

tleman might have been appointed, on condition that he should not receive the salary attaching to his office, just as Sir Charles Tupper has been in this case; his commission might state so, and he might be Speaker of this House and Collector of Customs at Quebec at the same time. Any hon. gentleman might be appointed a Judge in one of the courts, and if he would agree not to accept a salary he might continue to be a member of this House and of the Government. Take the case of the Prime Minister. We know what his feelings are towards the Government of Ontario at this moment. When the Lieutenant-Governor's time expires, the Government might advise His Excellency to appoint the Prime Minister Lieutenant-Governor of Ontario, without salary, and he might accept that appointment and remain Prime Minister of the Dominion at the same time. You see that there is no limitation to the abuse that is possible. This measure completely unsettles the law in this particular; there is no office which a Minister or member of this House could not take under the policy indicated by this Bill, if he would only agree not to accept the salary provided for that office. Now, Sir, let me call the attention of the House to observations which the First Minister addressed to the House on another occasion, which were not so pertinent then as it seems to me they are now. He said:

"As history showed, a constitutional course was sometimes very inconvenient to an arbitrary and oppressive Government. All would remember what Charles Fox said to Napoleon the Great when they were discussing the introduction of trial by jury into France. Napoleon objected to it on the ground that 'the system was so very inconvenient.' 'Well,' Fox replied, 'it is for the inconvenience of the system that the people of England like it.' And it was because of the inconvenience to the Government of the constitutional action of the Senate, which put a stop to their bargain with the hon. member for Selkirk to make him a rich man, and to pay him for his servile support, that an unconstitutional course was proposed."

Mr. SPEAKER. The hon. gentleman cannot say that an hon. member is paid for his support.

Sir JOHN A. MACDONALD. Then a reward, a gratuity. As Shakespeare said: "A reward is better than a peculium." All would remember how the hon. member for Selkirk was about admitting that he was interested in the company. He (Mr. Smith) said it was none of his (Sir John A. Macdonald's) business to ask whether he (Mr. Smith) had an interest. But it had to come out at last, and the hon. gentleman who had the astuteness to get the Government into the bargain, had not the astuteness to keep the matter to himself."

Well, Sir, the hon. gentleman has himself found that these limitations and restrictions are very inconvenient to an arbitrary Government. He has found, for some political or private reason, that it was convenient to appoint a member of this House High Commissioner to England, to appoint him to an office which, by the provisions of the law, vacated his seat. He finds it convenient that the hon. gentleman should not go back to his constituents for re-election, and that he should not resign that office. From our point of view, it is necessary that the hon. gentleman, in order to be elected, should resign his office, for it is one that disqualifies absolutely and renders him ineligible to a seat in this House as long as he continues to hold it. The hon. gentleman has found it inconvenient to return to his constituents and ask them to bestow their confidence in him again. He still holds the office and is anxious to regain the seat from which his acceptance of that office has removed him; and his colleagues press upon the House this Bill, in order that he may, in spite of this disqualifying office, regain the seat which has been vacated. I trust, Sir, that this House will seriously consider this proposition. I trust that they will do no such violence to the law and to the Constitution, in order that Sir Charles Tupper may be saved the inconvenience of returning to the electors of Cumberland, in order to regain a seat in this House in a proper and constitutional manner.

Mr. CAMERON (Victoria). The right hon. leader of the House has moved the second reading of this Bill, accompanied by an intimation that he intends subsequently to move that the Bill be referred to the Committee on Privi-

leges and Elections. My hon. friends opposite have, in the different speeches to which we have listened this afternoon and this evening, opposed the Bill on principle, which is, no doubt, the proper course to pursue on the motion for the second reading. But they also oppose the referring of the Bill to the Privileges and Elections Committee. Now, in opposing that reference, it seems to me, that they are quite inconsistent with themselves. We, who have had the honour of sitting in this House in former Parliaments, will recollect that when a motion was made, affecting the seat of an hon. member of this House, at that time occupying the Chair which you, Sir, now occupy, my hon. friend, the member for East York, I recollect well—and I have confirmed my recollection by a reference to *Hansard*—took the ground expressly that "inasmuch as that the question had arisen of the right of a member to a seat in this House, that question ought, *ipso facto* be referred to the Privileges and Elections Committee, and ought to be considered there, and there alone, before it was discussed or considered in the House."

Mr. MACKENZIE. That was not a Bill, as this is.

Mr. CAMERON. I do not say that it was a Bill; but I say that that question, in the same way as this Bill, raised a point as to the rights of an hon. member to sit in this House. The principle my hon. friend then laid down was that the question should be at least referred to the Committee on Privileges and Elections, in order that that Committee should make a report to the House, on which report the House should act. My hon. friend says that that was not a Bill; but what difference does it make. Was not the question then, as now, whether an hon. member ought to sit in this House or not?

Mr. MACKENZIE. That has been referred already to the Committee two weeks ago.

Mr. CAMERON. I know it has, and what harm is there in referring this Bill to that Committee which is now seized of the subject? My hon. friend opposite object to this reference to the Committee, and they assume that the case is so clear that it is beyond argument that the hon. Minister of Railways has forfeited his seat in this House, that there is nothing to refer, nothing to discuss, and that in the words of my hon. friend who has just sat down, the thing is perfectly certain and beyond all doubt. I have great respect for the knowledge and experience of the hon. member for Bothwell, but I confess it does not seem to me that the matter is so perfectly clear and beyond all doubt; so far as I have been led to form an opinion, it is in the opposite direction. At any rate, it must be perfectly clear that a question of this kind, involving the citation of lengthy precedents, such as those with which the hon. gentleman for West Huron favoured us to-day and on a former occasion, and involving such a number of precedents as those cited by the hon. member for Bothwell,—it must be quite clear that a question involving points of that kind, involving the necessity to look up the records of Parliament to ascertain what has been done in similar cases when similar questions arose in the Parliament of Great Britain, is pre-eminently a question which this House, as a whole, is not competent to deal with until it has been first referred to that Committee which is specially constituted to deal with questions of this kind—a Committee which is composed of hon. members selected specially for their ability to consider points of this kind, and which will consider the case fully and report their conclusion to this House. This Bill, involving, as it does, the question of the right of an hon. member to occupy a seat in this House, is one that ought to be referred to the Committee on Privileges and Elections, and notwithstanding that there is contained in it, in the first clause, a general principle, the hon. member for West Huron argued that the Bill should not be referred to that Committee in conse-