

in Winnipeg that I had a telegram from Sir John A. Macdonald saying that he would do away with the policy of disallowance, and that is what I denied. I came here pledged to do everything I could against disallowance; I voted against it, as the House knows—

Some hon. MEMBERS. Oh!

Mr. SCARTH. I am not at all afraid of the laughter of hon. gentlemen. I know what I pledged myself to do; I came here pledged to do all I could against disallowance; I voted against it, as hon. gentlemen know; I saw every member of the Ministry privately, and endeavored to get them to do away with it—

Some hon. MEMBERS. Order, order.

Mr. SCARTH. And every hon. gentleman on this side knows that.

Mr. PURCELL. I want to make one remark. On Friday morning I voted for disallowance, but the gentleman there did not record my name right.

Mr. WATSON. I would just say, with reference to the explanation made by the hon. member for Winnipeg (Mr. Scarth), that I am not responsible for any statements made by the press. The remark I made on that subject, as reported by the *Hansard* reporters and recorded in *Hansard*, is absolutely correct. It is exactly what I said, and I think the hon. gentleman will find it correct.

#### JOHN R. DUNN.

On the Order :

John R. Dunn, returning officer at the last election for the electoral district of the county of Queen's, N.B., to attend at the Bar of the House, to be examined touching his conduct as such returning officer in returning a candidate who had not a majority of votes at the said election.

Mr. SPEAKER. The Sergeant-at-Arms will please see that Mr. Dunn is in attendance.

The SERGEANT-AT-ARMS. Mr. Speaker, John R. Dunn is in attendance.

Mr. SPEAKER. Admit the gentleman.

Mr. LANDERKIN. He is a nice gentleman.

JOHN R. DUNN came before the Bar.

Mr. WELDON. I move that Mr. John R. Dunn be asked this question: "Were you returning officer for the Electoral District of the County of Queen's, N.B., at the late election; and who was your Election Clerk?"

Motion agreed to.

Mr. DUNN. Mr. Speaker, being a layman I would like to have the assistance of counsel, to protest against these proceedings being taken against me by the House of Commons, and also to advise and assist me in whatever things may be necessary.

Mr. THOMPSON. I move:

That John R. Dunn, who is about to be heard at the Bar, be allowed assistance of counsel to advise him and to argue any question of law that may arise.

I believe it is the general practice to allow persons so appearing to be advised by counsel, and I therefore make this motion.

Mr. WELDON. The question is one of privilege and of examination before the Bar of the House, and, as I understand, the person at the Bar, who is to be heard, asks for counsel to protest against the proceedings of this House, and also to advise him as to what he may say. I think that is an extraordinary position for him to put forward. I

Mr. SCARTH.

do not think he is here to argue questions of law, but to answer questions of fact.

Mr. THOMPSON. The request made by the person about to be examined was that he desired counsel to protest against the House proceeding further with the case, or something to that effect. Of course I do not make a motion directed to that particular objection, but inasmuch as questions of law may arise, and he has applied for leave to have counsel to assist him, I think it would be more convenient to put the motion generally—that he be allowed to have counsel to advise him upon any legal questions which may arise—than to put a separate motion to have counsel to argue any particular question. Of course, if no legal questions arise, counsel will not be required to advise him, but I think it is better to make the motion general in this way.

Mr. MITCHELL. It appears to me that it is not questions of law that we are here to discuss, but questions of fact. We have brought Mr. Dunn here for the purpose of giving us information as to the facts—as to who had the majority of votes, as to whether he was returning officer, and as to whom he returned. If the emergency arises that questions of law are raised, it will then be time enough for Mr. Dunn to make application for legal assistance. In the meantime all we have to discuss are questions of fact.

Mr. THOMPSON. I would suggest that it is necessary, if counsel is to be of any assistance when questions of law do arise, that counsel should be present at the whole examination. And I submit to the hon. gentleman's own judgment this proposition, that if counsel is to be of any benefit at all to the person to be examined, it must be in the discretion of that counsel himself to raise any legal question on behalf of his client that may occur to him in the progress of the examination. It is true, the examination, so far as the House is concerned, will be confined to questions of fact entirely; but if there is a legal question in respect of which the person inculpated can claim exoneration, surely it can only be right that the question should be raised. It cannot be raised by a layman; it can only be raised by a person learned in the law, and if he is to have that assistance, it should be when the question is first raised.

Mr. DAVIES. I do not understand that the gentleman at the Bar has not asked for the assistance of counsel to do for him what the hon. Minister of Justice proposes. I understand that the gentleman at the Bar is here in answer to the Order of this House, and instead of answering the question that the House has carried should be put to him, he asks the liberty of having counsel to protest against the decision which this House has already come to, that he as an officer of this House should attend at the Bar to answer for his conduct. That has already been decided by the House, and this gentleman comes here and asks the assistance of counsel to argue the point as to whether he shall obey that Order. The hon. Minister of Justice proposes that he shall have counsel allowed him, not for that purpose, but for the purpose for which the gentleman does not ask counsel, namely: to advise him in case any legal points are raised.

Mr. THOMPSON. If my hon. friend will allow me to interrupt him for a moment. I understand that the gentleman at the Bar believes that the question raised is a legal question on which counsel should be allowed him. Inasmuch as he thinks it is a legal point on which counsel should be heard, I offer the motion that counsel should be heard on any legal question.

Mr. DAVIES. The hon. Minister of Justice has not apprehended the argument I was urging. It was this: It did not seem to me consistent with the dignity of this House that it should now proceed to receive arguments as to the propriety of a decision which it has arrived at and placed on its Journals. The hon. gentleman's resolution does not