

accepted by this Committee to avail as evidence before it, to the same extent and with the same effect as if the witnesses had been examined and the Exhibits produced upon the present inquiry, subject, however, to cross-examination which may be made by the parties interested; that the Blue Book entitled "Special Committee on Beauharnois Power Project," Session 1931, printed by the King's Printer, being Appendix No. 5 to the Journals of the House of Commons, 1931, be used, referred to and dealt with by this Committee and by counsel as containing a true transcript of all things therein reported and printed; and further that the Exhibits be given the same numbers as those given to them before the said House of Commons Committee.

The CHAIRMAN: Is that satisfactory to the Committee?

Motion agreed to.

Mr. ROBERTSON: May I speak to the resolution for a moment?

The CHAIRMAN: Yes, certainly.

Mr. ROBERTSON: I would like to make a suggestion, which is this. What has been referred by the Senate to this Committee is the report, and the report only. The evidence, exhibits, and all that sort of thing has not been referred here. Then, that evidence not only was taken, in the case of my client, behind his back, but it was taken on an inquiry conducted for an entirely different purpose. The conduct of no senator was in question at that time. That was not the subject-matter of the inquiry. This Committee has had referred to it now the duty of enquiring into the conduct of certain senators as referred to in that report. My submission, with all respect to this Committee, is that evidence taken somewhere else—whether in a Commons committee or anywhere—for another purpose, would not be received in a police court; much less, I submit, should it be received in a place of this kind. Then, the Committee of the Commons, it is clear—I can give this Committee reference to pages if necessary—did not consider itself bound by any rules of evidence in its inquiry, as counsel for that Committee said on one occasion, "The sky is the limit"—speaking of what he was bound by; "The sky is the limit"—without any reference to what the limits were the other way. Now, one reading the evidence will find that all sorts of leading questions were asked, such as we meet in cases, but particularly so in the case of my client, who was not there. Witnesses were asked questions which in the ordinary course of proceedings would be considered as being atrociously leading.

Hon. Mr. BÉRIQUE: Allow me to draw you attention to this. The Committee has passed a resolution a moment ago accepting the evidence. Now you are objecting to that evidence being brought up before this Committee.

Mr. ROBERTSON: I did not understand that the Committee had finally accepted the motion. I wanted to speak to it before it was decided.

Hon. Mr. BÉRIQUE: There was a motion that was adopted five minutes ago. That was the time for you to make objections.

The CHAIRMAN: I do not think you need to fear that this Committee is going to ramble all over investigating what this book contains, a whole lot of matter that is not relevant to our inquiry at all; but we are able to distinguish between that and what is relevant, I think.

Mr. ROBERTSON: But it is the evidence that might be considered relevant here that I am objecting to, because it was not the subject of enquiry there.

The CHAIRMAN: But this Committee has the right to look at the evidence to see if the report is well founded or not.

Mr. ROBERTSON: That is what I am submitting, with respect, that the Committee should not do. But what this Committee is to do is really to enquire into the conduct of these senators itself, and not to take the other.