

For the more effectually prosecuting any inquiry under this Act, every person who has been engaged in any corrupt practice at or connected with any election of members or a member to serve in parliament for any county, division of a county, city, borough, university, or place to which any inquiry under this Act relates, and who is examined as a witness, and gives evidence touching such corrupt practice before the commissioners appointed under this Act to make such inquiry, and who upon such examination makes a true discovery to the best of his knowledge, touching all things to which he is so examined, shall be free from all penal actions, forfeitures, punishments, disabilities and incapacities, and all criminal prosecutions to which he may have been or may become liable or subject at the suit of Her Majesty.

This is 15-16 Victoria, chapter 57, and the language is adopted by chapter 10 of the Revised Statutes. In the case of this commission, such complete immunity is not provided as, I hold, is absolutely necessary, in order to reach the truth in this matter. If the object is, as my right hon. friend professes, to have a thorough and complete investigation, to probe these matters to the bottom, what possible objection there could be to the adoption of the language of the Imperial statute I cannot imagine. It is true that under the Act under which the commissioners are appointed, they would have power to undertake that any evidence given by a witness should not be used against him. But that does not cover the case. You must give him absolute indemnity as well as against his evidence being used to bring forward other persons, and thus give him every encouragement to disclose the truth and the whole truth. I think the suggestion I made was a reasonable one, and I do not think that any of the statements made just now by my right hon. friend at all covers the case or gives any sufficient ground why my suggestion should not have been adopted. Then I drew attention to the point concerning the payment of witnesses, and suggested that it would be impossible, that everybody knew it would be impossible, to have a complete investigation unless you provided for the payment of expenses of witnesses.

The PRIME MINISTER. We intend to ask an appropriation for that object.

Sir CHARLES TUPPER. That is another thing. I think the commission should provide for that. It is the right of the parties to know what witnesses will be paid, and to have it in the Act, and not left to the judgment of the government or any person else as to that point. Under the Corrupt Practices Act, there is this power, and if it is not intended to cripple or defeat the object of this commission, I do not see why you should not give such an indemnity to the persons giving the evidence, as the Imperial statute give, nor do I see any reason why you should not provide, by law, for the payment of expenses of witnesses. The other suggestions that I made are matters to which I do not attach so great importance, though

important they certainly are. I see that the choice of counsel by the commissioners is limited to Queen's counsel, thus not leaving the judges free to appoint any counsel they please. They must appoint Queen's counsel. That being so, I do not see why the suggestion I made as to the choice of these counsel should not be adopted. I suggested that the commissioners should be advised to consult my right hon. friend as to one of the counsel to be named, and that the leader of the other party in this House, and this country, should be in a position to suggest the other. There could be no ground of objection, there could be no partiality in that. My right hon. friend has certainly offered no sufficient objection to what I proposed. But I went further and suggested that these counsel having been appointed, one at the suggestion of the leader of the government and the other at the suggestion of the leader of the opposition in this House, they should be authorized to obtain the assistance of other counsel. And for a very obvious reason. Every person knows that it is impossible for any counsel, however able and distinguished he may be to deal with a question of this kind, unless he is in a position to call to his aid other persons, and these persons would be required to be sent to investigate and to learn what evidence was to be forthcoming and what evidence could be brought. Why should it be thrown upon two counsel without any assistance whatever to deal with a question of this magnitude? It is utterly impossible, with any regard whatever to the time they should occupy in making this investigation, that it should be confined to two counsel. My right hon. friend has not seen proper to adopt my suggestion with reference to that point, to which I attach the greatest importance, because I think the greatest success of the investigation must inevitably depend largely upon the assistance that counsel are able to give; and if they are limited to their own exertions and cannot obtain aid and assistance from other solicitors in dealing with this question, one of two results follows: The time occupied in this investigation will be so lengthy as to deprive it of its utility, or it will be absolutely impossible to have that complete investigation to which my right hon. friend pledged himself so emphatically.

The PRIME MINISTER. Speaking under correction, at this moment, I do not remember that when this matter was last before us my right hon. friend suggested there should be more than one counsel on each side.

Sir CHARLES TUPPER. I suggested there should be one counsel named by the right hon. gentleman and another named by the leader of the opposition, and that they should have authority to obtain such assistance as was absolutely necessary to secure a thorough investigation. My right hon. friend will find that suggestion in the