

returning officer at that election, so that there can be no question raised as to that point now. Surely, every protection will be thrown around this witness, as every question put to him must first be submitted to this House and be adopted before being put. Surely, this man has enough friends in this House to prevent improper questions being put to him, and, after having given his answers to the questions, then he should have counsel to assist him in arguing what the effect of these questions are and what he should do. I beg, therefore, to move in amendment that the following words be inserted after the word "That":—

After the questions submitted by this House have been answered to the satisfaction of this House, Mr. Dunn be authorised to be heard by counsel to argue the question of his responsibility for his conduct.

Sir JOHN A. MACDONALD. The hon. gentleman has given up the whole case, when he says there ought to be liberty of having counsel some time or other. If there ought to be counsel at all, that counsel ought to be had from the beginning of the proceedings. In days of old, criminals were not allowed counsel at all; afterwards they were. But I do not think it was ever provided that he should have no counsel at all while evidence was being taken, and only have counsel when the sentence is about to be pronounced and the prisoner is asked to say why the sentence of death should not be passed upon him. Then, and not before, hon. gentlemen opposite say counsel should be granted. This is a new theory worthy the liberal policy of the Liberal party. A more indecent—

Mr. MILLS. Order, order.

Sir JOHN A. MACDONALD. I have a right to say so.

Mr. MILLS. I rise to a question of order. The hon. gentleman has no right to apply such an expression to any act or to any member of this House. He has no right to say that the observation or motions made on this side of the House are indecent.

Sir JOHN A. MACDONALD. I say that the attempt—

Some hon. MEMBERS. Chair.

Sir JOHN A. MACDONALD. I am in order. A question of order, like any other, can be argued. The hon. gentlemen wish to prevent even a question of order being argued. They wish to put us down. The minority does not generally put the majority down, especially when the majority is right.

Mr. LANDERKIN. When they have returning officers.

Sir JOHN A. MACDONALD. My language was quite in order. I say, a more indecent, oppressive proceeding never was attempted against the liberty of a subject. It is a mere farce to say this man is simply a witness. Why, he is charged with having committed a great malefession, with having not performed, as returning officer, as officer of the Crown and this House, his duties, and he is there before this House, to all intents, a criminal standing his trial before the highest tribunal in the land. Yet, forsooth, he is not to be allowed to have counsel.

Mr. MILLS. There is a question of order.

Mr. SPEAKER. My opinion is that the word "indecent" ought not to be employed as a qualificative of the conduct or proceedings of this House.

Sir JOHN A. MACDONALD. I submit, of course, to your ruling—

Mr. MILLS. And apologise.

Sir JOHN A. MACDONALD—and I say it is not an indecent proceeding, but I say that the motion is indecent, is oppressive, and against the liberty of a subject. I have a right to say that a Bill in Parliament is wrong, oppressive, and corrupt.

Mr. EDGAR.

Mr. CASEY. If you have ruled, Mr. Speaker, that the words employed by the hon. gentleman in reference to the proceeding should not be allowed, it follows, as a necessary consequence, that the hon. gentleman should apologise to the House, and it follows, as a necessary consequence, that the hon. gentleman shall apologise to the House.

Some hon. MEMBERS. Oh!

Mr. CASEY. Yes, it even follows, even in this House, even in the case of the right hon. gentleman, that in such a case as this—

Some hon. MEMBERS. Oh!

Mr. SPEAKER. Order.

Mr. CASEY. Even in the case of the right hon. gentleman, who has not a supernatural right to evade all the rules of this House—even in this case it follows, under your ruling, Mr. Speaker, which I have no doubt you will carry out, that he must do what every hon. member of this House would have to do, like those who are now making improper noises under their desks—

Mr. SPEAKER. This is not arguing the point of order. The personality of the hon. member called to order has nothing to do with the matter. If the hon. gentleman will give me authorities in reference to the difference between applying the term "indecent" to the conduct of a member, and applying it to a measure before the House, I will be willing to hear him, but I will not allow him to argue the question of the personality of the hon. member who may have used the language objected to.

Mr. CASEY. Allow me to argue the point you suggest.

Some hon. MEMBERS. Oh.

Mr. CASEY. I call upon you, Mr. Speaker, to keep order while I state my point.

Mr. SPEAKER. Order.

Mr. CASEY. The leader of the House has referred to this whole proceeding as indecent. He has, therefore, applied the term to any member taking part in it, the member who moved to examine Mr. Dunn, the hon. member who proposes an alternative kind of action, and, in fact, to all the members of this House. I think in that case he must not only withdraw the expression, but apologise before he proceeds. When members of this House are charged with indecent conduct, an apology must be made to the House.

Mr. LANDERKIN. I do not object to Mr. Dunn having counsel; but I object to Mr. Dunn, summoned before this House by its unanimous voice, coming here and offering to bring counsel to protest against what the House has done.

Some hon. MEMBERS. No.

Mr. LANDERKIN. That is what he stated. Do not say "no." I am sitting as close to Mr. Dunn as those hon. gentlemen are, and I say that he said he desired to have counsel for the purpose of protesting against the proceedings of the House. There is a proper constitutional way of protesting against the proceedings of the House.

Mr. HAGGART. This is not arguing the question of order at all. The right hon. gentleman was speaking and was interrupted on a question of order, and this gentleman is not speaking to the point of order at all.

Mr. LANDERKIN. The hon. member for South Lanark (Mr. Haggart) does not understand the question. The questions of order have been disposed of, and I am speaking to a motion before the Chair.

Mr. HAGGART. I ask your ruling, Mr. Speaker.