

filling the air with the miasma of political irregularities, when the air was already full enough of it. There were 56 petitions, and the reports when laid upon the table of the House would be exceedingly discreditable, would involve the country in endless expense that would serve no good purpose. The hon. gentleman could give no reason why they should appoint a commission to deal with every case. They would be superseding the courts of the land, a position which no Government could take. There were no irregularities so glaring as in West Elgin, and when the report of the commission was received it would be for the House to deal with the matter. Mr. Whitney had much to say of Duncan Bole, but he never mentioned William Smith, who spent \$1,200 in corrupt practices in South Ontario. Mr. Whitney had two measures of political morality, one for his political opponents and another for his friends.

#### Counsel Defended.

No fault had been found with the personnel of the commission, though he found some objection to the counsel on the ground that Mr. Watson had been President of a Reform Association. "That objection need not occupy much of my time, nor the other objection, that Mr. Grant, who is acting in a similar capacity—"

Mr. Whitney—In a similar capacity?

"As the assistant counsel, so far as I understand," replied the Premier. "These two men are acting as counsel to deal with such matters as may be properly brought before them. If the hon. gentleman has any information with regard to the ballots that has not been brought out, let him submit it to the commission at the next meeting."

"To Watson and Grant?" queried Mr. Whitney, with an evident sneer.

"Yes, to Watson and Grant," replied the Premier, with vigor; "gentlemen of quite as high character as the hon. gentleman. It is a slur that the hon. gentleman does not fail to hurl across at every opportunity, that because a man is a Liberal he cannot be an honest man. It is an improper insinuation. It is unworthy of him to say that a distinguished gentleman, such as Mr. Watson, will discredit and dishonor himself because he is appointed a counsel for the Crown. That is what it implies. (Cheers.) The honorable gentleman would not dare to say that to Mr. Watson in his own presence. (Renewed cheers.) The hon. gentleman is insulting his own profession. That insinuation could not be made in any court in this country. The Judges would call him down, they would show him the door, as he ought to be shown. He might just as well say that the commissioners would be guilty of a breach of faith." (Cheers.)

#### Burning of the Ballots.

After reviewing the case of a number of commissions appointed by the late Ottawa Government in which the counsel were chosen from the dominant party, Mr. Ross continued:—"The investigation has begun and has brought out one very important fact, namely, that the ballots were accidentally burned. (Opposition laughter.) The hon. gentlemen smile, as if that

statement were not correct. Perhaps they know better; perhaps they know what happened to those ballots. However, my impression is that those gentlemen, who were sworn, swore the truth.

Mr. Whitney—Did they swear that they were burned?

Hon. Mr. Ross—They swore that they were, so far as they knew. If the hon. gentleman believes this or not, he can go before the commission. (Government applause.) If these ballots were stolen or taken away for some improper purpose the hon. gentleman may perhaps be asked to go before the commission and tell what he knows. Then perhaps we will have his evidence under oath. We have the evidence of eight persons to the effect that they believe the ballots were committed to the flames. If they were stolen, I suppose it is no worse. The ballots cannot be found for the purpose of justice. It is of very little importance whether they were burned or carried away. They are not in the possession of the Clerk of the Crown in Chancery. The hon. gentleman intimates we were afraid and wanted to conceal the acts of some of the persons concerned in the election.

#### Prosecution Not Hindered.

"To what extent does the burning of the ballots affect anybody? It did not affect Mr. Macnish's election. He was unseated after the ballots were burned. Those ballots were examined by the solicitors before the Registrar of the High Court. They were returned to the vaults from which they were taken. Will the loss of the ballots affect any of the issues now before the court? There are two persons before the court, Duncan Bole and Mr. Cahill. In Bole's case the charge is personation, and the prosecution can go on without the ballots. In the other case the charge is personation also, and it can very easily be proved or not without the ballots. The loss of the ballots will have no effect on the trial of these two men.

Mr. Macdiarmid, interrupting, said that Cahill was not charged with personation.

Mr. Ross, quoting from the information, said that Cahill was charged with assuming to act as deputy returning officer in the place of some other person. Clearly that was a case of personation. As to whether the Government had done their duty in this matter, the Premier pointed out that Bole, who was an official in a minor capacity, was relieved from office the very moment the Judges reported that he was concerned in the West Elgin irregularities. The Government could not enter a prosecution against him, because proceedings by a private party were already pending. With respect to the Clerk of the Crown in Chancery, that official did not receive the subpoena the first time he was summoned before the Police Magistrate, until the very morning of the trial, and so could not attend. At the time of the Cahill investigation Colonel Clarke was absent in the United States, but had it been possible for him to do so the Government would have been only too willing for him to attend the Magisterial proceedings and answer any questions put to him. In the Macnish trial Colonel Clarke was present in court, but was not examin-