

it was the House that ordered the proceedings of the Committee to be transmitted to him, so that if he wished to appear he could do so. It was not finally decided until the 19th of February, some three weeks after. This shows that the Committee never undertook a task that was not assigned to them, of giving notice, but that they simply reported the facts as they were found, and the House ordered that the party be notified.

HON. MR. ROSS—I am afraid that we are splitting hairs, to some extent, on this question. I believe that motion is a very proper one. The desire of this Committee must be to put the party who has the most interest in this question in a position to state his objections, if he has any, and to furnish such proof as he may consider necessary. The only way to do that is to give him notice that at a certain date the matter will be taken up, discussed and decided upon, and that the seat will be declared vacant unless he can show that he has been in attendance one or more days during the two years. The Committee will be in a position to decide with *connaissance de cause*. Whether he appears or not, the Committee will be in a position to give a fair and proper decision on the subject. I therefore believe that this motion is the right one and that it ought to carry.

HON. MR. MILLER—The hon. gentleman does not seem to clearly comprehend that in the event of either course being adopted the proceedings followed will be exactly those indicated in the motion of the leader of the House. I desire that there should be no misapprehension on the part of hon. gentlemen with regard to that fact—that whether the precedent now upon our Journals be followed, or the motion just made by the leader of the House be adopted, in either case the same facility for contesting the final action of the House in regard to the vacating of the seat will be afforded, and, therefore, on that point, there is no room for argument or difference of opinion; but I think the House would be in a better position by following the precedent for this reason: we will have found, upon the *primâ facie* case, that the seat is vacant, and will so report to the House, and recommend the House to declare so; then the House will

give an opportunity to the hon. member to come forward before the report is adopted and show that the Committee was in error and that the seat has not been vacated.

HON. MR. ROSS—Will my hon. friend be kind enough to tell me why the Committee should declare the seat vacant without having the necessary information to guide them? We do not know anything, except that his name was not entered in the books of this House during two years. As an hon. member has said already, he might be some place around here: he might be ill, even, in the city. All we know is the fact that his name does not appear in the books of the House during those two Sessions, and my hon. friend would like us to decide, on this incomplete information, that the seat is vacant. I differ from him on that point; I do not want the Committee to decide on such incomplete information. Let us give Mr. Alexander a chance to make his proof, if he has any to furnish.

HON. MR. MILLER—That is what we are all willing to do.

HON. MR. ROSS—Yes; but you want the Committee to decide that the seat is vacant, on a *primâ facie* case, before you hear the evidence.

HON. MR. POWER—It is a rule *nisi*.

HON. MR. ROSS—If the Committee does make the recommendation now it does so on insufficient information, and I want the Committee, before it declares the seat vacant, to get that information, and they cannot get it, I believe, unless it is obtained from Mr. Alexander himself.

HON. MR. MILLER—I think it will present itself to every legal mind as a very logical course to report on the *primâ facie* evidence now before the House, and to recommend that the seat be declared vacant. Then the hon. gentleman whose seat is in jeopardy can come in and show that he has not forfeited his seat. The position that the House will occupy is this: It will require to move no further in the matter. The report will be confirmed, as a matter of course, unless the hon. member comes in and does what is necessary to save his seat and prevent the adoption of the report