

that the American authorities quoted by the hon. member from Grandville had no relation to the subject, inasmuch as they referred to republican institutions. Now the principles of American legislation were based on principles of British legislation—they were essentially the same. The Provincial Legislatures in relation to the Federal Parliament might be compared with the State Legislatures in relation to Congress. The hon. gentleman here read from the authorities quoted by hon. Mr. Letellier de St. Just, to show that they were exactly in point, and then went on to say that the precise effect of the bill ought to be declared in plain English—that any persons in New Brunswick, Nova Scotia, and Ontario shall not sit in the House of Commons if they are disqualified by the act of the Local Legislature, but that nevertheless persons similarly situated, from Manitoba, British Columbia, and Quebec, shall be eligible to sit in the general Parliament. He considered it perfectly legitimate for the Senate to reject the bill if it should deem such a course advisable notwithstanding what the Postmaster General had said against any interference with the rights of the other House. The Senate was one of the Estates of the Dominion, and all measures had to come under its supervision; and he for one was not willing to see that branch become a mere cypher, a mere recording body. He held it one of the special duties of an Upper Chamber that it should interfere with any measure that was partial and personal in its character. He found that there were in the House of Commons four members of the local Government and thirteen members of the local legislature of the Province of Quebec. Two members of the Legislative Council of Quebec were in the Senate. The Speaker of that body was also a member of the Legislature of that Province. Referring to the Province of Manitoba he found that one member of the Local Assembly was in the Senate, and two members of the same body were in the House of Commons. This state of things was not interfered with, but when we came to the Province of Ontario, the case was very different—the members of the Local Legislature are not to have the right to sit in Parliament. So far as Ontario was concerned, the Bill went further than the Legislature of that Province contemplated when it passed its local Act, and that fact of itself showed conclusively that Parliament was now asked to step beyond its jurisdiction and interfere unnecessarily in local legislation. He objected most emphatically to giving judicial power to the returning officer, as provided

for under the bill—a power not given him by any other statute ever passed. If the returning officer acted unjustly what redress would the candidate have?

Hon. Mr. CAMPBELL said that he could petition, and have the case examined by the Committee on contravened elections.

Hon. Mr. CHRISTIE said that he could not appear before the Committee, for it might be that he was not even recognized as a candidate—he might not even be nominated. Such a case was very likely to happen, there had been cases of returning officers actually returning themselves. He was opposed to dual representation, but he certainly could not support a measure which was at once partial and unconstitutional in character.

Hon. Mr. MITCHELL said that when the subject of dual representation came up in the legislature of New Brunswick, unlike his hon. friend behind him (Mr. Wilmot) he had been in favor of the policy which was then adopted by that body. He was not going to question the propriety of the course pursued by the legislatures of Quebec, Manitoba, or British Columbia, but he was clear on this point, that if one Province of the Dominion chose to adopt the policy of abolishing dual representation it was only right that Parliament should as far as possible carry out the wishes of the majority in that Province. He thought the constitutional point raised by the Opposition to the measure had been fully answered by the remarks of the Hon. Postmaster General. This legislation, now asked for, was not dependent upon a contingency—upon the legislation of the Province. If the bill contained a provision that the Act should not go into operation until something was done by the Legislature of Ontario, then it might be considered a contingent legislation. He found that in three of the Provinces a policy had been laid down by the legislature as to the men who should sit in the Assemblies, and the present law was intended to apply to that state of things—to carry out the spirit and intention of the local statutes. The hon. member who last spoke (Mr. Christie) had said that he knew of no statute where a judicial power was given to a returning officer as was the case in the bill. Now by reference to the legislation of New Brunswick it would be found that there was a law on the statute book, in which the Returning Officer had the power given him to declare a candidate disqualified to be voted for or returned in case he did not place his declaration of qualification in the hands of the former within a certain