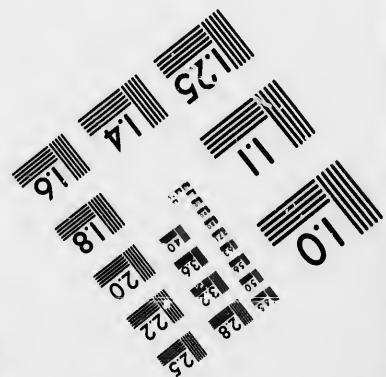
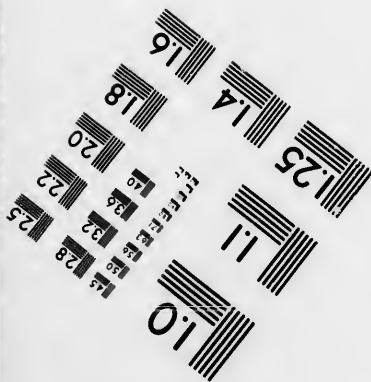
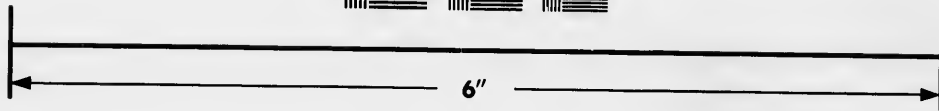
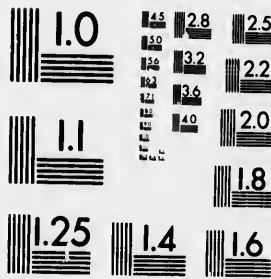


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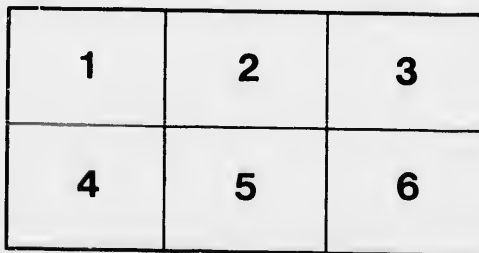
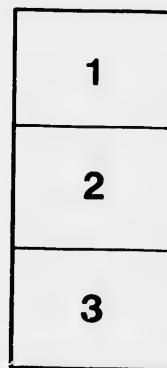
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# PACIFIC RAILWAY QUESTION.

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ITS HISTORY.

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## A SECRET PAGE.

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WHAT THIRTY-SIX WITNESSES PROVED.

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## WHAT SIR HUGH BOUGHT.

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BY A MEMBER OF OSGOODE HALL.

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# PACIFIC RAILWAY QUESTION.

GENTLE READER,—I would ask you to suspend your judgment on this question till you shall have examined the evidence. If to get at the truth on every subject which we investigate be not our object, we do ourselves, mentally and morally, a great wrong. The people of Canada have no interest in having one man or class of men at the head of the Government of the country. To them A is the same as B. Their chief interest is in a wise administration of its affairs, which means the application of the accepted principles of a sound policy. The present actors will soon strut their little round and pass off the scene; but Canada, glorious Canada, will remain. Influenced, no doubt, we all are by personal friendships and political associations, but these should be made second to the great object which every patriot has—the good of his country.

He that is first in his own cause seemeth just, but his neighbour cometh and searcheth him—Prov. 18, 17.

On the second of April Mr. LUCIUS SETH HUNTINGTON, in his place in the House of Commons, moved for a Committee of seven members to inquire into certain grave charges which he then made against the Ministry of Sir JOHN MACDONALD in reference to the Pacific Railway contract; this motion being considered one of want of confidence was voted down by the ministerialists by a majority of twenty-five. The next day Sir JOHN gave notice that he would move for a Committee of five members to inquire into Mr. HUNTINGTON'S charges; this motion was carried on the eighth April by a majority of thirty-three. A bill, first suggested by the Opposition, to empower the Committee to take evidence on oath, was passed against the warning of Sir JOHN MACDONALD, who said: "There was very great danger that if they passed a bill of this nature it would be disallowed in England as beyond our jurisdiction," but he offered, at the same time, "to issue a Royal Commission addressed to the gentlemen forming the Committee, which would confer upon them all the powers given to the Committee by the House of Commons, including the

"examination of witnesses under oath,"—that is, the Commission would have all the powers of a Committee of the House, with the additional power of taking evidence on oath. This Committee met on the fifth of May and adjourned to the first week in July in consequence of the absence in Europe of Sir GEORGE CARTIER, Sir HUGH ALLAN, and Mr. ABBOTT, the chief amongst the accused. On the meeting of the Committee on the second of July in Montreal, the Chairman read a letter from the Minister of Justice notifying him of what the Committee knew before, that the Oaths Bill had been disallowed by the Imperial authorities. Sir JOHN repeated the offer he had made on the floor of the House, to advise the Governor-General to issue a Royal Commission to the five gentlemen forming the Committee, but Messrs. DORION and BLAKE declined this offer, as the *London Times* (15 Aug. 1873) says: "First, on the plausible ground that it would be proper to wait till the House of Commons met again, and secondly, on a ground which can only be characterised as absurd, that as Royal Commissioners their decisions and proceedings would be subject to the supervision and control of the Executive." And this with Sir JOHN'S offer before them that the

Commission should in all respects be the same as the Committee, with the power to take evidence on oath superadded. At this meeting M. DORION moved that Sir FRANCIS HINOKS be examined, but Mr. JAMES MACDONALD, after asking to have their instructions read which were, "*that the witnesses be examined on oath,*" moved in amendment that as the Oaths Bill has been disallowed "and this Committee was instructed to examine witnesses under oath, *Resolved, that they cannot be examined until further instructed by the House—as witnesses cannot be examined before the Committee without being sworn,*" and on this the *London Times* (15 Aug.) says: "Any English lawyer will say that as they [the Committee] could not do this [examine under oath] they could do nothing." We may with great propriety quote English opinion on questions touching Parliamentary practice, for in Parliamentary government they, the English, are the teachers, the leaders of all nations, however ashamed we may be of their ignorance of our geography, our history, and other local matters. The Committee adjourned on motion of M. BLANCHET until 13th of August to meet in Ottawa. On meeting at Ottawa on the 13th August, Mr. BLAKE moved the adjournment of the Committee till the 14th, and in the absence of M. DORION the motion was carried, in opposition to M. BLANCHET's motion to report to the House. But the House was prorogued on the 13th in accordance with the general understanding of both Parties and Sir JOHN MACDONALD's announcement at its adjournment in May. The Governor-General in his answer on that day (the 13th) to the memorial praying him "not to prorogue Parliament"—replied that "were it possible at the present time to make a call of the House, my personal embarrassment would disappear, but *this is a physical impossibility.*"

On the 13th of August, a memorial, signed by ninety-one members in a House of two hundred, was presented to the Governor-General, stating that four months had elapsed since Mr. HUNTINGTON had made grave charges of corruption against his constitutional advisers; that, although the House had appointed a Committee to inquire into these charges, the proceedings had, on various grounds, been postponed; that the honour of the country required that no further delay should take place in the investigation—which it is the duty and the undoubted right and privilege of the Commons to prosecute; that any attempt to postpone this inquiry or to remove it from the House, would create the most intense dissatisfaction. In this memorial complaints of postponement of the inquiry are twice made. The only postponement asked by the Ministry is that of the 5th of May, to allow time for the return from Europe of the three principal persons accused—Sir GEORGE CARTIER, Sir HUGH ALLAN, and Mr. ABBOTT—and none will say that the request to adjourn to allow the accused to be present at their trial was unreasonable; but it would have been unjust to the last degree and against all precedent to try them in their absence, and without the possibility of their being present at that time. After the House had decided that witnesses must be examined on oath, the Committee could not take evidence till the Oaths Bill became law, and the complaints of delays previously to the 5th of May were without foundation.

But the Opposition were themselves the chief cause of the delays; first in Parliament, in not heeding Sir JOHN MACDONALD's warning that they were exceeding their powers in passing a Oaths Bill; secondly, in refusing his offer of a Royal Commission to examine witnesses on oath; and thirdly, in Montreal, on the 2nd July, in rejecting the offer to appoint a Royal Commission, making the five members appointed by

Parliament the Commissioners. And again, if his Excellency had listened to the prayer of the memorial and adopted the unprecedented and unconstitutional course of proroguing Parliament against the advice of a Ministry enjoying the confidence of the Commons, simply on the representation of a number—a minority—of members of the House, not even assembled in Parliament, further delay must have been the consequence, as neither the Commons nor its Committees could examine witnesses on oath, and consequently could not enter upon the inquiry. But to this we shall refer again. In answer to the memorial, his Excellency stated amongst other things:

"That immediately after I had assented to the Act, I transmitted a certified copy of it to the Secretary of State; that leaning myself to the opinion, that the Act was not *ultra vires*, I accompanied it by a full exposition of the arguments which could be urged in its support, but on the point being referred by the Secretary of State for the professional opinion of the law officers of the Crown, it was pronounced inconsistent with the Act of Confederation, and that, therefore, the postponement of the inquiry, so far as it has arisen out of this circumstance, has resulted wholly by the operation of law, and has been beyond the control of any one concerned. You then proceed to urge me to decline the advice which has been unanimously tendered to me by my responsible Ministers, and to refuse to prorogue Parliament; in other words, you require me to dismiss them, for, gentlemen, you must be aware that this would be the necessary result of my assenting to your recommendation. Upon what ground should I be justified in taking so grave a step? What guarantee can you afford me that Parliament would endorse such an act of personal interference on my part? You, yourselves, gentlemen, do not form an actual moiety of the House of Commons, and I have no means therefore of ascertaining that the majority of that body subscribed to the opinion you have announced. Again, to what should I have to appeal in justification of my conduct? It is true grave charges have been preferred against those gentlemen—but as you, yourselves, remark in your memorandum, the truth of your accusations still remains contested. One of the authors of the correspondence has admitted that many of his statements were hasty and inaccurate, and has denied, on oath, the correctness of the deductions drawn from them. Various assertions contained in the narrative

of the others have been positively contradicted. Is the Governor-General, upon the strength of such evidence as this, to drive from his presence gentlemen, who for years have filled the highest offices of State, and in whom the present Parliament has repeatedly declared its confidence? Under these circumstances, what right has the Governor-General, on his personal responsibility, to proclaim to Canada—nay, not only to Canada, but to America and to Europe—that he believes his Ministers guilty of the crimes alleged against them? I have concluded, on the advice of my Ministers, and even if I differed from them as to the policy of the course, which I do not, it is a point upon which I should be disposed to accept their recommendation, to issue a Royal Commission of Inquiry to three gentlemen. I hope you will come to the conclusion, on a calm retrospect of the various considerations to be kept in view, that—in declining to act as though the charges against my Ministers were already proven, and in adhering to arrangements upon the faith of which many of your colleagues are absent from their places [and some absent from the country and some even in Europe]—I have adopted the course most in accordance with the maxims of constitutional government, and with what is due to those whom the Parliament of Canada has recommended to my confidence."

Upon the prorogation of Parliament and the appointment of a Royal Commission, we may again not inappropriately refer to English opinion, as they are questions with which English writers in the home of Parliamentary government are familiar.

The *London Standard*, a Conservative paper and ready to find fault with Mr. GLADSTONE and his acts—Lord DUFFERIN being a Liberal and appointed by Mr. GLADSTONE—says, on the 27th Aug.:

"Lord Dufferin, in the difficult and onerous position in which he was placed, could have acted no otherwise than he did."

The *Saturday Review*, 23rd Aug., says:

"Lord Dufferin's well deserved reputation for political tact and judgment renders it probable that in a difficult crisis he has been well advised."

And in a long article on the constitutional aspect of the question the *Review* says:

"It is his (the Governor-General's) duty as umpire to see that the rules of the Parliamentary game are strictly observed, instead of becoming a player."

The *London Guardian*, 20th Aug. says:



"Assuming that the Royal Commission has the power of which the Parliamentary Committee seems incapable, of examining on oath, it does not appear that any better step could be taken than to appoint it."

Lord DUFFERIN's answer to the memorial must, we think, satisfy every unprejudiced mind, that he could not have taken any other course than prorogue the House.

We may refer briefly to another point urged in the memorial, and it would seem from the language urged with intense feeling, that his Excellency would not remove the inquiry from the House of Commons, for it "would create," so say the memorialists, "the most intense dissatisfaction," referring, of course, to the reported intention of his Excellency to appoint a Royal Commission.

TODD vol. 2, p.p. 346-8 of his *Parliamentary Government* says :

"Preliminary inquiries by a Royal Commission are of inestimable service to the working of Parliamentary Government. Besides affording peculiar facilities for ascertaining facts, they frequently bring to light a mass of information upon the subject in hand which could be obtained in no other way, and the report of an able and impartial commission is often of the highest value in the instruction and enlightenment of the public . . . As the means for the impartial investigation of every class of questions upon which the crown or Parliament may need to be informed, recourse may appropriately be had to Royal Commissions

"A Royal Commission may be appointed by the Crown, either at its own discretion, and by virtue of its prerogative or in conformity with the directions of an Act of Parliament, or in compliance with the advice of one or both of the Houses of Parliament . . . Since ministerial responsibility has been properly defined and understood, commissions have become a recognised part of our governmental machinery, and it is now freely admitted that when confined to matters of legitimate inquiry they serve the most useful and beneficial purpose."

The Canadian Act, 31 Vic, c. 38, also gives the authority to the Governor-in-Council to appoint Royal Commissions, and prescribes their powers to enforce the attendance of witnesses. This Act was first passed in 1846, and re-enacted in 1868, and extended to the whole Dominion.

Royal Commissions are not so unfrequent and exceptional resorts as many would have us believe. "They are now," says TODD, (vol. 2, p. 348), "an acknowledged part of the governmental machinery of the English House of Commons. "In the fiscal years (1867-8) no less than twenty-three temporary Commissions of inquiry were sitting at one time."

The memorialists say :—"That the honour of the country imperatively requires that no further delay should take place in the investigation of charges of so grave a character, which it is the duty and undoubted right and privilege of the Commons to prosecute."

In this awkwardly constructed sentence it is manifest that "delay" is not the question uppermost in the minds of the writers, but the fear that the subject would be removed from the Commons and be thus no longer the subject of fiery declamation. The mixing up in the same sentence, of the "duty, rights and privileges of the Commons," with "delay" in the inquiry, in this and the following paragraphs, suggests not the fear of "delay," but the fear of speedy inquiry by the appointment of a Commission which could force the attendance of witnesses, examine them under the sanction of an oath, end the clamour, and substitute evidence for indefinite charges, or show the baselessness of those charges. For surely the memorialists must have known that the Commons could not examine witnesses at its bar under oath, nor empower a Committee to do it. To proceed at all, the House must first rescind its resolution that the evidence be taken under oath, or submit to great and indefinite "delays," as will be evident from the briefest consideration.

All the possible alternatives in the choice of the Commons are :—

1. The House could have examined the witnesses at its bar ;
2. Another Committee could have been appointed ;

3. The House might have petitioned the Imperial Government to give the power to examine witnesses on oath ;

4. The House might have addressed the Governor-General, asking the issuing of a Royal Commission to take the evidence on oath and submit it to the House.

In adopting either the first or second alternatives, the evidence could not be taken on oath. In either case the House must first have been called, and it could not have sat for some two months after the 13th of August, at which time the report of the Royal Commission was finished. To have taken either of these proceedings, would, therefore, have been a waste of time. But even if the House had decided to disregard its order to take the evidence on oath, and had proceeded to examine witnesses of damaged character without the sanction of an oath, the investigation would have consumed many months, at an enormous expense, accompanied with excited discussions, long protracted, having reference to Party issues, rather than to the eliciting of the truth. The Royal Commission has taken the evidence on oath, at the shortest possible time, still leaving the House free to act upon—to receive or reject—the report ; if that report be not received, the House can adopt either the third or fourth alternatives named above.

3. If it should petition the Imperial Parliament to give the power to take evidence on oath, the question could not come up for final action for another year. The Imperial Parliament does not sit till February next. We might receive their Act within three months after, in May, 1874. The evidence must then be taken, say before a committee such as that named on the 8th of April last. As the session usually ends in June, the House must adjourn as before to give the Committee time to complete its labours, and it could scarcely be called together again before September or October of 1874.

We think we do not misjudge the temper of either the Commons or the coun-

try in the statement that neither would consent to such delay, and that if unfortunately the House should do it, the country would not support them in such a policy. Great interests are at stake, the greatest which have ever affected the country. The postponement of the Pacific Railway alone, through the charges hanging over the Government, and that by the fault of a factious Opposition, has been a loss almost incalculable to the Dominion ; and the country is in no mood to consent to longer delays. In this we agree with the memorialists. The evidence of Mr. ABBOTT is explicit upon what was known before, that the failure to enlist English capitalists in the scheme was owing entirely to these charges, and to the persistent and insensate manner in which they were made and circulated before the evidence was taken, producing the conviction that at any cost these factionists would prevent the present Ministry from having the credit of constructing this great work, and thus securing the consolidation of the Dominion. The credit of Canada is high, if not the best, in the English market ; that credit is pledged to give a bonus of \$30,000,000, the chief part of which the Imperial Parliament guarantees. 50,000,000 acres of some of the best land on the continent—an area one-third larger than England—is another part of the magnificent gift to the company which may undertake the construction of the railway. These lands alone ought to more than cover the cost of the road. The Pacific Railway with \$30,000,000 would be a gift to the Company. Under such circumstances there was no reason, there could be none, for the failure of the scheme in England, but the violent, unpatriotic course of the Grit leaders ; for men of capital and the lovers of peace and good Government shun communities where such extreme views and violence in Party strife might at any time endanger the stability of the Government. And we are much mistaken in the moderation, in the sense of justice,

of the people of this country, if they do not mark with the strongest disapprobation the extreme, unjust and unpatriotic course which has been taken in making the charges, in causing the delays in investigating them, in publishing *ex parte* and false statements founded on stolen letters, and finally in refusing to appear before the Royal Commission.

4. The fourth alternative named is an address by the Commons to the Governor-General praying him to issue a Commission to inquire into the charges. Yet such a Commission could do only what has already been done in a more speedy manner by just such a Commission as the House would get. Their report was finished before the Commons could have been summoned to petition the Crown.

What other course then was there so wise and patriotic, so just to the accused if they were innocent, so just to the country in bringing them to justice, if they were guilty, as the appointment of a Royal Commission, "instructed," in the language of the Royal speech "to proceed with the inquiry with all diligence, and to transmit their report as well to the Speakers of the Senate and *House of Commons* as to myself?" While these pages are passing through the press a despatch, dated Oct. 8, has been received from Lord KIMBERLEY, Colonial Secretary, "fully approving your (Lord DUFFERIN's) having acted in these matters "in accordance with constitutional usages"—in the prorogation of Parliament on Aug. 13, and appointment of a Royal Commission.

We have stated that the House of Commons cannot take evidence on oath, nor of course empower its Committees to do so. The Canadian House of Commons has the same rights and privileges which the Imperial House of Commons had in 1867, when the British North American Act (the Act confederating the Canadian Provinces) was passed. We give the following from the report of the Committee of the Imperial House of Commons, for

1869, touching the examination of witnesses on oath before the House, showing the powers claimed by the English Commons at that time (1869) and of course subsequently to the passage in 1867 of the B. N. A. Act. A Select Committee of the British House of Commons, appointed to inquire and report whether any further provision should be made for the examination of witnesses on oath before the House of Commons, made their report on the 21st of June, 1869.

Sir THOMAS E. MAY, for many years Clerk Assistant to the House of Commons, and who has written largely on Parliamentary law, stated before the Committee that he "thought it quite incontestable, "that there are neither authorities nor precedents to support any claim on the part of the House of Commons, by its own inherent right, to administer oaths "at the present time; such a power can "only be given by statute."--*Page 1, Report.*

Mr. Speaker BOUVERIE said, in his evidence:—"My opinion concurs with the opinion he (Sir T. E. MAY) has given." Viscount EVERSLEY, who had been Speaker for 18 years, from 1839 to 1857, said, in his evidence before the Committee: "I have seen the inconvenience of the House of Commons not having that "power" [of examining witnesses on oath]. "The House was obliged to have recourse to most irregular and, I believe, ILLEGAL PRACTICES, to obtain the examination of witnesses on oath by appointing members, who were magistrates of Middlesex, to swear witnesses. "Where punishment would follow an inquiry, that inquiry ought to be on oath. The committees of the House of Lords do not examine upon oath in cases where a witness is asked for his opinion, but they examine upon oath where it is necessary to bring out a fact." *Reports 1868-9.*

An Act was passed, 16th August, 1871, the first section of which enacts that—  
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"ister an oath to witnesses examined at the bar of the said House," and "any Committee of the House of Commons may administer an oath to the witnesses examined before such Committee."—Vic. 34-5 c. 83.

THE negotiations between the Government and the various parties mentioned in the evidence given before the Royal Commissioners are perhaps the best answers that could be given to Mr. HUNTINGTON'S charges.

Sir FRANCIS goes further back than any other, and we give the first part of his evidence in his own words.

1. "The first person with whom I had any conversation on the subject was Mr. CYRILLE GRAHAM, Commissioner of the Hudson's Bay Company, in 1870 and 1871. He told me he had been in communication with influential gentlemen in the United States, and he thought arrangements might be made by which great economy could be produced in the construction of the Railway, that the Americans, he believed, would abandon the western part of their line and carry it through Canadian territory, if the Canadians would abandon their eastern section and carry it through American territory [from Sault Ste. Marie to Red River]. In May, 1871, Sir JOHN ROSE sent me a copy of a letter he had sent to Sir JOHN MACDONALD, in which he informed me that persons had spoken to him [in London] in very much the same terms as Mr. GRAHAM."

Sir FRANCIS'S statements show that, from the first, the promoters of the American Pacific Railway left nothing undone to get possession of the Canadian Pacific. They laid their plans with great skill, bringing their suggestions to the Canadian Government from every possible point, from England, and from the United States, and they pursued their purpose with a persistency which shows their appreciation of the great game they were playing. Some, who ought to have known better, fell into the trap, and those who thwarted

the scheme deserve the thanks of the country.

2. Early in July, 1871, Mr. SMITH and Mr. McMULLEN, of Chicago, with Messrs. WADDINGTON and KERSTMAN, and Mr. JAMES BEATY, JR., as their Solicitor, came to Ottawa, and asked an interview with the Government. Sir JOHN and Sir FRANCIS were the only members of the Government in Ottawa at the time. As a matter of courtesy, they were received, but told distinctly that it was not in the power of the Government to enter into any negotiations. They brought a document signed by seven or eight well-known capitalists in the United States.

3. Sir FRANCIS HICKS, in August, 1871, gave to Sir HUGH ALLAN the names of the American capitalists mentioned above. The suggestion of Sir HUGH'S name had come from Mr. McMULLEN or some one of his friends, "and," says Sir FRANCIS, "as I had been the means of their opening communication with him, I thought it only fair to give him the list of names" [signed to the document just named]. Sir HUGH soon after saw Sir JOHN while passing through Montreal, but told Sir FRANCIS that he had a discouraging reply from Sir JOHN.

4. In October (1871) Sir HUGH, with the gentlemen just named, went to Ottawa to make another proposal to the Government. At that time there were several members of the Government present. The names of the American capitalists were again produced on their interview with the Ministry. Sir JOHN asked Sir HUGH if he had a proposition to make. Sir HUGH said, "if I make a proposition are you prepared to consider any scheme proposed?" Sir JOHN replied that they were not, that they must first obtain the authority of Parliament before they could do it. "Then," said Sir HUGH, "I am not prepared to make any proposition," and they left.

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"authorized conversations with Sir HUGH, he was as reticent as possible ; that he had no proposition to make on behalf of the Government ; that in their unauthorized conversations he was not expressing the sentiments of the Government." Sir HUGH knew, so Sir FRANCIS states, that he was not opposed at that time to admitting the Americans, although he (Sir H.) knew that some members of the Government were opposed to it. From a knowledge of this, no doubt, Sir HUGH communicated more freely with Sir FRANCIS. These conversations took place before any scheme was laid before Parliament, and were with a view to getting information.

5. The Government decided upon their final scheme (the obtaining authority to charter a new Company) without any communication with outside parties. As the session of 1872 approached it was found that notice would be given for the chartering of more than one Company. The Government did not feel it desirable to oppose any of the charters, but resolved to carry their own bill, authorizing them to create a Company if it were found necessary. During the session it became evident that it was absolutely necessary to exclude all Americans from the Company. It was then, says Sir FRANCIS, perfectly understood by all members of the Government that all Americans were to be excluded. The Parliament sat until the 15th June (1872), and it was understood that nothing would be done about the railway till after the elections.

6. The next action of the Government was in the months of September or October (the elections ending in August), when negotiations commenced to secure the amalgamation of the Canada Pacific (the Montreal) Company and the Inter-oceanic (the Toronto). The Toronto Company would not consent to the amalgamation. The history of these negotiations is too well known to require repetition here.

7. About the 15th of October a Minute

of Council was prepared, giving a full account of all the Government had done in the matter to that date. It states that the Government had taken every possible means to prevent the Americans from coming into the scheme. It was hoped this would induce the Toronto Company to amalgamate, but it did not. Sir HUGH was now anxious that the charter should be given to the Montreal Company, but the Government determined to adopt another course.

8. Finally the Government decided to incorporate a company of thirteen members, giving five to Ontario, four to Quebec, and one to each of the other Provinces. The names were agreed upon without the concurrence of Sir HUGH ; in fact, he objected to several of them. Three were selected from the Toronto Company, and only one from the Montreal. Mr. HALL, of Sherbrooke, was taken against Sir HUGH's most earnest remonstrance. In the Company, Sir HUGH has only one-thirteenth interest. He got no benefit or favour of any kind throughout the whole negotiations. "It was impossible," says Sir FRANCIS, "for any undertaking to be got up with a greater desire to promote the interest of the country than this Pacific Railway charter. In my opinion, the Company was treated by the Government with less liberality than it should have been ; because it was an enterprise which, if gentlemen went into, they should be treated with the greatest liberality."

This brief outline of the history of the negotiations in reference to the Pacific Railway, we have given as far as possible in the language of the witnesses, and the facts can lead the reader to but one conclusion, that in their intercourse with the numerous parties, companies, and representatives of companies, concerning the Pacific Railway, the Government were influenced but by one motive, the good of the country.

In answer to questions, Sir FRANCIS

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HINCKS said: "I never know there was an agreement between Sir HUGH and any Americans until I saw recently what the papers produced, and I am sure the Government knew nothing of it." Sir HUGH also states that the Government knew nothing of his agreements with the Americans. So also said every member of the Ministry who was questioned on it.

The Chairman, after reading Mr. HUNTINGTON'S charges, "That an understanding was come to between the Government and Sir HUGH; that Sir HUGH and his friends should advance a large sum of money to aid the election of ministers and their supporters at the ensuing elections, and that he and his friends should receive the contract for the construction of the railway," asked Sir FRANCIS: "Do you know anything of such an understanding?" Sir FRANCIS answered: "It is utterly impossible that any such understanding could have been come to. My answer to this is to contradict in the most unqualified terms the accusation." The Chairman repeated the question, and asked: "Do you mean to contradict in unqualified terms the charges?" (reading them). Sir FRANCIS answered: "Yes; of course, I cannot swear with regard to anything that passed between individual members of the Government and Sir HUGH, but I know of my own knowledge that no such agreement was come to with the Government. Everything in connection with the Pacific Railway charter passed through my hands."

Mr. HUNTINGTON said he could prove the charges by Sir FRANCIS, and here he has the answer.

The evidence shows that no pledges were given by the Government to the Americans as stated by McMULLEN. Up to the time of the return of the writs in September there was no policy before the Government except the amalgamation of the two Companies. In October the efforts of the Government were renewed to effect an amalgamation. The charter issued was based on a policy only adopted by the Government

even later than November, after all attempts to amalgamate the two Companies had proved a failure. "The policy of the Government from the prorogation till now," said Sir JOHN, "has never varied"—that is from June, 1872, till September, 1873—and Sir JOHN'S telegram of the 26th July is in accordance with this policy."

Mr. HUNTINGTON handed in the names of thirty-six witnesses; amongst these were six Ministers of the Crown; two Senators, members of Parliament, members of the Local Legislatures, Mayors, Sheriffs, Bankers, Railway Contractors and Railway Managers, Merchants, one Wesleyan Minister, Telegraph Operators, &c. Of these, thirty-one were examined, and several who were not on the original list; the Commission finally adjourning after nearly a month's labour, from their inability to find any one else who knew anything of the subject of their inquiry. Mr. HUNTINGTON and Mr. McMULLEN refused to appear before the Commission. Awkward questions might be asked them in reference to that secret and suspicious interview with the COOKES—the bankers of the American Pacific Railway. "Before the last (Canadian) election," says the *Ottawa Times* of 17th October, "and subsequent to the repudiation of McMULLEN by the Government, JAY COOKE received on a visit at his mansion, on the Chilton Hill, near Philadelphia, no less a personage than the member for Shefford, Mr. HUNTINGTON. Mr. JAY COOKE is known to have parted with his guest highly impressed with that person's influence in the politics of Canada."

The *Times* thinks it has sufficient evidence to warrant the inference that in Ontario alone Mr. HUNTINGTON'S Party spent four or five hundred thousand dollars. Whence came this money? Why Mr. HUNTINGTON'S visit to these bankers at that time? JAY COOKE & Co. had failed to float their 7.30 gold bonds on the security of a desert. Canada was offering thirty millions of money and fifty million acres of land for a rival road, and the great Philadelphia house, already tottering to the fall, saw a last hope in grasping the Canadian Pacific. The prize was worth a stake of a few millions. If Mr. HUNTINGTON'S Party should carry the elections, what promises was he authorised to make to the great bankers? It was easier and more in accordance with Mr. HUNTINGTON'S character to appear as

a champion of Parliamentary rights, than to be made to appear as a conspirator against his country before the Royal Commission.

The great majority of the thirty-six witnesses knew absolutely nothing of the subject of inquiry before the Commission, and did not know why Mr. HUNTINGTON had given in their names, nor did Mr. HUNTINGTON himself know, so said the witnesses who had asked him the question. Of those who were in a position to know the truth or falsehood of the charges every one, without exception, declared on oath that they were false. Sir HUGH ALLAN had indeed entered into an agreement with certain parties to try and get the contract for the Railway; but the Government and every member of it were ignorant of that agreement. Sir HUGH or anybody else had a right to enter into any legitimate commercial enterprises or agreements they saw fit. But Sir HUGH's agreement came to nothing. His Company did not get the contract. It got nothing and was soon dissolved. Sir HUGH subscribed \$162,000 to the elections. He had always subscribed, but not so largely. But he swears positively that there was no bargain, no understanding, that for this he was to receive any favour more than any other subscriber to the elections; and all the witnesses who know or could know anything of the matter corroborate Sir HUGH's statements, and refer to the history of the whole transaction in proof of their truth. Sir HUGH says he had six millions of dollars invested in his enterprises; and the great works—canals, railways, harbours, &c., projected by the Government, justified his strongest support in his own interest, and at the same time in the interest of the country. He gave about one-fourth of his yearly personal income; many a man has not only given that but his whole income and his fortune in promotion of his commercial undertakings. Mr. HUNTINGTON's charges, if they mean anything, accuse the Ministry of Sir JOHN MACDONALD of selling for money advanced by Sir HUGH and his American associates, "the contract for the construction of the Pacific Railway." We say if those charges mean anything, for they are thrown together in such an extraordinary manner, that it is difficult to know what they do mean. The Americans got nothing. Sir HUGH got nothing. His Company was dissolved. He did not get the

contract. He got no personal favours, and it remains with the prosecutors to show what Sir HUGH ALLAN "bought," and that for the "purchase money" there was any consideration which would in the slightest degree justify the base charges which they have brought against the Government.

Another and probably the final act in this melancholy and contemptible drama will, within a few days, be performed at Ottawa. The Opposition have thus far been the chief actors; but the display has been purely pyrotechnic. A noisy, boisterous throng of Annexationists, Rouges, English and Scotch Chartists—the extremest of wild theorists—Red Republicans, Fentan desperadoes, and disappointed politicians generally, had hoped—for they must now be conscious of failure—by impudence, by clamour, loud voices and noisy declamation, to reach the treasury benches. We here have no reference to the many truly loyal men in the Liberal Party whom we know and honour, and who, we are quite sure, do not approve of the factious course of their would-be leaders.

Men of such adverse principles and motives of action are not, cannot be, a Party. They are a conspiracy, who have no common bond of union but the bond of conspirators. What were their acts on the floor of the House on the thirteenth of August last? Revolutionary. Were these men in power to-day at Ottawa, a deep and painful sense of insecurity would pervade the country from the Atlantic to the Pacific. To see a HUNTINGTON, a YOUNG, a HOLTON, with their Republican sympathies and Yankee sympathisers, as advisers of the Crown, would send a thrill of horror and indignation through the heart of every loyal man in the land. But we do not believe that any such calamity will befall the country. These discordant elements may unite to oppose, but they can never combine to support, any Government.

We are not wedded to men, nor do we now refer to those who form the Ministry at Ottawa. We leave their merits and demerits entirely out of question. We refer to the principles and the policy of the majority of the present Parliament; and we believe that to be the true policy for this country, which has consolidated the Confederation and secured such happy results—results which make us the most prosperous and highly favoured people on the globe.

