

active effect, and applying to binder twine now in store.

Amendment agreed to.

Bill reported; read the third time and passed.

#### INTEREST ACT AMENDMENT.

The MINISTER OF FINANCE (Mr. Fielding) moved first reading of amendments made by the Senate to Bill (No. 161) to amend the Act respecting interest. He said: This Bill reduces the general rate of interest from 6 per cent to 5 per cent. The Senate has added some words to put it beyond doubt that the change shall not affect liabilities existing at the time of the passing of the Act.

Amendments read the first and second time, and concurred in.

#### SUPPLY—BROCKVILLE AND WEST HURON ELECTIONS.

The MINISTER OF FINANCE (Mr. Fielding) moved that the House again resolve itself into Committee of Supply.

Mr. R. L. BORDEN (Halifax). Before you leave the Chair, Mr. Speaker, I desire to proceed with a motion of which I gave notice to the right hon. the leader of the House on Tuesday. As the matter has, to a very great extent, been debated and threshed out in the House, I will not find it necessary to deal with it at very great length. In the first place, I wish to say a word or two with respect to the memorandum from the Minister of Justice, which was read to the House on Monday, June 11, in answer to the suggestions which have been made to the right hon. Prime Minister (Sir Wilfrid Laurier) by the leader of the opposition (Sir Charles Tupper). Now, in the first place, the Minister of Justice is of opinion that the suggestion with reference to the indemnity of witnesses is covered by the statute 52 Vic., chap. 33, and he says that that statute was evidently overlooked by the leader of the opposition and myself in making the suggestions we did. It seems to me that it would rather appear that the Minister of Justice overlooked this statute, because he made not the slightest reference to it in the order in council upon which this commission is based. It is the usual course, where you rely upon a statute and an amending statute, to name not only the principal statute but the amending statute as well. This by the way. The statute of 52 Vic., chap. 33, does not meet the point brought forward by the leader of the opposition and myself. It merely contains a provision which is also found in the Canadian Evidence Act of 1891, to which I referred. The effect of this is that answers of witnesses which tend to incriminate them shall not be used in evidence against them. It does not contain the provision in the English Act,

15-16 Vic., chap. 57, referred to by the leader of the opposition, nor does it contain the similar provision to be found in the ninth section of chap. 10 of the Revised Statutes, of Canada. The distinction, which the Minister of Justice does not seem to have dealt with, is perfectly plain. In the one case, in the statute which amends chap. 114, the provision is that you shall not use the witness' answer against him. But, in the Act respecting corrupt practices at elections and the English Act respecting inquiries of this kind, you have a provision that the witness shall not be prosecuted in respect of matters concerning which he gives evidence. In one case, you cannot use his own answers against him, but may prosecute him; in the other, he shall not be prosecuted if he answers fairly and to the satisfaction of the judges, and obtains a certificate. If he answers fairly, promptly and truthfully, and conducts himself properly, the judges or commissioners give him a certificate which prevents any prosecution against him in respect of the matter. I should have thought that the language of Mr. Blake with respect to that would have commended itself to the Minister of Justice. I do not desire to say a word which would detract from the well-known position and high reputation for ability of the Minister of Justice; still, we know that Mr. Blake is not only a man of very great learning and of exceptional ability—not inferior, perhaps, to the Minister of Justice—but he is a man of very much wider experience than the Minister of Justice. For that reason, I should have thought that his view with respect to the necessity of such a provision in investigations of this kind would have commended itself to the Minister of Justice. The language of Mr. Blake has already been quoted, but I think I might quote again a few words to good purpose:

The object one has in view in an inquiry of this description, where corrupt practices appear to have extensively prevailed, is to get at the proof, to search to the bottom, and ascertain how far corruption has prevailed in the constituency; and I think it is wise, under the circumstances, that a very liberal indemnity clause should be placed in the Bill.

So, he places in that Bill, which is dealing with an investigation of exactly the same character as that now proposed, the provision to which I have referred, which prevents any prosecution whatever being brought against any witness to whom the judge has given a certificate.

The next point to which I desire to direct attention is with respect to the scope of the commission. The hon. Minister of Justice has not seen fit to give effect to the suggestions of the leader of the opposition which would tend to enlarge the scope of the commission. He has held very strongly that the words which are to be found in the order in council, and, I presume, in the commission, are amply sufficient to effect the purpose intended. It