

principle could an appeal be denied to a minister of the Crown? He could not go before the courts, and the only way to grant him an appeal was to establish a tribunal to hear that appeal, and that is exactly the course that was taken. The tribunal was established under the Inquiries Act, which directly empowers us to take that action. And, having taken that action, no matter whether the tribunal's finding may be favourable or otherwise to the minister concerned, surely it is in the interest of this country that the appointment of that tribunal be ratified and its expenses paid.

It was argued further that what we have to debate now was whether there was a scintilla of evidence or not. I do not think we have to debate that at all. I think that when a Provincial Commission impugns and maligns the character of a minister of the Crown, Parliament cannot shut its eyes to that fact, and pending investigation, if such is to be had, the minister should be relieved from the performance of the duties of his office. That is precisely the position we took in 1909, and that is the position we take to-day. Hon. gentlemen then contended that it should not be a judicial tribunal that should review the findings of the first tribunal, but it should be the two partisan sides of the House of Commons. Hon. gentlemen were then content to allow a minister of the Crown to rest for the meantime under the shadow of the finding of Mr. Justice Landry of the Court of New Brunswick, and the Minister of Public Works of that day remained a minister of the Crown simply because the partisan majority of this House decided that he was right and Mr. Justice Landry was wrong. Is that a better course than the course we pursued? We erected, on the contrary, a tribunal which is judicial, which is not swayed by partisanship from either side, which has been long divorced from the atmosphere of partisanship in Canada. We appointed a judicial, and not a legislative or a partisan, tribunal. We submitted the case to them, and we asked them not to weigh the evidence of one man against the evidence of another—that is not the province of an appeal tribunal at all—to find whether Smith gave false evidence and Jones gave true, but to ascertain whether Smith or Jones gave evidence upon which that judgment could stand. That was the wording of the Order in Council; that was the intent of the Order in Council, and that and nothing else is what the Order in Council meant. The evidence was submitted. No new evidence was taken,

but a statement was made by the Minister of Public Works, at his request, I believe. If evidence had been given which in the judgment of the commissioners supported the finding of Mr. Justice Galt, they would have so found. But they reviewed that evidence with the assistance of council; they went over it line by line, and then they came to the conclusion, no matter what conclusion any man in this House might come to, that there was no evidence that should have gone even to a jury in that case—no evidence at all to support the finding.

Had they reported differently the item before this House would be just the same. The tribunal then would not be impugned by hon. gentlemen opposite; I have no doubt that in that case they would have lauded the tribunal. But this vote would have had to be taken just the same. It is not the finding that establishes the right to the vote, but the fact that the tribunal sat. That is why this vote is before the House.

Hon. gentlemen ask about counsel—why we should pay counsel to defend the ex-Minister of Public Works. We did not pay counsel who acted in any respect whatever for the ex-Minister of Public Works in that case. The minister employed and paid for his own counsel. He never submitted bills to this House or to the Government. This money is required to pay counsel appointed by the commission to assist them and to act in the interests of the people of Canada. We did not select counsel. They were selected by the commission. I do not know Mr. Teed, but my hon. friend from Carleton knows him, and he pretty generously gave him a certificate of ability in the House just now. A fair counsel was undoubtedly selected.

Mr. CARVELL: There is no doubt of that at all—good for the purpose for which he was selected.

Mr. MEIGHEN: His duty was to go through the evidence with the commissioners; to look up authorities, if necessary, with the commissioners; to go through exhibits with the commissioners; and to enable the commissioners, without unnecessary loss of time which to one of them at least was very valuable just then, to come to a conclusion whether the evidence was or was not there to sustain the judgment of Mr. Justice Galt. That is the largest item in this vote. The Bill has been submitted to the Justice Department, and I understand that the deputy minister thinks that