cheers.) Now, here is a precedent against the minister, furnished in the very case he cited, by the very person whom he cited. But of conrse the parallel would not have held. Neither my friend nor myself occupied the position attributed to us and which was occupied by Mr. Disraeli. Neither of us was leader of the Opposition in Parliament. That position was filled by my friend and colleague Mr. Mackenzie. (Loud cheers.) You know, too, that the circumstances under which Mr. Dorion was elected were such as rendered him least of all liable to any such charge. He had announced his retirement from public life, and his determination not to seek re-election. He left for England on private business, declining to say that he would sit if elected, on the contrary, declaring that he must, in that

event, resign, and refusing to comply with the request of his friends to leave behind him a declaration of qualification. During his absence his friends were determined that he should be re-elected, and they returned him to Parliament. On his arrival here he was overborne by the pressure of his friends, and took the seat so honourably provided for him. Was Mr Dorion, having so come into Parliament, and standing, as I believe he did, and does, higher than any other man in the esteem and affection of the House, incapacitated by his position from giving a full and fair consideration to the matters coming before the Committee? Was he, of all men, to be bribed to injustice by the expectation of office? As to myself, you are perfectly aware that prior to the general election I announced to my friends that it was impossible for me, whatever might be the result of the election, to serve my country otherwise than in the ranks. During my absence in England Sir John Macdonald and his friends made large use of this statement. They accepted it as true, and they drew from it the false and ungenerous inference that there was some split or difficulty between my friends and myself. That served their turn just then, but a little later, and at the close of the session, though I had in the meantime unequivocally repeated my announcement, it served the purpose of the Minister to allege that I too, as an aspirant for office, was incompetent to sit on the Committee. Sir, I had sat on Committees in which Ministers were deeply concerned before. I was the Chairman of Sir G. Cartier's Election Committee, and a member of the Committee on the Allan MacNab purchase, and I appeal with confidence to the part I took in those investigations as proof of my desire to act fairly towards Ministers. As to the other charge, that my speeches during the session on this matter showed that the Government could not expect fair play from me, I shall not answer it save by a reference to the records; and I challenge Sir John Macdonald, his friends, followers, and satellites to point to a speech, a sentence, or a word of mine, while a member of that Committee, which justifies the statement. But the truth is that at this time the Government saw that the matter was becoming very serious, and they were endeavouring to break the blow by assailing the adversary and finding cause of complaint against the Committee. Towards the close of the session Mr. Huntington found that certain documentary evidence was in danger, and looking to the aspersions that had been cast upon him, and to the complaints which had been made of his former conduct, he proposed to prove to the House that he had cause for the motion he was about to make to instruct the Committee to impound these documents. He did not offer oral evidence, but he proposed to read the letters of Sir Hugh Allan, the very man whom the Government had described as their chief witness. (Cheers.) The proposed explanation was defeated by the arbitrary conduct of the Speaker, but the temper that was evinced, the dismay exhibited, and the earnest desire shown to avoid those disclosures, convinced me, though at that time I did not know the contents of those letters, that there must be something there very unfortunate for Ministers. The motion was carried, Mr. Starnes was summoned, and the package was marked and left in his hands. Then came the last scene, in which the Government made an attempt, I think, of a most unfair character to place their adversaries in the position of being apparently ungenerous to a departed foe, or of being untrue to their political principles and opinions of many years standing, and untrue, also, to the belief which they had expressed, that the pending charges deserved serious attention and searching investigation. (Cheers). The Government proposed that a public funeral should be given to Sir George Cartier, and that a monument should be erected at the public expense in honour of him whom they designated as a great statesman and an excellent man. One precedent there was for the proceeding, but it was emphatically the exception which proved the rule—the rule that no such honours should be conferred on political characters. The motion was proposed in a thin house, and upon the last day of the session, and so these men carried a resolution decreeing a public monument to him on whose grave they are now engaged in heaping dirt. (Cheers.) The only authoritative statement we have had from the Government as to the Pacific is one declaring that certain documents and arrangements were personal to Sir Geo. Cartier, unknown to his colleagues, for which they decline responsibility, and the odium of which they seek to cast upon him alone. (Applause.) Well, Sir, upon the 2nd of July the Committee met, as it was hoped, for business; but, as usual, the Government was at work. The previous day, the anniversary of Confederation, our national holiday, these patriots had employed in issuing a Government proclamation disallowing the Oaths Bill. That disallowance was highly improper. The first Minister himself in a memorandum prepared by him on the 8th of June, 1868, had accurately stated the rule as to interference by the Imperial Government with Colonial legislation. I will read his words:—"Of late years Her Majesty's Government has not, as a general rule, interfered with the legislation of Colonies having representative institutions and Responsible Government, except in the cases specially mentioned in the instructions to the Governor, or in matters of Imperial and not merely Local interest." Now this matter is neither mentioned in the instructions to the Governor, nor is it a matter of Imperial or other than of merely local interest. The object was confessedly good, and if Parliament had not the power to pass it, no one will pretend that it should remain so powerless. The Imperial Government, therefore, acted in a most ill-advised manner in not leaving the Act to its operation. The question of its legality could have been decided in our Courts, and could then have been brought before the highest tribunal open to us, the Judicial Committee of the Privy Council; but instead of that, the Law Officers of the Crown, not acting under the responsibilities of Judges, and without that prerequisite of just judgment, the argument of both sides, undertook to wipe this law out of our statute

book. I call public attention to the observation I have just made, as bearing strongly on the degree of respect you are to bestow on these decisions of the Law Officers. None of you would be satisfied if, even in a trivial case affecting his own interests, the question were merely stated to the judge, and decided by him without argument on either side. (Applause.) Our whole judicial system pre-supposes such argument as a condition of sound judgment. There is an ancient maxim of law, as holy as it is ancient, which teaches that the judge who decides without hearing the other side, though he may have decided justly, has acted unjustly. (Loud applause.) Nevertheless on such a decision this great question is said to have been determined conclusively and for ever. But how different a course has been taken with reference to other Acts. I could easily point out several objectionable statutes on which this power was not exercised, and you will all remember an instance in which the Imperial power was used not in disallowing but in confirming by Imperial legislation an objectionable Act. The Act authorizing the Senate to administer oaths at its bar was left to its operation. But in this case, on which so much depended, instead of adopting the wiser and more judicious and constitutional course which I have suggested, disallowance in the most rigorous form was adopted. But neither the views of the law officers of the Crown, nor the order of the Queen's Privy Council in England, made that law less operative than it was before. Its disallowance necessitated action upon this side of the water, and by the Constitutional Act the Governor-General had the right to take that action in one of two modes—either by proclamation, which he might issue at his convenience, or by message to the Parliament upon its first meeting. Had the latter alternative been adopted, the Committee could have proceeded with the examination and the subsequent disallowance on the meeting of Parliament would not have interfered with the Committee's labours. (Hear, hear.) This course might have been followed without any inconvenience, but the other course was recommended to the Governor, and the Act was disallowed by a proclamation framed by the First Minister of Canada, and countersigned by him and the Secretary of State, issued on the day before the sitting of the Committee, and thus depriving it of the power with which it was before armed. Contrast this with the course taken upon another Act—the Act of the Ontario Legislature,—giving an additional allowance to Superior Court Judges. That Act was condemned as beyond the powers of the Ontario Legislature by the Law Officers of the Crown in England and the First Minister of Canada. How did the Minister proceed in this case? Why, he reported to the Governor that the Act must be disallowed, unless the Legislature, at its next session, should repeal it. He advised the Governor not to disallow it immediately, but to leave it in the meantime, and it was left until the last day for disallowance, until the year's salaries had been paid under the Act, and then at the latest possible moment the disallowance was accomplished. I leave it to you to guess why there was such a change of policy in the case of the Oaths Bill. (Cheers). Notwithstanding what had taken place, Mr. Dorion and myself were of opinion that the Committee could proceed. The Committee had been constituted without power to take evidence under oath, with instructions to enquire into this charge. After the passing of the Oaths Bill, which authorized Committees to take evidence under oath in cases in which the House should have resolvedthat this was desirable, the Committee was instructed under the authority of the Act to take evidence upon oath; our opinion was that the instruction fell with the Act, upon which it was based. (hear hear). Our opinion also was that our major duty was the pursuit of the investigation, that what we were called upon to do was to make the enquiry by all lawful means in our power, and that by so doing we should best fulfil the orders of the House and the expectations of the country, (cheers). That view, however, was over-ruled, and the Committee adjourned until the 13th of August. We were offered a Royal Commission, which we declined, for reasons stated in letters written at the time, by which reasons we stand today. (Cheers). I will discuss them shortly. It had now become obvious that there was a change in the situation. During the sitting of Parliament, and when the proposal was made that the Committee should meet on the 2nd of July, a statement had been made by the Minister that all the evidence would be taken and the report of the Committee prepared before the 15th of August, and that all the House would have to do would be to receive the report *pro forma*, and be prorogued. It has been said that this was agreed to by both sides of the House. I was not in the House at the time, but speaking from the reports and from the information given me by my friends, I say there was no such agreement; on the contrary, Mr. Holton pointed out to the Minister that he might not be in a position to advise a prorogation on the 13th of August, and subsequently Sir John said, that if it were true that they must have a quorum, he would be exceedingly happy to see Mr. Holton fill his place in the same health, with the same vigour, and with the same degree of combativeness as he displayed at that meeting. (Laughter.) Mr. Holton was there, he was combative, and with good cause, but the enemy would not fight. (Laughter and cheers.) But it was quite clear, that even had there been an understanding, it could not have been binding upon the House, which is, and must be free as air to determine upon its course as the exigencies of the State may require. It was also clear that any such understanding must have been based upon the statement, supposed to be correct by all parties, that the Committee would have completed its labours, that the evidence would have been taken, that the work would have been done, and only the final judgment would remain to be disposed of at some future period. No man expected the prorogation to take place with the evidence untaken, with the materials for forming a judgment uncollected, with the work undone. The

whole basis had vanished upon the 2nd of July, when the Committee was adjourned, and it follows that it was the bounden duty of those who had the power and responsibility of advising his Excellency, to take immediate steps to meet the new exigency, and to arrange that Parliament should have an opportunity of deciding what should now be done. (Cheers.) That the situation was changed has been practically confessed by Ministers themselves, for they have themselves acknowledged that in consequence of the events since the adjournment, an October session has become necessary. Government should have made the necessary arrangements for the session on the 13th, being a business session; or if this season was peculiarly inconvenient for members, they should have arranged for an adjournment to a more suitable period, although I maintain that no consideration of private convenience should have any weight in the mind of a representative of the people when, compared to his paramount duty to the State in a tremendous crisis like the present. (Great cheering.) Although that was the obvious duty of the Government, it was equally obvious, from all the available sources of information, that they intended themselves to remove this cause from the Commons, to create some tribunal of their own devising, and to prevent the House from meeting for business this year; and so, tired of waiting, and taunted by the Ministerial press with having made baseless charges, Mr Huntington authorized the publication of a portion of the evidence—only a portion, however, as I happen to know. (Cheers.) That publication at once took possession of the public mind. It could not be slighted, for it consisted of the letters of Sir Hugh Allan, confessed to be authentic by that person, the chief witness for the Government, and the chief actor in the transaction; and it was hoped by some people, that the effect produced by the publication would lead the Government to change its views and adopt the policy I have indicated. But it is clear that the determination of the Government was different. The publication of the telegrams and requisitions for money showed that further fatal secrets were to be disclosed, and the desperate decision was confirmed to gag the Commons, to destroy the Committee, and to set up that mockery of justice which is shortly to be performed at Ottawa. It was announced that His Excellency would be absent from Ottawa, that a Commission had been issued for the purpose of proroguing Parliament, as the affair would be purely formal. But Sir, that announcement was contradicted by the event. His Excellency thought, and thought rightly, that his first and highest duty was to be personally present, and to assume, in his own proper person, the responsibility of whatever course he might determine upon under the circumstances. He was there; 130 members were there as well (cheers); and of the absentees a very great majority were quite accessible. (Hear, hear.) All the representatives from Manitoba were there, and some twenty members from the distant Provinces of the Atlantic sea-board; and that the attendance was not still larger was due the fact that the Government did not ask any of their supporters to attend, and that to those who enquired of them whether their attendance was desired, a negative reply was returned. I say that with authority, because I have the best means of knowing its truth. Well, Sir, under these circumstances, close upon 100 members of Parliament met for consultation, and they deemed the situation so alarming, and the crisis so unexampled, everything indicating an immediate prorogation, as to warrant the determination—since they were not likely to have an opportunity, in a strictly Parliamentary way, upon the floor of the House, of advising His Excellency on the question of prorogation or adjournment, or of deciding what order should be taken for the prosecution of the enquiry—that their sentiments should be placed on record, and that His Excellency should be approached in the only way which his Ministers had left open for approach. They signed and forwarded to His Excellency a respectful, temperate, but firm representation, stating that to prorogue Parliament without giving it the opportunity of taking order for the prosecution of the enquiry, would create intense dissatisfaction in the country. That document, which only repeated views enunciated by thousands of petitions already before His Excellency, was adopted by more members than would have made a majority on any division during the session; 183 men having voted on the largest division, 92 may be fairly said to be a majority in a full House. The Government advised His Excellency to reject that appeal, to prorogue the House, and to issue a Commission, and he agreed to follow their advice. He answered those who had made the representation, as to manner graciously indeed, for the manner was his own; but as to matter most unhappily; the matter was his Ministers. (Cheers.) I suppose that the reasonings even of a Viceroy are not free from criticism, but had these been the reasonings of the Viceroy himself, I confess I should have felt some embarrassment in the choice of an epithet with which to characterise them. I could not call them puerile because Lord Dufferin is a mature statesman; I could not call them disingenuous because Lord Dufferin is an honourable man; and I would have been inclined to abandon in despair the search for an adjective which might fit at once my sense of the proprieties and my conviction of the truth. But I am relieved from any such embarrassment. These are the arguments on which his Ministers advised him to the course he took; these are the reasons which they advised him to offer to the memorialists and the public as the justification of the course they recommended; and I can have no hesitation in dealing, fairly I trust, yet firmly and freely, with the argument. What then do these men advise the chief of the State to say. First they say that because the signatures do not constitute a numerical majority of the whole House, therefore His Excellency has no assurance that they represent the feeling of Parliament. That, sir, is true in the letter, but false in the spirit; for the reason already given that the number was a practical majority of the House; and for the further reason that the views of the House had already,

during that session, been plainly indicated by its unanimous resolution that this matter should be prosecuted by itself through the medium of its select Committee. Repeated and anxious debates had taken place as to the mode of the enquiry, and as to the securities for its being thorough and exhaustive. So there was the best possible means for knowing that the feeling of the Commons was that the enquiry should be conducted by a Parliamentary Committee, and certainly the signatures of so many members to the representation, afforded good ground for that which, even in the absence of any evidence, was the only fair conclusion, namely, that the Commons had not changed its mind; nor was there the shadow of a foundation for the notion that the House was prepared to reverse its decision, to dissolve its committee, to abandon the duty it had undertaken, and to leave to others the decision whether there should be an enquiry and what sort of enquiry there should be. Again, remember that these signataries did not venture to say that any particular course would be taken by Parliament. They simply advised His Excellency to give the House an opportunity of telling him what it should determine. There was no dictation as to the course of the House; there was only the assertion that the House desired to deliberate and decide on a course to be taken; and who can doubt that this was, as it ought to have been, the desire of the House? Let me now turn to the second argument adduced. These men, these incriminated Ministers, advised His Excellency to say that to accede to the representation would be—what? Why, to declare them guilty of the crimes which were charged against them! (Laughter.) What said the representation? That there would be dissatisfaction unless Parliament were permitted to take order for the trial of the charges; and the argument is, that to accede to this request is to agree that the charges are proved; that the accused are guilty; and so, of course, to dispense with the trial altogether! (Laughter.) Sir, for such an argument, the words puerile and disingenuous are the fittest epithets I know. (Loud applause.) Well, Sir, again they advise His Excellency to say that his difficulties would disappear if there could be a call of the House, but that this was impossible. Why impossible? The impossibilities are said to be physical—the great distances and the fact of the alleged understanding as to prorogation; but these Sir, are difficulties which extend only to the time of the call. They are not difficulties in the way of adjournment. They are not difficulties to be solved only by prorogation. They are simply objections, which are to be met by fixing for the adjourned session a convenient time, having regard to the expressed views of all parties that the enquiry should be prosecuted at the earliest possible moment. An adjournment might have taken place even to the day named by His Excellency for the new session, although I should have thought that a long time. The middle of October he named as the period for the new session, to which the faith of the Crown is pledged; and had a proposal for adjournment been made, I am able confidently to affirm that no objection would have been raised. Those who are responsible for the management of the Opposition in Parliament, felt it their duty on this occasion to assemble early at the Capital, and calmly to deliberate and take counsel together as to their course under various contingencies. They thought from the language of the Ministers and their organs, that the absence of Ministerialists would be alleged as rendering it unfair to proceed at once with business, and the unanimous decision arrived at was, that while they felt Ministers had disregarded their obvious duty in not having their supporters there and being ready to proceed, they should not stand upon that for an instant, but should say, "Throwing upon you the responsibility of sending back to their homes one hundred and thirty members, we agree to your proposal for an adjournment, and leave you to name the day when we shall meet in order to resume the discussion of this question." That would have been the attitude of the Opposition upon the point of adjournment. His Excellency has said that the question before him was one of very great difficulty and embarrassment. Where the Chief of the State so expresses himself, and where there is not, as here there is not, the slightest imputation of partizanship or of designed leaning to either side, I agree that his decision is to be canvassed with tenderness and respect; but, Sir, while that is the duty we owe to the Chief of the State, to the State herself we owe a higher duty still. (Cheers.) And while I declined on a former occasion—at the time when the determination of His Excellency was made known—to say a single word upon that subject, confining myself then to what is the main and substantial issue here, the advice given by his Ministers, upon which he acted, and for which they are responsible, I do not feel at liberty to let this occasion pass without saying a word or two upon what my reading of the Constitution would lead me to believe was the true duty of His Excellency in such a crisis. (Applause.) My belief is that the spirit of the Constitution, properly interpreted, would have led him to say to his Ministers, "As your supporters are not here, ask for an adjournment; if you please I will do that which is not without precedent, I will send down a message requesting an adjournment; but either with or without a message ask an adjournment. Take what time is necessary, name the earliest convenient day, and if the House declines to accede to the request, then in order to place you in the same position which you would occupy if an adjournment had been granted, I will give you a prorogation, and will call a new session for the day named; but further than this I decline to interfere with Parliament." (Cheers.) My belief is that this course would have given to Ministers every advantage in the way of their followers being present, and to the absent members every advantage in the way of facilitating their attendance in Parliament, which the course pursued has given, and that it would have possessed these enormous advantages, that Parliament would be left undisturbed in the prosecution of the great enquiry, that the committee

would not be destroyed by the prorogation, and that the conduct of the case would not be wrested from Parliament, in order to hand it over to others named by the accused. I have every respect, Sir, for the doctrine that the Governor is as a rule to be guided by the advice of his responsible Ministers; but there can be no doubt that the prerogative of the Crown may, and should, be exercised under certain circumstances against that advice. The constitutional doctrine on some aspects of the cognate question of dissolution is well settled. A Ministry defeated at an early period, in a House elected under its own auspices, has no right to another dissolution, and the constitutional rule is that advice to dissolve under such circumstances should be refused. On the other hand, a Ministry formed out of a House which has been elected under the influence of the opposite party, is, as a general rule, entitled to advise a dissolution, and such advice ought to be followed. I do not say that you can find the line so clearly laid down for the present case, but I do say that on principle and analogy, this was a case for refusing the advice to prorogue. Mark that it was upon the advice of incriminated Ministers, against whom the House of Commons had commenced a process, which process was pending; of incriminated Ministers against whom a case had been made, which they themselves acknowledge requires explanation, that the Governor was asked to take a step which would destroy the process, which would nullify the proceedings, which would deprive him of the advice and counsel of his Parliament, and leave him under the control, or the advice at any rate, of those Ministers, upon a subject so materially affecting their fortunes and their fame. (Cheers.) Mark, too, that the consequence of his refusing that advice would be simply this: he would have said to the Parliament and the people, "Gentlemen, I could not, under the circumstances, reverse the determination arrived at by the House of Commons, that a Committee of that House should prosecute this matter; I could not, under the circumstances, decline to be advised by my Parliament. I felt that it was a case in which my Parliament ought to decide what was to be done, and I have declined to be advised to dismiss you. I could not hesitate when the choice was between my free Parliament and my inculpated Ministers. I have elected to take the responsibility—of what?—of keeping around me in this critical emergency the great Council of the nation; and when an issue is pending between the Commons of Canada and my Ministers, of keeping intact the power of the Commons, and taking their advice as to the extent to which my Ministers shall be allowed to interfere with the conduct of the enquiry." (Cheers.) Can you doubt what the answer of the Parliament and the people of Canada—of any man with a spark of freedom and patriotism in his bosom—would have been to an appeal like that? From one end to the other of the Dominion, I venture to say it would have been affirmed that the position was unassailable, (Cheers), that it was a just and proper use of the prerogative to keep Parliament together, and to seek its advice in the emergency, and that His Excellency should be sustained. (Cheers.) That determination would have been entirely in favour of popular rights, and the people would have joyfully recognized the use of the prerogative in the people's favour. (Cheers.) Talk of the advice of responsible Ministers! Sir, it is absurd to apply these high sounding words to the matter on hand. On the plainest and most ordinary principles, it is only in the case of overruling necessity, where there is no other possible alternative, that the advice of anyone, as man or Minister, is to be taken on a matter in which his personal interests are at stake, and may obviously be opposed to the interests of the State in whose name he professes to advise. Here there was no such overruling necessity, there was a very obvious alternative. His Excellency had his choice between taking the advice of the Ministers and taking the advice of the Commons. He should have declared his Ministers incompetent to advise him in their own case to dismiss the Commons, and he should have resorted to the latter for that counsel which they would have been prepared to give. Although my opinion is, that the true spirit of the Constitution points to a conclusion opposite to that at which the Governor arrived, yet that, after all, is not the main issue before us, because his Excellency, by accepting the advice tendered to him, has placed the responsibility of that advice upon his Ministers, and they must bear that intolerable burden. (Cheers). And if it was, as his Excellency has stated, a serious and embarrassing situation in which he stood, when he was called upon to decide whether he should act under or against the advice of his Ministers, who can doubt what the situation is of the Ministers who have so advised him—of the Ministers who have advised him to dismiss Parliament, to annul what Parliament had done, and to form for the prosecution of this enquiry new machinery—machinery of which Parliament had disapproved, and which I hope, believe, and trust, at no distant day, Parliament will unequivocally condemn. (Loud and prolonged cheering.) But, sir, his Ministers advised his Excellency to go further; they put in his mouth an opinion on the present state of the case upon the evidence already given, and I commend it to those, few in number and insignificant in importance, who yet affirm that there has been no evidence to touch the Ministers at all. (Laughter.) It is not a cheering expression of opinion, coming from the lips of the accused; it is not at all cheering when we consider that it is the judgment of those who are themselves upon their trial. Listen to a few of the words: "The charges," His Excellency is advised to say, "require the most searching investigation;" "the correspondence has produced a painful impression upon the public mind;" and "certain documents have appeared in connection with these matters of very grave significance," in regard to which "the fullest explanations must be given." That is the statement they have put into the mouth of His Excellency with regard to their present position. "The fullest explanations must be given." Given by whom? Given by the men who wrote them, and signed them, and

are responsible for them! (Cheers.) I trust the day will shortly come for the giving of these explanations; I may not say I hope they will be, because I know they cannot be, satisfactory. But Ministers add a saving clause. They say—"no proof has yet been produced which necessarily connects these papers with the culpable transactions of which it is asserted they form a part, however objectionable they may appear in juxtaposition with the correspondence." That is the saving clause. It is perhaps not as decided as the Ministers would have liked to make it, (laughter), but dubious as it is, I object to it. I declare that if the documents are genuine—and they appear to be admitted as genuine by this State paper—they conclusively establish the guilt of the Ministers. (Cheers.) They conclusively establish that Ministers with one hand were signing assurances for the giving of this contract to Sir Hugh Allan, while they were signing with the other hand requisitions for money to be paid by Sir Hugh, receiving that money, and distributing it to corrupt the electors of this country. (Loud cheers.) That is what is established by these documents, and I know of no evidence which is required in order to bring the conviction to any honest, unprejudiced mind, that these transactions had a connection. I repel with indignation—I cannot seriously argue—the absurd idea that while ministers were bargaining with Sir Hugh Allan about the contract, the other transaction, which was then going on, was entirely kept apart; that the right hand was ignorant of what the left was doing. (Cheers and laughter.) Now, Sir, in order that we may fairly estimate the enormity of the public crime which has been committed in advising prorogation, it will be useful to enquire why it is that an impeachment, the procedure with which this enquiry is in substance identical, is not abated by a prorogation, or even a dissolution of Parliament, but stands in just the same position when Parliament resumes as before the prorogation or dissolution of the House? Why, it is for this reason, that the security of the Crown and the security of the people alike demand that the prerogative of the Crown should not include the power in any way to influence an impeachment. The rule and its reasons were fully established in the course of the impeachment of Warren Hastings, and largely on the argument of William Pitt, who demonstrated that it was for the security of the Crown, because otherwise the Crown might be advised by Ministers, against whom or against whose influential friends an impeachment was depending, to make use of the prerogative for the purpose of baffling the process, a course which would result in the alienation of the affections of the people—those affections which constitute the secure foundation of the English throne. (Loud and continued applause.) Just because impeached Ministers would, when guilty, inevitably advise the Crown to prorogue or dissolve if the effect of such an act would be to abate their impeachment — just because it was impossible that under such circumstances the impeached Ministers could faithfully advise the Crown, it was determined that their advice, if followed, should not be operative to abate the impeachment; and so the Crown was rescued from a position of difficulty and danger. The security of the people, too, required this limitation; and for the same obvious reason, namely, that the exercise of this prerogative by the Crown on the advice of impeached Ministers would render it utterly impossible to bring great offenders against the State to justice. Impunity produces crime; and so the safety of the people and the security of the Crown were alike subserved by this limitation of the prerogative. Now the proceeding against the Canadian Ministry is accepted on all hands to be substantially an impeachment; not technically, so so, it is true, in consequence of the defects of the Constitution; but the technical difference leaves untouched the great considerations of policy which we have been discussing, and which apply to this proceeding. Let us apply them. They teach us that the enquiry should not be broken up by a prorogation; and as the Committee would be dissolved by the prorogation, the result is necessarily that the prorogation should not have taken place. Every argument which is used against a prorogation abating an impeachment in England, is an argument against proroguing in Canada, pending the enquiry, the result being just that which is condemned in England. In England the prerogative is limited, so that it cannot do the mischief; here it does the mischief, and therefore it ought not to be used. There was another reason for Parliament not being prorogued at that moment. Sir Hugh Allan has been in England. He has, we are told, made conditional arrangements by which, under certain modifications of the Charter, he may be able to sell the Company's bonds. We read in the Ministerial organs a few days ago that there was a meeting of the Pacific Railway Company at Ottawa with the view of arranging terms, and of submitting them to the Government of the day. Now I hope we all agree that, whatever be the fate of the charges against the Government, or of the Government itself, Sir Hugh Allan must not continue at the head of that enterprise. (Applause.) I trust no one will say that the man who has brought—whether his letters be true or false—the profoundest humiliation on this country should be allowed to retain a position, the most important and influential which exists in the community. (Cheers.) The President of this great Company, the controller of its enormous interests, will occupy a position predominant in this country for many years. Sir Hugh has injured Canada more than I should have supposed a few months ago Canada could be injured by any one man. What position do we occupy to day in relation to the people of the United States? We have been accustomed to pride ourselves on the comparative elevation of Canadian morals, and the comparative purity of Canadian politics. We can do so no longer. With these letters before us, we cannot refuse to believe that this man expended and found persons to receive enormous sums for purposes which would not bear the light; we are

a humiliated people, and he is one of the chief authors of our shame. Under these circumstances, an important duty of Parliament was and will be at the earliest moment to see that no further stipulations are entered into, and that no further arrangements are made with regard to the charter; and yet for all we know even now the Government may be engaged in further complicating our rights. Under all the circumstances I, for my part, can attribute the prorogation of Parliament to nothing but the desperate view that the position of the Government, being the worst conceivable, it was in the turn of events that time might mend it. But, of course, it was necessary to preserve some slight appearance of fair dealing and to resort to some device which might appear to excuse the delay, and it was also necessary to withdraw from Parliament, as far as possible, the control of the enquiry, which could only be done by providing some other tribunal. It was not sufficient to have a Committee of which three out of five were selected by the Ministers; it was necessary that every single one of the persons who were to conduct the enquiry would be nominees of the Government. So it was determined that a Royal Commission should be issued. Ministers knew perfectly well that neither Mr. Dorion nor I could accept such a Commission, that Parliament had refused to assent to it; they knew from the members' protest our public attitude; they knew from the beginning that it was impossible for the Opposition, without violating the principles they had laid down, to recognize their tribunal. But it was thought some cry could be raised and some feeble attempt made to keep up appearances, which might be successful for a time. (Applause.) What was the pretence? There was but one pretence—the disallowance of the Oaths Bill. Now there have been pointed out several parliamentary modes by which the oath may be administered. I shall refer to one only, that which at the moment commends itself most to my judgment. It is the proposalthat an Act should be passed authorizing certain named persons, members of the Committee or others, to administer an oath. This would, in fact, constitute a parliamentary as distinguished from a Royal Commission. Many years ago, by such an Act in England, there was established a Commission of Inquiry into alleged abuses in the navy. The Commissioners named in the Act, which required them to examine witnesses on oath and to report to the Speaker, made that famous report which contained the charges upon which Henry Dundas, then Lord Melville, was dismissed from his office, removed from the Privy Council, and afterwards impeached. So now here is a precedent, and it is the one which seems most suitable for adoption, in order to secure the taking of the evidence under oath. Now, this plan alone, leaving out all the others which are open to us, and assuming what I am not prepared to admit, that the House of Commons has not itself the disputed power, disposes entirely of the disingenuous argument that the Royal Commission was necessary to obtain the oath. But this further observation is also to be made, that if a Royal Commission were the only course, there is no reason why it should not have been a Commission of members, named by the House and issued on an address by the House. That plan I do not myself recommend, but there can be no doubt of its infinite superiority to the plan adopted of defying Parliament, and refusing to take its advice altogether. Parliament might not have acted wisely in passing such an address, but at any rate it could not complain that by acting on the address the Crown had wrested from it any of its privileges. Besides, if the Ceylon case were applicable it is itself a precedent for a Commission upon address; but by no means authorises the Crown to take the affair into its own hands without any signification of the will of the Commons. Under any circumstances, even supposing that the only alternative was that the enquiry should take place without the oath, the House should clearly have had the opportunity of deciding whether it would act by Committee or Commission, and should have been spared the outrage inflicted upon it by the exercise of the prerogative. To the Commons, from time immemorial, has belonged the right to institute, prosecute, and control proceedings for the impeachment of Ministers and others charged with high offences against the State, and for enquiry into charges affecting the honour and independence of its own members. Nobody denies this fundamental doctrine. It is one of the greatest securities for liberty that the people's representatives, responsible directly to them, and liable to be by them dismissed in case they fail in their duty, should have this exclusive right, and be charged with this solemn responsibility, thus preventing those who act as advisers of the Crown from giving that ill advice by which they and their friends may be sheltered from justice. Let me trouble you with a short quotation which very aptly enunciates the views expressed by the House of Commons at a very early date, and retained by it to the present day. Solicitor-General Lechmere, in 1715, on the impeachment of the rebel Lords, used this language:—"The Commons of England would not permit the fate of those prosecutions to depend on the care or skill of those who are versed in the ordinary forms of justice. No instance ever has arisen in English history, where our ancestors have permitted a prosecution against the chief offender to be carried anywhere but in full Parliament. In justice to the King, as well as to the people, we ought to take this into our own hands and not to entrust it to any other body. It was the greatest ease, security, and support of the Crown, that no power should be lodged there to prevent the Commons from examining into the offence, or to defeat the judgment given in full Parliament. And he took it to be the greatest advantage to the Crown that the Constitution of the kingdom had not, he thought, invested it with such power; and, on the other hand, *such a power was utterly inconsistent with the fundamental rights of Parliament.*" And mark this, that the fuller the development of the doctrine of responsible Government, the completer the control by Ministers over the prerogative, the narrower the dis-

cretion accorded to the chief of the State independently of his Ministers, the more apparent becomes the necessity of treating as an exception to the general rule an occasion when the personal position of the Minister conflicts with the public interest, and renders him incompetent to give disinterested advice. The prerogative of the Crown is now said to be the property of the Minister—the property of the unimpeached Minister perhaps, but surely not the instrument whereby the impeached Minister is to thwart justice, and to violate the fundamental right, of the Commons to control enquiry into such high offences. (Cheers.) Sir, the interference of any other court of justice in the land with the high court of Parliament, even though that other court be established by Act of Parliament, is well settled to be a "high contempt." Parliament has got, and Parliament must be allowed to keep, undisturbed hold of the great cause. (Cheers.) For the accused Minister, while Parliament is actually engaged in the prosecution of the cause, to turn it out of doors, in order that the trial may cease, and then, forsooth, to say Parliament can do no more, the Committee is dissolved, there is an end of the investigation, we have no alternative now but to take the control of it into our own hands—was ever such a spectacle presented since English history began? (Cheers.) No, sir, I defy those who search even into the dark ages, unless perhaps they look to the evil days which preceded the great rebellion, I defy them to find anything approaching the audacity of this procedure of Ministers in breaking up their trial, while actually progressing in the proper form, and on the same day creating a tribunal to suit themselves for their own prosecution. (Loud cheers.) The appointment of this Commission is a high contempt of Parliament, and you are not to listen to those who tell you that the privileges and rights of Parliament are not important to you. The privileges of Parliament are the privileges of the people (hear, hear), and the rights of Parliament are the rights of the people. (Cheers.) It is for those rights and in those interests alone that we strive to-day. We are not separate from you; from you we spring, to you we return; in your interest and your name alone we speak and act, and it is for your rights that we are now contending. (Tremendous cheers.) Besides being such a breach of the privileges of Parliament in the general, this Commission is a gross and glaring breach in the particular of its most important privilege—the freedom of speech, and of debates and proceedings in the House. Sir, who is there that does not know that freedom of speech is liberty? (Cheers.) Not the greatest security for liberty—it is liberty itself. (Cheers.) Freedom of speech!—give me freedom of speech for a people and I will undertake for you that this freedom of speech shall secure for them every other freedom—freedom of life, freedom of person, and freedom of property. (Cheers.) It is by virtue of that right, not yet—thank God!—annulled in Canada, that I am here to-night—(renewed and prolonged cheering)—and it is by virtue of that privilege that I expect when Parliament meets again that we shall stand approved before the people and the people's representatives. (Loud cheers.) Sir, this charge was made by my honourable friend in his capacity as a representative of the people on the floor of the House of Commons, admittedly in the proper place, and in proper language, and followed by the proper motion. That language of his, that resolution of his, that proceeding of his, is not, and cannot be cognizable in any other court or place in this country. (Cheers.) We can discuss it at public meetings, we can invoke public opinion upon it, but no tribunal in Canada already in existence, or which can be devised by the Crown, has the right to enquire into the matter, or to investigate whether the charge be true or false. (Cheers.) The very instant the contrary is determined, that very instant the British Constitution is changed—that very instant the security that you have for liberty is gone; because this security depends upon the absolute immunity of the people's representatives from discussion by any tribunal outside of Parliament of any words by them spoken in Parliament. (Loud cheers.) Sir, in the hey-day of freedom will you abandon the securities for liberty? If you do, I know not how soon you may fall upon evil days in which, deprived of those securities, your liberty may be taken from you. I say to you that, at this instant, by the unconstitutional acts of the present Administration, the Government of this country has been seized into their hands; that at this moment, by their act of prorogation, they have substituted an arbitrary and tyrannical Government by the Cabinet, for that Parliamentary and popular Government which we have hitherto enjoyed. (Great cheering.) Let us not forget the history of the past; let us not forget what has been said, and done, and suffered in order to secure for you the liberty which the Commission impeaches. Look at its language. It recites that Lucius Seth Huntington, a member of Parliament, in his place in the House made certain charges against Ministers, and moved for a Committee—that the Crown has appointed Commissioners to enquire into and take evidence, and report their opinions upon the charges so made, and these Commissioners proceed to write to the member of Parliament who, in the discharge of his duty, had taken this stand, telling him that they, forsooth, had been authorized to enquire into it, and calling upon him to give a list of his witnesses, and to appear before them at the time and place they appoint—desecrating by that appointment the people's House—(immense cheering)—there to answer and there to make good his charge. I see in the Ministerial prints that in effect he is upon his defence, and that the question really to be investigated is how in the world these honest and honourable transactions, which all these Ministerial gentlemen are so glad came to light—(laughter)—did come to light? (Loud laughter.) The question is, who got the letters, who got the telegrams, and how in the world did so much hidden virtue see the day? (Roars of laughter and applause.) Well, sir, let us refer to one ex-

ample in English history. One of the noblest, I will not say the noblest, for there are so many noble men in English history, but one of the noblest of them all, was Sir John Eliot. He was the leader of the popular party in Parliament in the evil days of the first Charles. He alleged in Parliament that the Council and Judges had conspired to trample under foot the liberties of the subject. (Applause.) This charge, in general terms, another member of Parliament has recently made. It is the essence of the charge made by Mr. Huntington lately, that the liberties of the subject had been conspired against and trampled under foot by Ministers. (Prolonged cheering.) Well, Sir, Parliament was dissolved, and after dissolution an information was laid in the King's Bench by the King's Attorney-General against this man for the charge so made. He pleaded to the jurisdiction, alleging that in Parliament alone could his words be noticed; and to show you that I do not overestimate the importance of the question, let me recall the words in which the great historian, Hallam, describes the issue:—"This brought forward," says Hallam, "the great question of privilege, on which the power of the House of Commons, and *consequently the character of the English Constitution*, seemed evidently to depend." The character of the English Constitution evidently depended upon whether a charge made by a member in Parliament could be taken cognizance of by any other Court. Well, the King's judges decided for the King, and ordered that Sir John Eliot should pay a fine of £2,000, and be confined to prison until he made his submission to the King. He who had occupied the highest positions, who was the leader of the popular party in Parliament, and filled the important post of a Vice-Admiral was imprisoned in the Tower. At any moment, on making his humble submission he would have been released by the King. Had a Parliament been called he would have been released by Parliament. In those bad days Parliament was not annually convoked, and was sometimes also very suddenly prorogued (laughter and cheers), and so, unable to ask redress from the people, or to obtain justice from the Crown, he lingered in the gaol. Let me read to you some affecting words in which during that close confinement which was wearing out his life, he describes to you his sufferings; "To be made poor and naked; "to be imprisoned and restrained; nay, not "to be at all; not to have the proper use of "anything; not to have the knowledge of so- "ciety; not to have being or existence; his "faculties confiscate; his friends debarred his "presence; himself deprive of the world; I "will not tell you all this, suffered in your "service, for you, your children, and posterity, "to preserve your rights and liberties, that "as they were the inheritance of your fathers, "from you they might descend to your sons." (Applause.) Towards the end of his life he wrote these lines to the famous John Hampden:—

"My lodgings are removed, and I am now where candlelight may be suffered, but scarce fire. I hope you will think that this exchange of places makes not a change of mind. The same protection is still with me, and the same confidence, and these things can have end by Him that gives them being. None but my servants, hardly my sons, have admittance to me. My friends I must desire for their own sakes to forbear coming to the Tower."

He was in the prime of life, not yet 41 years old, but the close confinement brought on consumption. His physicians advised that to remain was death, and that to be enlarged for a time was probably life. He sent in a petition to the King, stating what his physicians advised, and requesting enlargement. The King answered that it was not humble enough. He then sent a second petition. It is short, let me read it:—"Sir, I am heartily sorry I have displeased your Majesty, and having so said do humbly beseech you, once again, to set me at liberty, that when I have recovered again I may return back to my prison, there to undergo such punishment as God hath allotted to me." He was told that it was not humble enough. He did not petition again. Being very near his end he caused a picture to be made of his attenuated form, and directed it to be hung upon the walls at Port Eliot, in order that it might be preserved in his family "as a perpetual memorial of his hatred of tyranny," and there it still hangs beside another one of the great leader of the Commons, taken shortly before in the pride of his strength and vigour. The contrast is one of the most affecting spectacles which any man can witness. (Sensation.) Soon after, of that imprisonment, he died. His son humbly petitioned that he might have his body to be buried in his Cornish home. The ruthless King replied, "Let the body of Sir John Eliot be buried in the church of that parish wherein he died," and he was buried in the Tower. No stone marks his grave, but it has been well said that "while freedom subsists in England he will not want a monument." (Applause.) When next the necessities of the King drove him to call Parliament, one of the first Acts of the Commons was to declare the judgment against Eliot illegal, and a high breach of the privileges of Parliament. Subsequently, that judgment was brought up in the House of Lords, and was by them, as the Supreme Court of Judicature, reversed as illegal and void (applause); and at a later day, at the day of the re-settlement of the British Constitution in our present charter, the Bill of Rights, an express declaration was inserted in these words "that the freedom of speech and debate or proceedings in Parliament ought not to be impeached or questioned in any Court or place out of Parliament." That solemn declaration had been affirmed by many precedents; it was sanctified by that martyr's blood, and it is this privilege and right, the violation of which you are now called upon to sanction or condemn. (Applause.) Are we the worthy sons of such sires as these? Have we brought to this side of the world the true notions of English liberty, or are we in these palmy days of freedom to forget what were the trials, what the expenditure of time and pains, of blood and treasure, by which our ancestors secured those jewels which we are now told are trifles to be flung away? (Loud applause.) Sir, I recall to you the position in those days

of old London, the city after which yours is named. During those troublous times, when the King tried to arrest the five members, Parliament was practically turned out of its house by the advent of the King in person to seek the objects of his wrath. Then the city of London was found to be the guardian and protector of the people's liberties. In the ancient City Hall, Parliament assembled and deliberated under the guard of the city trainbands. Thus old London bore a prominent part in making that struggle a successful one, and I believe that as you have brought to this land the name, so you will preserve the traditions of that famous city, and that you will be amongst the foremost to rise up against the infamous attempt which has in these latter days been made to violate your sacred rights. Sir, I do not pretend for a moment that these Royal Commissioners design to punish, or could punish Mr Huntington for the words he uttered in Parliament, but I point out to you that the principle upon which the Commission is issued is utterly incompatible with his security, or that of any other of your representatives. The principle violated by the Commission is that no tribunal can be constituted which shall take any cognizance, which shall know aught of what transpires in Parliament, that the House alone can deal with what its members say. If you allow the violation of that principle by the creation of a tribunal permitted, nay required, to take such cognizance, how shall you fall back on the old and sacred rule, when the dark days come, as come they surely will, if you permit the jewels of liberty to be wrested from you? (Cheers.) But the Commission is, upon other grounds, in my judgment, illegal and void. In the first place it is contrary to the fundamental principles of justice, that either the accusers or the accused should have the creation or control of the tribunal which is to do any material thing in the trial. That commends itself to every man. Everyone feels that it would be monstrous that he should himself be tried, or that anything important with reference to his trial, should be done by a body of men all chosen by his accusers. Which of us, in any private contention, would agree that the other party should name the persons who were to take and report on the evidence? Would not each of us say "No, it is an unfair advantage; let us agree; let one of us name one party, and the other name another, and let us or they agree upon a third." I cannot agree that either of us should have the exclusive nomination of the persons who are to perform such an important duty. But it is said that this is not a material thing; it is said, to be simply a recording of evidence. Do not be led away by any such fallacy as that. I tell you that the questions which will arise before the tribunal, however and whenever constituted, as to the limitations of this enquiry, as to the order in which the witnesses shall be called, as to the mode in which they shall be examined, as to the character of the answers which shall be accepted as satisfactory, are of the essence of the great cause. (Great cheering.) I tell you, so strong is my conviction on this point, that I decided, that if the Committee of which I was a member had been turned by the House into a close Committee, so that I should not have had the protection of public opinion and the light of day, to decline to sit upon it an hour longer. (Great cheering.) That was not because publicity alone would be a sufficient protection, but because it would be a partial guard, at any rate, against extreme injustice being done by the majority to the minority. If there was that risk of injustice with the Committee, where both sides were represented, though unequally, has the risk ceased with the Commission, which represents one side alone? Why, sir, the whole foundation of our system of justice is subverted; the jury system is subverted; and the right of challenge is destroyed by allowing one of the parties to name the persons who shall be judges of the fact and of the law! What reason, what justice is there in it? Does it not shock every honest mind that one of the parties to the cause should have the power of appointing the Commission charged with the trial and judgment of the cause? The Commission is given the same powers as were proposed to the Committee. We were told, while that Committee was going on, that we had most important powers, that we were the judges, that some of us were utterly unfit to sit there, and could not do our duty because we were anxious to get office, forsooth! (Laughter.) We were not told, however, that the chairman was unfit because —— because he had happened to receive some of the money (laughter); but that was not generally known just then. However, Sir, those men who criticised our position as committee men asserted that our duty was very important, and by necessary consequence must admit that the duty of the Commission is equally important now. Sir, there is yet more,—this Commission is authorised to report its opinions upon this matter, and the Commissioners themselves in their Chairman's letter to Mr. Huntington, have expressly stated that they are "to enquire into and report upon the matters stated in his resolution." The obvious design is to obtain a whitewashing report from this Commission, and afterwards to call together Parliament and say to it, "These gentlemen heard the evidence; they saw the witnesses, and knew exactly what degree of credibility was to be attached to each: you did not see them, and you could not judge who told the truth. Will you not accept their opinions? Who so qualified to judge as the persons who heard the evidence?" These are the arguments that will be addressed to the House. I fully recognise the advantage to the judges of being present when the enquiry is going on. I always argued that it should be conducted while Parliament was sitting, so that members could see and hear the witnesses, and, for my part, I decline to accept a Commission which the accused has appointed, which is itself to determine the limits of the enquiry, to decide on the credibility of the witnesses and the weight of the evidence, and to report on the truth or falsehood, or the charges. Remember again, that those who talk so much to you about oaths and the superiority of judges over a Parliamentary Committee, lose sight of the fact that, while the Consti-

tution provides a security that the judge shall do fairly his judicial work, in that he is sworn to do it honestly and fearlessly without favour or partiality, those gentlemen who comprise this Commission—two of whom are judges, and the other an ex-judge—are of course unsworn in this investigation, to which their oaths of office do not in the slightest degree apply; and therefore that alleged security of a judicial tribunal is not given since the men who have to try, though some of them happen to be judges in another capacity, are not in this one sworn judges. (Hear, hear.) I do not attach too much importance to that. The Committee was not sworn, the new Committee may be unsworn; but when you are called upon to contrast the position of the Committee with the superiority of the judicial character and the sacredness of the judicial obligations, it is well to remember that the safeguard which the law declares to be necessary in judicial tribunals does not extend to this particular tribunal. (Hear, hear.) Again, this Commission is not within the reason of Royal Commissions at all. Such Commissions are issued in order to inform the Government of the day upon matters of which they are ignorant—to make enquires into things of which the Government is unaware, in order that they may be the better able to determine what the public interest requires in matters of administration. That is the legitimate object of such Commissions, but in this matter who can say that the minds of Ministers require to be informed? (Hear, hear, cheers, and laughter.) It is the public mind that requires to be informed by Ministers themselves. They know; We are ignorant. They destroy the machinery we had provided in order that we may inform ourselves, and they appoint a Commission that they may find out what they know already. (Laughter and cheers.) Sir, this Commission is entirely without warrant, either of the common or the statute law. The great master of English law, Sir Edward Coke, laid down that, "a Commission is a delegation by warrant of an Act of Parliament or of the common law, whereby jurisdiction, power, or authority is transferred to another court. All Commissions of new invention are against law till they have allowance by Act of Parliament." (Cheers.) It is, in effect, a Commission to enquire into crimes and offences committed by particular persons, and which, if Parliament chooses, can be dealt with by the courts; for the offence charged is a misdemeanour, punishable by the law. Now, sir, commissions of this character have been adjudged illegal, because they interfere with the ordinary course of justice, which is one of the greatest securities of the people. It is your security and mine that there is a general standing law providing the machinery for bringing to trial all offenders against the other laws of the land, and it is of the utmost consequence that there should be no questioning of offences cognizable by the courts, except under the authority of the general law and by the tribunal constituted for the trial of all such offences. Remember, what is done by Ministers to-day in respect of themselves they may do to-morrow in respect of you. Remember that the Commission now issued to enquire into these charges against Ministers is a warrant for the issue in future of Commissions to enquire into offences against the law alleged against yourselves, and that you may be called, out of the ordinary course of law, before a Court of Inquiry created by the exercise of the prerogative alone; that a robbery of the mails, for instance, may be tried by a Commission instead of the regular courts of law. The security of the subject is, therefore, grievously impaired by the issue of this Commission. But it is said that the recent Act authorized its issue. Not so The Act, in the first place, is framed not to authorize the issue of a Commission, but to provide that when the Government, in the exercise of the prerogative, chooses to issue a Commission it may confer powers as to Oaths on the Commissioners. The Act leaves the issue of the Commission to the prerogative. Again, the general language of the Act, can never be extended to subvert fundamental laws and principles, such as I have referred to—namely, that the accused shall not nominate the tribunal; that offences against the law, cognizable by the courts, shall not be taken hold of by any tribunal created out of the ordinary course; that Commissions are only issued to inform Ministers on matters about which they require information, and that Commissions are not issued to try or interfere with State offences or questions raised in the House of Commons. I have very shortly stated what, of course, is a dry legal question, but one which the intelligent people of this country must to some extent consider, inasmuch as the rights of every man amongst us depend upon the true apprehension of the principles, to which I have referred. (Cheers.) Then there are certain grave inconveniences connected with this Commission. Witnesses are entitled to refuse to answer criminating questions. The Commons have the right, I believe, to compel such answers. At any rate, provision may be made for that; but since by this Act witnesses may refuse to say anything that tends to criminate them, and since the offence charged is a criminal offence, it is competent for the chief actors to decline before this Commission to answer many most material questions. There are, indeed, many other objections to which for want of time I shall not refer. I am extremely averse to discussing the *personnel* of the Commission. It is always disagreeable to say anything against those who are practically precluded from making a public answer, and upon the whole I have determined at present to say only that I am unable to acquiesce in the proposition that the Government having undertaken the invidious task of naming their triers, have chosen men in whose decision the country can or ought to confide. (Applause.) Some other day I may feel called on further to discuss this topic; I abstain at present, only adding that it was not in human nature that the accused should, if guilty, act differently in the choice of their judges. Upon the whole, Sir, I believe that my fellow members

and myself who signed that representation to his Excellency, and announced our view that intense dissatisfaction would be created if Parliament were prorogued without allowing it to provide machinery for the prosecution of the enquiry, must stand by each other in defence of the Constitution. (Cheers.) We must take the judgment of Parliament and the country upon the question, and therefore we must bide our time until Parliament meets. An early meeting, you are aware, is promised. For that early meeting the faith of the Crown is pledged, and at that meeting we shall assert the principles which I have been endeavouring feebly to expound this night. (Applause.) We shall say what we should have said earlier had the opportunity been given us to criticise the proposal before the act was committed, and we shall look to the people to sustain us in fighting the people's battle. (Loud and long-continued cheering.) Am I heard, or shall my utterances be read by any man who calls himself Conservative? Let me ask him to step to the front with me to conserve the Constitution, to conserve those ancient principles of British liberty which he can agree with me are not newfangled, but are as venerable as they are just. Is it for anyone who calls himself a Conservative to sanction, or to do ought but condemn this new and dangerous course, sweeping away every well settled principle upon which the Constitution rests? I want to know what is his function in this country, if it be not to stand up for those good things which are established. (Applause). Sometimes, I regret to say, it is deemed cause enough to stand up for an evil thing because it is established; and assuredly I hope to have the support of many Conservatives in the maintenance of the established good. (Cheers). You may be told we are trifling; that although these principles are undeniable and these privileges unquestionable, we are not to scrutinize the means, because the end is good. (Laughter.) You may be asked to adopt the degrading doctrine that "the end justifies the means." You may be asked to say that because the object is investigation, which all desire, therefore you should entirely overlook the means. And yet these gentlemen who tell you that, with the same breath are prepared to denounce my friend (Mr. Huntington) because they suspect that in the attainment of that good end, the truth, he has used some unjustifiable means in getting evidence! (Laughter.) But it is said the matter is a trifling one. Was the few shillings of ship-money levied on John Hampden a trifle? It would have been better these time servers and followers of expediency will tell you, for him to have paid the twenty shillings than to be vexed and harassed with suits, and yet upon that trifling issue were staked the liberties of England. (Applause.) And his name is held in everlastlasting remembrance by all worthy sons of England, because he refused to pay that trifling sum, and put fortune, fame, life itself to the issue rather than desert what was his country's cause. (Loud applause.) Was it a trifling matter to Sir John Eliot that he should write a humble letter to the King, saying, "I submit myself." Seeing that Parliament had been dissolved, that the evil had been done, that whatever was wrong and tyrannical had been accomplished, was it a very important matter that he should say, "I regret my error," and so escape for a season, biding the good time when Parliament should be called again? Time servers would tell you Sir John Eliot ought to have so acted. They would belittle the martyr's fame; they would say his sufferings should fall upon his own stubborn head, that sympathy for him was entirely misplaced, that there was something utterly absurd in the man not yielding for the time and waiting until Parliament should redress his wrong. No, Sir; no, Sir; these are doctrines we cannot afford to hear broached without denouncing them. We cannot permit the most trifling encroachment upon principles, the inviolable preservation of which is our only security for liberty. Let us agree that no object can justify our parting with the least of the securities of liberty. (Cheers.) Let us agree that there is, as all history teaches, danger, the greatest danger, in an evil precedent. I have seen it in my own brief experience. I never saw a bad Act of Parliament passed but that it was urged, and often successfully, as a precedent for a very much worse act next session. Such is the invariable result. Give the precedent, and it is always stretched and stretched in the wrong direction. The trifle of to-day becomes the monster of to-morrow. The cloud no bigger than a man's hand in the morning may become by night a deluge sweeping away the very landmarks of freedom. And let me say that you but ill repay the sufferings which that noble man, a part of whose story I have told, endured for you and your children, as he tells in the letter which I could not read, nor you hear without emotion, when you permit one jot or one itttle of the sacred principles which his blood has sanctified, which his martyrdom has enshrined, and which form to-day the corner stone of British liberty, to be impugned or infringed by even the highest and mightiest with the best and purest intentions, far, far less by incriminated Ministers, seeking through stratagem to escape from justice! No situation is so secure but that the people's negligence may make it dangerous. No situation is so desperate but that the people's vigilance may work out their salvation. Upon that vigilance depends the preservation of your liberties to-day. That vigilance I expect you to exercise. Awake, then, to the magnitude of the issue. The feeling of the people will be the feeling of Parliament next session. What you, what the intelligent people of Canada shall have determined in the meetings out of Parliament, is what Parliament itself will shortly do in Parliament. Awake, I say again, to the issue! Let your voice and weight be felt. By one stern lesson teach a corrupt and audacious Ministry that they may not, unpunished, trifle with your dearest rights; and plant once more on foundations broad and deep, on the foundations of public virtue and constitutional liberty, the fair fabric which your rulers are now shaking to its base. (The honourable gentleman resumed his seat amidst thunders of applause, which were repeated several times.)