

the course which he had pursued seemed to him to be preferable.

Mr. CAMERON said he was sorry the hon. Attorney-General was not always as careful of the rights and interests of others as he was of the rights and interests of magistrates. A great many officers, against whom there were no complaints, were dismissed without having the privilege of an investigation by a commission of enquiry. He thought when any charge having the semblance of truth was preferred against a magistrate it was as well to drop him from the commission of the peace. A new commission could be issued, leaving out the name of the obnoxious individual. The practice of issuing commissions of enquiry in matters of this kind was not a desirable one. What was the use of a Government if it could not assume the responsibility of dealing with officials? The hon. gentleman (Mr. Mowat) sought Commissioners among his friends, and those Commissioners knew the wishes of the head of the Government and acted accordingly. The hon. gentleman sheltered himself from the responsibility of action by the poor subterfuge of a Commission.

Mr. MOWAT—The Commissioners take evidence.

Mr. CAMERON—And report in accordance with what they conceive to be the wishes of the Government in the matter. ("No, no.") He did not mean that to apply with respect to all Commissions, but he knew that when friends of the Government were appointed to conduct an enquiry they always leaned in favour of the Government. If hon. gentlemen opposite were not capable of discharging their duties, they ought to give way to persons who believed themselves able to do so. (Opposition cheers.)

Mr. MOWAT said that he had felt that magistrates, from their judicial positions, were entitled to the same protection as judges. The cases were not so clear as the hon. gentleman (Mr. Cameron) supposed, for there were generally charges made on the one hand and denied on the other. Only in very gross cases would he (Mr. Mowat) issue Commissions against magistrates; he would rather avoid doing so. A magistrate had a kind of life interest in his office, and ought not to be degraded from it unless for very grave reasons. He thought he would pursue his own course in this matter rather than that suggested by the hon. member for East Toronto. (Hear, hear.)

Mr. MACDOUGALL (Simcoe) said that he never knew a case in which the result of an inquiry by Commission was satisfactory, and in the interest of the public. There was a conviction in the minds of the people of the Province that a state of things existed in connection with the Central Committee and the booksellers that should not exist. But the Commissioner in his report found nothing wrong. He might perhaps have made some secret suggestion to the Government of necessary changes or something of that kind, but the public knew nothing about that. The report was one of acquittal; no one was present to act as public prosecutor, to see that the evidence was properly adduced, except a gentleman who had volunteered to do so, and yet the haphazard result arrived at was expected to be satisfactory to the public. The result was not satisfactory. The hon. members composing the Government thought it was proper for them to shirk their duties because they thought that if they themselves held the investigations for which they issued Commissions, some one would find fault with them. The Government was there to perform the duties imposed upon them, as the Opposition was there to see that the Government exercised a wise discretion. He proceeded to quote at some length in support of his argument against the appointing of commissions of enquiry, Toulmin Smith's work on "Government by Commissions," published in 1849, and went on to say that Commissions were usually appointed to enquire into matters of public policy. He remembered that a very useful Commission was issued by the Sandfield Macdonald

Government to enquire into matters connected with the working and practice of the Courts, but when the hon. gentlemen opposite came into power that Commission was put out of existence, and to this day we know nothing of the results at which it had arrived. But the Government had issued the Central Committee Commission for the purpose of whitewashing—not to get out the whole truth, but to get an *ex parte* case. Such Commissions were not beneficial to the public; they were extra-constitutional, and they ought to be condemned, and he believed the public opinion of this country condemned the Minister of Education for having avoided his obvious duty in conducting this enquiry for himself. Had he done so, there would have been some changes made, and the public would have derived some benefit from the enquiry. As it was, everything was in the same condition as formerly, and the persons who, for the public good, had called for the enquiry were snubbed. They were told that they were meddlers, and that there should be no more said on the subject. If there were any persons in the employ of the Department who were culpable, let them be turned out, and no one would complain, but the Government would receive the approbation of the country for having fulfilled the duties the Constitution imposed on them, and which they were sworn to discharge. (Opposition cheers.)

Mr. FRASER supposed it would be quite impossible for any member, or all the members, of the Government to satisfy the Opposition that they had done justice in any case. It was unfortunate that political parties in this country were so hostile towards each other that it was almost impossible for a Government to take any particular course of action with the intention of serving the public interest without finding themselves challenged with having done so from a political motive. With regard to this particular matter, the Government had neither neglected their duty, nor had gone beyond the Constitution. (Hear, hear.) They had kept within the Constitution, and within the range of their duties. He had hardly thought that the hon. gentleman who had just sat down would have forgotten his own political history with regard to constitutional practice. The hon. gentleman took considerable credit to himself for having been instrumental for the appointment of the Commission through which the Foote jobs were unearthed.

Mr. MEREDITH—It was a Committee of the House.

Mr. FRASER said there was a Commission appointed, at the instigation of the hon. member (Mr. Macdougall), by the Government of which he was a member. He (Mr. Macdougall) took credit for having induced the Government of the late Hon. Sandfield Macdonald to appoint a Commission, but the hon. gentleman did not say that that Government went beyond the Constitution.

Mr. MEREDITH—It was a Reform Government that did so.

Mr. FRASER—Yes, and we have a *quasi* Reformer here (cheers and laughter)—that old-time Reformer, that constitutional Reformer, that one of the two, three, or four fathers of Confederation. He (Mr. Fraser) did not think the hon. member for South Simcoe would thank the hon. member for London for calling attention to his old Reform professions. If the hon. member for London charged him (Mr. Macdougall) with having done wrong on that occasion he would deny the charge, even though he regarded the wrong as having been done by a Reform Government. He (Mr. Fraser) did not say that what was done was wrong, but that the hon. member for South Simcoe had not given the Government credit for following the good example he himself had set. There had been Commissions issued such as he hoped this Government would never issue. There had been the Commission on that momentous matter which was so graphically represented by *Grip* in the picture of the gallant and honourable knight as at once the judge, the counsel, and the felon. (Laughter.) When the time came