

might have been presented by someone else before and today by Mr. Justice Landreville himself, but after all, he is the master of his destiny for the time being. In my opinion, I think we should comply with his request, although it might mean a loss of time.

**Mr. Fortier:** I think what it really does is give a chance to all members of the Committee to express their own opinions, which may add to or subtract from those of Dr. Ollivier and myself.

**Mr. Stafford:** Might I ask if the same seven objections were set out in the letter as Mr. Justice Landreville gave us orally tonight?

**Mr. Fortier:** Yes, they were sir.

**Mr. Stafford:** In the same order?

**Mr. Fortier:** Pretty well.

**Mr. Stafford:** And with nothing added to any objection tonight?

**Mr. Fortier:** I listened to him very closely, as you dit, and I only noted one addition and that is: "that the Committee has met twice without me, and only last week was I advised the rules and procedures had been fixed and that no witnesses would be subpoenaed by the Committee." This is the only new one.

**Mr. Stafford:** Did the Committee have an opportunity—I was not here at the last meeting—to study these objections themselves, or were they just read out?

**Mr. Fortier:** I was not here at the last meeting either, so I could not answer that.

**Mr. Tolmie:** Mr. Chairman, to get back to my original motion.

**Senator Hnatyshyn:** The Committee as a whole did not study it; it was just the steering committee, was it not?

**The Joint Chairman Mr. Laflamme:** If I could remind hon. members, we are not a steering committee acting against the other members. At the first meeting we tabled the letter of Mr. David Humphrey dated January 5, 1967, and in that letter he says:

Among other matters, the following should be discussed:

- (1) How to expedite the taking of evidence, the hearing and verdict as this matter now extends over the last twelve years. Some witnesses are advanced in age and may not be available much later.

This is one of the reasons why we asked Mr. Justice Landreville if he had any witnesses, because his counsel has already told us. The letter goes on:

- (2) Discussion as to the procedure before the joint-committee. While we have no objection to the hearing of evidence and argument being presented once before a joint-committee, we submit that each committee should deliberate separately and present separate reports to its respective body, without joint consultation.

- (3) The possible admissibility of the transcripts in all prior proceedings as evidence and particularly the admissibility of the Report of the Commissioner as evidence (which we strongly suggest is inadmissible).

- (4) In any event, the issues to be decided may basically be a question of the credibility of the witnesses, whose evidence must be weighted by the committee members themselves, and cannot be delegated.

- (5) What witnesses must necessarily be called unless counsel can agree to a statement of uncontradicted and uncontradictable facts which may be used to either shorten or dispense with witnesses.

- (6) Discussion of the following points of law:

(a) The Inquiries Act, R.S.C. 1952, Chapter 154 and its jurisdiction on a Judge of a Superior Court.

(b) The admissibility and the publication of the Rand Report, the Report of the Law Society of Upper Canada, etc., in contravention of Section 13 of the Inquiries Act.

(c) The interpretation and application of Section 99 of the B.N.A. Act particularly the words, "during good conduct."

(d) The interpretation of the terms of reference to Hon. I.C. Rand. The Commissioner has made a Report contrary to law and the *very specific terms agreed to between the Minister of Justice and Mr. Justice Landreville.*

(e) Any other points of law and procedure which may be deemed advisable to