

Mr. LANDERKIN. Well, I will discuss the question on the point of order.

Mr. CASEY. It is a question of order we are discussing.

Mr. LANDERKIN. You may be discussing the question of order, but I am discussing the motion.

Mr. SPEAKER. The question now is on the point of order.

Mr. LANDERKIN. Well, on the question of order, I appeal to you if it can be in order, when a gentleman has been summoned to the Bar of this House—

Some hon. MEMBERS. Order.

Mr. HAGGART. That is not a question of order.

Mr. LANDERKIN. If that is not a question of order, I do not know what a question of order is. For a man who is summoned to the Bar of this House, to protest, and to ask for counsel to protest against the proceedings of this House—

Some hon. MEMBERS. Order.

Mr. SPEAKER. I quite appreciate the distinction made by the right hon. gentleman as to the difference between qualifying the conduct of a member by the word "indecent" and qualifying the motion before the House, as he might a measure before the House, as indecent or oppressive, as he said; but I do not think the difference is wide enough to enable me to say that the last expression would be in order. I may go a little far, but from the beginning of the Session I have made it a point to try and restrain as much as possible in my power the use of words which would be objectionable in the House; and I think it would be well if the right hon. gentleman would help me in that direction and do what I have exacted from others, that is, withdraw the objectionable word.

Sir JOHN A. MACDONALD. In obedience to your ruling, Mr. Speaker, I withdraw the word "indecent."

Mr. WELDON (St. John). It seems to me that the hon. gentlemen opposite are treating Mr. Dunn as a criminal, and think that, for that reason, he should be assisted by counsel; but on what is that founded? A discussion took place in this House. No doubt he was charged with having done what was apparent on the papers returned to the House, showing that the law had been violated. That was referred to the Committee on Privileges and Elections, and, after discussion, a report was made by that committee recommending, among other things, that he should be called to the Bar of the House to be examined in relation to his conduct. In accordance with that report, the hon. member for Jacques Cartier (Mr. Girouard) moved for an Order of the House to summon Mr. Dunn to the Bar. He is now here to be examined on that point, and, as I understand his answer in reply to you, it was not in the terms of the motion of my hon. friend, the Minister of Justice. Mr. Dunn wants to come here and argue that the House has no right to examine into his conduct, that it has no right to examine into the conduct of a public officer, an officer of this House, or to make any enquiry into his conduct. If any proposal were made to censure Mr. Dunn or to punish him on the facts which may be deduced, then would be the proper time for Mr. Dunn to be allowed counsel to argue the case on his behalf, but when the House, which has been characterised by the First Minister as the highest tribunal in the land, ordered that an officer of the House should be, not punished, but examined, giving, if it is possible, a justification of his conduct and explaining, perhaps to the satisfaction of the House, the circumstances of the case, its order should be obeyed. It is due to the honor and dignity of this House that the matter should be investigated, and it is for that purpose that Mr. Dunn is called to the Bar of the House to be examined, and why

should he be put in a different position from any witness in an ordinary court of justice? I defy any lawyer in this House to say that he ever saw a witness, when asked a question by the judge, demand to be allowed counsel in order to protest either against the court asking him a question or to assist him. Even—and to this I call the attention of the Minister of Justice—when a witness claims that he should not answer certain questions because they might criminate him, not only is he not allowed counsel, but the counsel for the parties are not allowed to argue the question at all. Mr. Dunn stands at that Bar as a witness, called here on the report of the Committee on Privileges and Elections, to give evidence to the House, to explain, if he can, an abuse, or to show a mistake or an error in the law. We do not desire to prejudge Mr. Dunn, but to ascertain from the returning officer of that electoral district what the circumstances are.

Mr. BURDETT. As the seconder of the motion, I desire to record my voice and vote in favor of a motion that Mr. Dunn should have counsel if he desires it. It is surprising to me that the Minister of Justice, when he moved his motion, should not have been able to furnish some precedent; and it is still further surprising that the leader of the Government should have characterised the amendment of my hon. friend by such a hard name. In my view, whether there are precedents or not, this person at the Bar ought to have counsel, especially when the leader of the Government admits that he is here charged as a criminal. I think all criminals ought to have the right of defence by counsel, in open court, no matter where the court may be, or however much the judges or jury may be biased by prejudice. But I understand, furthermore, that in this case the criminal has severed in his challenge; therefore he may be a witness as well, even against the other criminals. I have no doubt that he needs a counsel, a man who has taken the oath before the law society, who will not violate that oath, and that he will advise this man to tell the truth, the whole truth, and nothing but the truth; and unless this person is older in sin than he appears to be in years, he will honestly disclose who the other criminals are, and then we will be able to throw the blame on the proper shoulders. For that reason I earnestly desire this man to have counsel, first, last, and all the time. But I do not think he should have counsel to advise him whether he should answer the questions truly, or not. He should answer the questions unadvised by counsel, even though he may be a criminal.

Mr. FREEMAN. I am astonished that this gentleman who is at the Bar of the House should have changed so wonderfully since we had him here a few days ago. At that time, as I listened to hon. gentlemen on the other side of the House, they denounced him as the vilest criminal in the country, and if the *Hansard* is taken up and read to-day you will find that I am correct. Read their expressions with regard to this gentleman, read their statements, and I think it will be admitted by all who examine their statements, that he is certainly a criminal. But what is he here for to-day? To give evidence against whom? Why, certainly against himself. For what purpose is he here, if it is not to give evidence against himself? And, Mr. Speaker, these gentlemen have condemned him, and they bring him here to-day to establish the correctness of their condemnation, and out of his own mouth to convict him. It is for that purpose, and for no other. What does he ask? He simply asks what I have frequently heard asked by criminals at the Bar, by men who have never been convicted, men who are simply accused. I have seen scores of men in that position, and does the judge refuse them counsel? Never, Sir. I never knew of such a thing. The judge always tenders them counsel, not that justice may be defeated, but that justice may be had. That man has as good a right to justice as hon. members opposite, and if he is allowed counsel that counsel will see that he gets