

fore the Parliamentary committee that can be discovered. Mr. Lucas replied to Mr. Pense by saying that the original charges at Ottawa did not implicate Sir Hector Langevin, but when his connection was shown, as the evidence progressed, he promptly resigned. (Opposition applause.) He could not recall any statement which was a prejudging of the case. The reference had been to other matters. We must clear the moral atmosphere of Ontario. The Premier should throw down the obstacles and allow in condemning evidence if there was any, and until he did that he (Mr. Lucas) would not believe in his sincerity. Hon. David Mills, perhaps the greatest constitutional authority in Canada, and a prominent Liberal, had said in 1893 that it would be an act of cowardice for a Liberal leader to attempt to defend a reference to a Royal Commission.

Powers of the Commission.

It had been insinuated in some quarters that Mr. Gamey had been bought or had relented and brought back the money. It was due to Mr. Gamey that he have every opportunity of proving his case. For instance, the country wanted to know from Mr. McGregor what Mr. Gamey told him; they also wanted to follow up any other clue which might be suggested as the evidence progressed. But both these matters would be excluded from a Royal Commission. The act under which the commission was to be constituted contained no provision for a report or finding by the Judges. It did not contemplate that there should be any finding or report upon the facts.

Col. Gibson—Three Justices constituting a commission issued under precisely a similar law seem to have thought otherwise, and have submitted a report upon the evidence. (Ministerial applause.)

Mr. Lucas—I do not think that would be a very good reason. I can only read this act as I find it before me. I thought I would have the opinion of the Attorney General.

Mr. Lucas proceeded to say that if there was such a finding it could have no meaning or force. If the commission found the Minister guilty of a high crime it would not mean anything. The most the House could then do would be to confine him during the present session of the House.

The Attorney-General's Position.

The Attorney-General's name had been connected with the charge. He would like to know if the Attorney-General had tendered his resignation, too. Mr. Lucas paused, and there being no reply, he proceeded: "The hon. Premier will not answer."

Mr. Whitney—Nor about his own, either.

Mr. Ross—More important still. (Laughter.)

Mr. Lucas—The Attorney-General and the Premier are both implicated.

Mr. Ross—Where are the papers?

Mr. Lucas—The papers are here—The Peterboro' Examiner; it is a family paper, and will be accepted, I hope. You will notice it starts with the Attorney-General. It says that Hon. Messrs. Gibson and Stratton are the names used by Mr. Gamey. I would like to know if the commission will involve the charges against the Attorney-General as well as the Provincial Secretary. (Laughter.)

Col. Gibson—I am not in the habit of rising to answer foolish questions. I think this is a very foolish one. The hon. gentleman knows that the whole statement of the hon. member for Manitoulin will be the subject of the investigation. (Applause.)

Mr. Lucas concluded by pointing out that Mr. Stratton as Provincial Secretary would have to sign the instructions given to the commission to try the charges against himself.

Mr. M. G. Cameron.

Mr. M. G. Cameron (West Huron), in opening, referred to the course taken by the Government in this unfortunate matter as reasonable and proper. The Liberals were as jealous of their honor and reputation as the members on the opposite side. This was the first of the many charges made by the Opposition that had ever been spe-

cific in its character. They had been compelled to listen and make reply many a time and oft to vague and indefinite charges and assertions flung from one end of the country to the other respecting corruption said to exist in the administration of affairs by the Liberal Government. He gave credit to the member for Manitoulin for that measure of courage, for standing up in Parliament and taking the responsibility of making a definite charge, which the Liberals would see was properly answered, and, if not, the accused would get the punishment they deserved. It was a pity that so much irrelevant matter had been introduced in the discussion, and they should endeavor that everything of a personal character should be eliminated. Nothing, Mr. Cameron proceeded, could be broader than the resolution introduced by the Premier. It was in terms so broad that every single charge made by the member for Manitoulin in the long paper read to the House, and prepared by himself—(laughter)—was subject to the investigation of that commission. (Applause.) Could anything be fairer than that? Complaint had been made that the commissioners could make no finding. The statute gave them absolute power to inquire into the detailed charges made, and one of the items charged was that the Provincial Secretary was party to the payment of money to the member for Manitoulin. The Judges could investigate that charge, and they must find whether that money had been paid over by the Minister or not. Wasn't that enough? Wasn't that what the hon. gentlemen opposite wanted to find out? Was there any doubt that under the authority conferred by the Legislature that commission would have that absolute and undisputed power?

Objections Overruled.

Reference had been made to the resignation of Mr. Stratton. He had no doubt that if anything like what was brought out against Sir Hector Langevin should be proved against Mr. Stratton he would quickly retire. There should be no acrimonious discussion on the matter. They all desired to see justice prevail. The only question was, what was the best way to go about it? Surely they should insure for the accused the same protection which would be accorded the vilest criminal in the country.

It was objected that the commission interfered with the rights and privileges of the House. The same objection was made to a commission in the Pacific scandal case. Lord Dufferin, on that occasion, reporting to the Colonial Secretary, had expressed the view that that objection could not be sustained, the powers with which the commission was vested being legal and granted by Parliament, and without limitation. Moreover, it must be remembered that the commission could in no way intercept or supersede the jurisdiction of the House of Commons. The jurisdiction of the Legislature, Mr. Cameron added, was similarly not intercepted or interfered with in any way. Lord Dufferin's opinion had received the commendation of the home authorities. The principle he upheld was the same as that before the House to-day. Moreover, our own statute made express provision for the matter. The rights and privileges of the Legislature could in no way be interfered with by any action that the commission might take. They could take whatever steps they liked after the commission had made its report, as fully as if the evidence had been taken before the bar of the House.

Precedents for a Commission.

The Government was accused of naming its own tribunal. It was true; they were taking advantage of the law as it existed. The same objection had been taken against the reference of the Pacific scandal to a commission. Lord Dufferin had reported then that no practical objection could be taken to the appointment of a judicial commission.

Other precedents, moreover, could be quoted in our own country. In the Caron case the Liberal party presented a resolution that the charges made by J. D. Edgar should be submitted to the Committee on Privileges and Elections. Objection was made by Sir John

Thompson and those who followed him. He said that when accusations of improper conduct were made against members of Parliament they ought to consider carefully whether it was right to appoint a committee to exercise their judgment upon the charges, especially when we saw by history that they rarely exercised it well. They had to consider whether the accusations were not such as some better qualified tribunal could consider. If the law gave a right to these tribunals to carry on such investigations it was most proper that the House should refuse to do it. That fitted the present case exactly. They had the specially-designated tribunal for hearing such charges. The Legislature had seen fit, after the charges in 1884 of attempting to corrupt members, to amend the statute so as to make provision for the trying of such cases. In the West Huron and Brockville cases, in view of the outrageous manner in which the McGreevy case had been conducted before a committee of the House, the Conservatives said that they would not under any circumstances agree to a reference to that committee. Sir Wilfrid Laurier on the same subject had declared himself emphatically in favor of the reference of questions touching the honor of members of the House to a Royal Commission instead of to a committee of the House. Mr. Cameron quoted from Sir Wilfrid's words, which included the following reference to the Committee on Privileges:—"We refuse to send this case again to that committee because it is not right, it is not fair, that the honor, the dignity and the seat of a man in this House should be placed in the hands of such a court, under the circumstances disclosed." The quotation evoked loud Government applause.

Other Eminent Opinions.

In the Caron case Hon. Mr. Girouard had said that the consideration of this division, a strict party one, led him to consider whether the Committee of Privileges and Elections was the best body to take charge of such a case. That was what might occur in the present case if the charges were investigated by a committee of the House. The hon. leader of the Opposition appeared not to be anxious that a unanimous finding should be arrived at. He wanted, it seemed, to be able to parade the country, and say that a majority finding only had been arrived at, whitewashing the accused. Hon. Mr. Girouard had said that the history of the Privileges and Elections Committee had been of the same nature ever since he had known it—from 1882 to that time. That, forsooth, said Mr. Cameron, was the tribunal that they were asked to adopt in the present case.

Mr. D'Alton McCarthy, "the brains of the Conservative party," had given his opinion upon the same question. It was very unfortunate, he had said, that on a question so important the decision was to be left to a party finding; if the matter had been left to three independent members of the Bench a more satisfactory conclusion would have been arrived at.

In the West Elgin and Brockville election cases, at the instigation of the leader of the Dominion Opposition, the questions had been referred to a committee of the House, but that was found so unsatisfactory, since their method of dealing with the matter was partisan, that when the matter came up again it was referred to a Royal Commission. If this matter were given to a committee of the House, said Mr. Cameron, and any witness were told that he need not answer a question that would incriminate him, the Government would immediately be charged with burking the inquiry. They wanted to have a finality to the matter, and they intended to have it.

Sir Charles Tupper's Opinion.

Mr. Cameron then quoted Sir Charles Tupper's opinion on the same subject.