

subsequent to the 2nd of February that the copy was finished and sent to the printer.

Mr. BOYCE. When was it distributed?

Mr. MILLER. I shall refer to that in a moment. I beg to call attention to the fact that all the evidence, which has been brought in so far, was taken before the date when the pamphlet was sent to the printer. True, a considerable amount of evidence is to follow, but the greater part is in print and now before the House—the greater part though not by any means all. The article states:

The members of the Special Committee are supposed to discharge a function corresponding to that of a judge on the bench.

That is perfectly true up to a certain point. The members of a special committee, including the chairman, act in a dual capacity. I was, however, not only the chairman of the special committee, but the one who had introduced the Bill. In fact, I believe it was because I had introduced the Bill that I was appointed on the committee, just as one or two others were put on because they had expressed themselves in opposition to the Bill; and I can quite understand that, in acting as chairman of the committee, it was my duty to show all the fairness and impartiality of one acting in a judicial position. That I have endeavoured to do. My position was not in that respect particularly easy. It was known—and I took no pains to conceal the fact—that I was in favour of the Bill, but, nevertheless, I did endeavour to act with perfect fairness in conducting the committee in so far as a committee can be conducted by its chairman. That I am confident I succeeded in doing. The task was not an easy one, because there were some eight or nine lawyers employed by interests opposed to the Bill, and one by interests in its favour. That being the case, and it being well known that I was in favour of the measure, it was not easy for me to act so that all parties would be convinced I was dealing by them fairly. I am, therefore, the more gratified to know that at the close of the evidence, Mr. Leighton McCarthy, one of the leading counsel opposed to the Bill, thanked the committee for our perfectly fair treatment of all those who had come before us. He said that every one had been given a fair hearing and had been impartially dealt with, and several of the lawyers who appeared before the committee against the Bill personally thanked me for the fair manner in which I had conducted the meetings of the committee. But when those hearings before the committee had terminated I think that I occupied rather a different position. What objection could there have been to my

Mr. MILLER.

speaking to any member of this House at any time during the conduct of the case and exposing plainly and fully my views on the subject and supporting them by whatever arguments I might see fit. Surely, that I was chairman of the committee did not preclude me from the right that was enjoyed and exercised by other members of the House who chose to discuss the Bill. It has been asked: When was the pamphlet put in circulation? That, Sir, is a matter to which I intend to call your attention and that of the House. While the pamphlet was sent to the printer before all the evidence had been taken, I kept it in my possession—did not part with more than half a dozen copies to friends, until the committee had heard every bit of evidence that was to be heard.

Mr. BOYCE. May I ask the hon. member was not the inquiry adjourned to receive arguments on the question?

Mr. MILLER. I will refer to that; it is perfectly fair. The pamphlet was retained until all the evidence had been heard. The point is well taken that the committee was adjourned to receive the arguments of counsel. But as to that, I freely say that I do not expect to be influenced by arguments of counsel who had no more opportunity of hearing and weighing the evidence than I had. And all the evidence produced was exactly of the same character as that in reference to a similar Bill in the New York legislature that I had read and studied and was thoroughly informed upon. Now, I wish to refer for a moment to the instances mentioned in this article of the 'Citizen':

In May's Law and Privileges of Parliament, edition of 1863, page 395, it is related that the chairman of a committee who had published and circulated a draft report which he had submitted to the committee, but which had not been entertained by them, was considered to have acted irregularly and contrary to the usage of the House.

I contend that it is an entirely different case from the present. That gentleman was acting and purporting to act as chairman of the committee. In issuing this pamphlet I was not acting as chairman of the committee, but was exercising my right as introducer of the Bill and a member of this House. The pamphlet does not purport to come from the chairman of the committee or even from a member of the committee, but from myself, member of this House and a citizen of this country. The next case cited in the article is a similar one. In that case, a report had been prepared by the chairman of a committee, apparently without the knowledge of other members of the committee, and it was ordered to be cancelled. There again,