

3. No. Mr. Couturier having failed to furnish satisfactory sureties, the contract could not be awarded to him.

QUESTION OF PRIVILEGE.

Mr. H. H. MILLER. Before the orders of the day are called I rise—for the first time in my six years as a member of this House—to a question of privilege. I do not know that I would have done this were it not that the hon. member for Jacques Cartier (Mr. Monk), in a very courteous letter this morning, drew my attention to an article in the 'Citizen' and said that it ought to be brought to the attention of the House. The article is entitled 'a breach of parliamentary etiquette,' and refers to the issuance by me of a pamphlet regarding the Bill before the House to suppress gambling at race meets. I do not complain very much of the article or the language used. In my opinion the 'Citizen' is usually one of the fairest of Conservative newspapers, in the giving of news and the making of comments. One of my hon. friends near me suggests that it is improving. Perhaps in that respect it is. Nor do I desire to complain of the last paragraph in the article which says that Mr. Miller is a perfectly honest man. That statement I shall not endeavour to deny but would rather say, in connection with this matter at least, that I have endeavoured to be perfectly honest. But while I have no particular complaint to make of the article, I do say that the statements in it are not exactly correct. While, in the first place, I do not attach any importance to this, because it is beside the question, the article says:

While acting as chairman of the Special Committee on his Bill against racing, Mr. Miller, M.P., has issued a pamphlet in which he lauds the Bill and condemns racing without stint as a public evil.

Further down it says:

Mr. Miller's action in deciding the case against racing, when the committee had only just begun to hear testimony—

I say that is aside from the issue. The Bill does not in any way condemn racing nor have I endeavoured to condemn it. I hesitate to detain the House by reading the article, but perhaps I had better do so:

—while acting as chairman of the Special Committee on his Bill against racing, Mr. Miller, M.P., has issued a pamphlet in which he lauds the Bill and condemns racing as a public evil to be done away with.

That is not correct.

While acting as chairman of the Special Committee on his Bill against racing, Mr. Miller, M.P., has issued a pamphlet in which he lauds the Bill and condemns racing without stint as a public evil to be done away with. The main portion of the pamphlet is

dated January 26, the preface February 1, indicating that it was prepared shortly after the committee had commenced the inquiry, while many other witnesses had to be examined pro and con, and, of course, long before he and his colleagues were in a position to discuss the evidence and form an unbiased conclusion. Anything more contrary to parliamentary etiquette or at variance with ordinary fair dealing it would be difficult, with all respect to Mr. Miller, to imagine.

In Canada, English parliamentary custom and procedure are followed. The members of a special committee are supposed to discharge a function corresponding to that of a judge on the bench. The testimony cannot be printed nor a report brought down without the sanction of parliament and the concurrence of the committee. 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.

In another case where a report had been prepared by the chairman, apparently without the knowledge of the other members of the committee, it was ordered to be cancelled. But these other lapses by the chairman of special committees in the imperial parliament are as nothing compared with Mr. Miller's action in deciding the case against racing when the committee had only just begun to hear testimony, and publishing his decision and the grounds on which he bases it without consulting his committee or saying 'By your leave,' to the Speaker of the House.

If this sort of thing is to be condoned, committees of parliament will no longer be safe guardians of the public interest. We shall have the chairman of the Public Accounts Committee deciding in advance of a complete hearing, or perhaps of any, that the charges brought by the opposition of extravagance or evil doing on the part of ministers or officials are baseless; while the chairman of the Railway Committee decrees of his own motion that an applicant company is not entitled to a charter or another ought to have its charter annulled.

Mr. Miller is a perfectly honest man, and we are sure that when he comes to reflect upon what he has done, he will be extremely sorry that he did it. Meanwhile the affair should be promptly dealt with by parliament.

As to the statement that the pamphlet is dated 26th January, shortly after the beginning of the inquiry, I would like to point out that the preface of the booklet I have published is dated 1st of February, that the end of the pamphlet bears the date 26th of January. The matter was sent to the printer on the 26th January and dated the 26th January, the proofs came back about the 1st of February, and were considerably changed and added to and re-dated the 1st of February. If hon. members will look at the pamphlet itself, they will see that it contains an editorial from the 'Globe' which appeared on the 2nd of February, so that it must have been