

the courts. It is submitted that perjury before a parliamentary committee is something more than simple perjury, even from the point of view of the other Chamber.

- (b) In any event, the perjury is linked to a statement made in the Senate itself.
- (c) A long line of precedents justifies proceeding as a result of inquiry by a parliamentary committee. In this case, would they justify acting upon the report of a committee of the other Chamber? The lack of corresponding precedents in England is due to the fact that the inquisitorial function is exercised by the Commons and the House of Lords has no power to expel its members. It is submitted that the Senate should, in accordance with constitutional practice, take notice of the conclusions of the House committee in this matter. The true principle is stated by May in the citation above: "In other cases the proceedings have been founded upon reports of commissions, or committees of the house or other sufficient evidence." From this point of view the records and findings of a House committee before which the Senate had formally authorised its members to appear would clearly be "other sufficient evidence."

It should be remembered that the Senate would remain the sole judge of the matter. The evidence and findings would be merely matters for consideration, and it would still be open to the accused to convince the Senate that his conduct did not justify expulsion.

- (d) It might be argued that the specific provision for vacation of place in section 31 of the British North America Act precluded the Senate from being given