

"The net result of all Major Lewis said in his speech brings conviction to my mind that he was pointing to Backus as the man who, directly or indirectly, had compassed the death of Huston, and that it was murder, and I feel confident that the newspaper summaries of his speech which went to the public, and which he says were a fair report of his speech, must have conveyed to the public at large that he was making the charge I have mentioned."

No Much-sought Papers.

Concerning the documents in Huston's possession, said to be desired by Mr. Backus, the commissioner reports:

"There is not a tittle of evidence that E. W. Backus or any of his officials had any knowledge that these documents or any other documents were in the possession of Huston, and I am unable to conceive how, by the wildest stretch of imagination, it can be suggested that Huston had in his possession any documents which Backus or his officials had any interest in obtaining.

"I consider that it is clear beyond question that neither Mr. Backus nor his companies or officials had any motive or interest of any kind for compassing, directly or indirectly, Huston's death; that there were no documents of any kind on Huston's person in the shape of contracts or letters or otherwise which Mr. Backus or any of his companies or officials or associates were interested in obtaining; and, that being the case, all the charges against him of his interest or that of his com-

panies, in my opinion, fail absolutely, and I do not think there is a shadow of any kind in connection with the death of Huston resting on Mr. Backus or his companies or his officials or associates.

Privileged Statements.

"It has been pointed out in the course of the hearings before the commission that Lewis' charges were the more dangerous by reason of the fact that they were made by him in the Legislature, in his capacity as a member and, therefore, that his statements were privileged, and he could not be called to account for same. Mr. Lewis has stated repeatedly that his sole aim in making his speech in the House was to vindicate the memory of Captain Huston from the stigma of suicide. Men must be judged by what they say and do, and not by what they say afterward was their intention or their motive. I think the charges made by Mr. Lewis with which I have been dealing, were made recklessly, with indifference as to their truth or falsehood and without excuse or warrant.

No Apology Yet Made.

"I can appreciate the possibility that a man speaking in the Legislature in the heat of debate may be carried sometimes beyond what he intended to say, and in this case Mr. Lewis has stated that when he rose to make his speech he did not intend to mention the name of Mr. Backus, but I have not seen any evidence at any time since the speech was made expressing any regret on the part of Lewis for making these baseless charges.

"Evidence given on this commission by Mr. Bayly, Deputy Attorney-General; by General Elliott, former Commissioner of Police, and by the various officials at Fort Frances, show, that, notwithstanding the views entertained by them as to the cause of the death, the investigation into the death had been continued by them ever since, and is continuing now.

Finds Allegation Untrue.

"The only official of the Attorney-General's Department, either in the city or at Fort Frances, who has been made the subject of specific criticism or attack is Inspector Jeffrey. This criticism appears to have been prompted largely from the fact that it is said that from the inception of his investigation Jeffrey adopted the theory of suicide, and the complaint is that he entered upon his investigation with a preconceived idea that the case was one of suicide. Along with this was the allegation made, which has been entirely disproved, that before Jeffrey left for Fort Frances he sought out and had a conference

with Mr. Harding, who was alleged to have been a Backus lawyer. I have already found that this allegation was untrue."

Exonerates Inspector Jeffrey.

"On the whole, so far as Jeffrey is concerned in his department as a criminal investigator, he had the confidence of those who were working with him, and there has been nothing to convince me that he was not a capable and honest investigator.

"When Mr. Lewis made his charges in the House, so far as the Attorney-General's department is concerned, apparently the only information he had was information which he had got from the newspapers and the Porter report. He never made any request to the Attorney-General or any official of the department for information or to see the Attorney-General's file. He says the reason of this was that he felt satisfied it would not be given to him, and that if he went to any official of the department, he would have been referred to the Attorney-General and the Attorney-General would have asked him to make his request on the order paper.

Did Not Press Question.

"On March 29 Mr. Lewis gave notice of a motion for an order of the House for a return of all correspondence and reports in connection with the investigation by Government officials into the circumstances surrounding the death of Huston, including all reports made by ex-Inspector Jeffrey of the Provincial Police. This order and return were never made and no action of any kind was taken by Major Lewis to press it.

"I am quite satisfied that if Mr. Lewis had been serious about his notice of motion for an order for the return of the papers set forth in his notice of motion, he would not have simply given the notice of motion and done nothing further, but that he would have adopted means of showing at least that he was in earnest and endeavoring to

get action in the House on his notice of motion. It is quite certain, however, that beyond giving this notice of motion, he made no effort of any kind to obtain from the Attorney-General's department the information that they had with regard to the action they had taken in investigating Huston's death.

Nothing in Charges.

"In a matter of this kind it is easy to criticize, in a general way, and use such terms as inertia, inactivity, inefficiency, but the fact is that in this case there are substantially no specific charges against the Attorney-General's department, and I am convinced that a perusal of the Attorney-General's file would of itself satisfy any fair-minded man that there is nothing in these charges.

"It is probable that those who are taking an interest in this inquiry will expect that I should express my own opinion as to the cause of Captain Huston's death, and as to whether in my opinion it is a case of murder or suicide. After a good deal of consideration I have come to the conclusion that it is neither necessary nor desirable that I should do so. However, strong an opinion anyone may have on the facts, there can be no absolute certainty, and various considerations have brought me to the conclusion that I can best perform my duty, on this branch of the inquiry, by simply reporting the facts."