

say this, but the gentleman asks that counsel shall be allotted to him to argue the question—to protest, as he puts it, against our proceedings altogether. Now, I, for one, protest against any such resolution being adopted. This gentleman is an officer of the House. He has acted in a way which appeared to the House *prima facie* to be a disregard of the Statutes of the land. He has been called, on the report of the Committee on Privileges and Elections, which has been adopted by this House, to answer for his conduct. He may have a good answer to make; I am not going to prejudice his case; but after the report of the committee has been approved and ratified by the House, that we should now hear counsel argue that the whole proceedings are irregular, is, in my opinion, derogatory to the dignity of the House.

Sir JOHN A. MACDONALD. I think it will be found, on looking at parliamentary practice, that this is the course that is usually taken, and that ought to be taken. The hon. gentleman says that the House has decided for itself that the party should be brought before the Bar. Well, every time a person is brought before the Bar of the House of Commons in England, it has been upon an absolute resolution, on the supposition that the party is culpable. The right of exculpation is always allowed. Again and again parties have been brought before the Bar of the House of Commons, charged, upon the vote of the House, with having been guilty of certain misdoing. The whole case is heard at the Bar, and the party, as the hon. gentleman knows, is often discharged and the proceedings are dropped on the statement of the party. Now, it is very singular, and I do not see how hon. gentlemen opposite would like it to go to the country, that when a man says he wants to have counsel his request should be refused. This is the only tribunal in Canada where it would be refused; but I am sure Parliament will not refuse it.

Mr. MITCHELL. Notwithstanding the statement of the right hon. leader of the Government as to the practice—and the right hon. gentleman is always ready to refer to parliamentary practice when it suits his purpose—what we have summoned this person to the Bar of the House for is not to question its decisions, but to answer questions of fact as to this transaction—whether he was an officer of the House appointed to perform a certain work, whether he did it, whether he returned a man receiving a minority of the votes against a man receiving a majority. These are the questions we want to ask him, and, perhaps, a few others. Now, the Minister of Justice has stated that questions may, perhaps, arise involving questions of law which, in the opinion of the person at the Bar, may be considered sufficient justification for his course. I think there is a sufficient sense of justice and fair play in this House, that if any question of law arises, on which the gentleman at the Bar should have counsel, no member of this House will refuse to allow him to get counsel. As to the statement of the Minister of Justice that this counsel should be present from the first, it is only necessary that he should be present when the legal question arises, and not before. But I say that the self-respect of this House requires that we should ascertain from the man himself, untutored and undirected either by the minions of a Government or by a counsel, as to what answers he shall make. What we want from him are facts. We want to know whether the freedom of elections to this House is to be suppressed or not. What we want from him is a plain, unvarnished tale, and if he should need counsel at any time, both sides of this House, and the independent party too, will be willing to grant him counsel; but I do not think the time of the House should be taken up by listening to what a paid solicitor may suggest, to defeat the object of this investigation.

Mr. MILLS (Bothwell). The hon. First Minister says this is the only court in the country where the the right

of a party to have counsel would be questioned. Surely the hon. Minister does not pretend to say that every witness called in court should be allowed to be advised by counsel. This party is not accused. He is called here as a witness only, for the purpose of giving the House information. The House is about to examine him in reference to an election that took place in New Brunswick. We do not know what conclusion the House may come to on that subject, and when the hon. gentleman says that the party at the Bar is entitled to be advised by counsel, he proposes to adopt a line of action in this House that would not be taken in any other court in the country. The man is standing here simply to be examined as a witness. It will be time enough, when any question of law affecting his conduct arises, or when we propose to censure him for any course that he has taken, that he should be advised by counsel.

Mr. CHAPLEAU. It has been said before to-day that liberality and liberalism are not synonymous. I hope my hon. friend opposite will not on this occasion show this remark to be true. I am astonished to hear the hon. gentleman who has just sat down say that the gentleman who is now at the Bar is exactly in the position of an ordinary witness.

Mr. MILLS. Hear, hear.

Mr. CHAPLEAU. Were he in that position it would not probably make a difference, but he is not.

Mr. MILLS. You are prejudging the case.

Mr. CHAPLEAU. Has the hon. gentleman forgotten what he and his supporters have been saying in this House, and before the country, for the last three weeks? Has the hon. gentleman forgotten the punishment he was ready to inflict on the witness before bringing him to this tribunal? Has he forgotten that the witness, if hon. gentlemen opposite will call him so, has been branded by himself and his friends as a criminal, as one who, if he received his deserts, would be imprisoned, and who, in England, would be confined to the tower or a dungeon, or in gaol? This man asks, in the most ordinary manner, when a question is put to him, to be allowed to have counsel. Is he not under a restraint? Can he get away from where he is?

Mr. MILLS. No witness can.

Mr. CHAPLEAU. And has he not the right, before answering a question that is put to him, to ask permission to be assisted by counsel to put before us the objections he pretends having against the proceedings to which he is subjected? This man pretends that he can prove to the House, if allowed counsel, that he should not be here, and that the House has no right to examine him. I do not touch the merits of the question itself. If I were to give my personal opinion, my hon. friends opposite would, perhaps, be surprised.

Some hon. MEMBERS. Let us have it.

Mr. CHAPLEAU. I will give it in due time; my hon. friends need not be too much in a hurry. This case is one of the plainest right. It is a case of a well understood right, and it would not be a liberal and proper course for this House to take to refuse a man at the Bar, the assistance of counsel.

Mr. EDGAR. It seems to me to be impossible to say now that there is any question before us as to whether we are to examine that witness or not. The House has decided that question already, unanimously, in the language of the first Order of the Day.

Mr. CHAPLEAU. He had nothing to say to that.

Mr. EDGAR. He has said so.

Mr. CHAPLEAU. He has said it in proper time.

Mr. EDGAR. The House has decided unanimously that this witness is to be examined touching his conduct as a