

*By Mr. Cahan:*

Q. Who was the man? Did he mention the name?—A. He may have mentioned the name, but I did not catch the name, sir. In the second instance he spoke of a man who had a large number, or who had obtained a large number of permits, and who had disposed of them in that way.

Q. Did he mention the name?—A. Yes.

Q. Will you please give it?—A. Is this an occasion upon which I can do that? I am quite willing to give the name, sir, but I would like to know my position as to my privilege here. I am repeating a statement made to me by the Minister and I do not wish to give that name in view of the fact that Mr. Forke stated last week that he was repeating to me gossip and suspicion.

Mr. CAHAN: I move that in order that the witness may have every defence by way of privilege that the Committee request him to give the name. Under these circumstances I think he will be privileged.

Hon. Mr. RALSTON: I want to suggest that the witness was not particularly careful about privilege when he made the statement in Regina with regard to Members of Parliament without designating them, and as it seems to me cast a slur on every person concerned and I do not see why any special privilege should be accorded the witness now. He is here to answer questions; if he is entitled to privilege, he will get it; if he is not, he won't; that is all.

Mr. CAHAN: I submit that a witness appearing by summons before this Committee, if he asks that privilege be accorded to him, is entitled to be accorded that privilege by a vote of the Committee requiring him to state the facts. I move he be requested to state the facts.

Hon. Mr. RALSTON: Mr. Cahan has asked a question and it seems to me it is up to the witness, and this Committee should not accord him any special privilege; that he should take care of himself as he has taken care of himself on the platform. If he is entitled to privilege he gets it; if not, I for one think he should not have it.

Mr. LUCAS: I do not think the witness is asking for any special privilege whatever.

Hon. Mr. RALSTON: That is right. Then we can go on.

Hon. Mr. EDWARDS (Frontenac): May I ask some of the legal fraternity what they mean by "privilege"?

Mr. CAHAN: A witness appearing before this Committee is protected in the courts with regard to the statements he makes to the Committee as against libel and slander, if he makes a reply to a question by order of the Committee. We are here to elicit the truth, and, therefore, we should give the order that he answer this particular question and be accorded such privilege as he is afforded with respect to a statement here as would be accorded him by a court in the event of an action for slander or libel.

Mr. GLEN: Mr. Chairman, if the witness makes a statement which is a slander or a libel upon any member of this Committee or any Member of Parliament, Mr. Cahan is moving that he be protected in that statement. I submit, Mr. Chairman, that if the witness is prepared to make a statement which he can also repeat outside but which would make him then a subject for slander or libel, he is not entitled to make it in this Committee and have the publicity spread all over the Dominion, and then get the special privilege that he is not responsible for that statement. I suggest if he makes a statement, let him make it upon his own responsibility.

Mr. CAHAN: Mr. Chairman, just one word. Let us get down to the basis of this. In view of the statements which have been made and published in the press, it is the duty and responsibility of this Committee to probe those to the bottom, and I will not be a party to any attempt to restrain this witness from

[Mr. M. J. Coldwell.]