

wished to see the Dominion Parliament made a mere taxing machine for the purpose of raising funds to enable Local Governments to carry on their affairs; would the officer of that Government be free to act according to the dictates of his conscience and of his judgment? He would be a mere pensioner of the Local Government, sitting in this House to do its bidding. It was, obviously, quite as proper, if they were to effectually secure the independence of Parliament, that an officer holding a permanent situation under a Local Government, should be excluded from this House as well as an officer holding a permanent situation under the Federal Government. With regard to the use of the word "permanent," the observations of the hon. gentleman are somewhat hypercritical. The clause of the Bill stated:

"No person accepting or holding any office, commission, or employment, permanent or temporary, in the service of the Government of Canada, or of the Government of any of the Provinces of Canada, at the nomination of the Crown, or at the nomination of any of the officers of the Government of Canada, or of the Government of any of the Provinces of Canada, to which any salary, fee, wages, allowance, or emolument, or profit of any kind is attached; nor any person entitled to any superannuation or retiring allowance from the Government of Canada, shall be eligible as a member of the House of Commons, nor shall he sit or vote therein."

No one could pretend to say that these words were not sufficiently defined. There were certain classes of officers included under permanent and others under temporary officers. The "permanent" included those who held their office under the Statute which provided for the appointment of those officers, and made no provision as to when those appointments should cease. It made no provision, not that the officers should cease to hold office, but that the office should cease to exist. The word "permanent" applied to the office, not to the officer. It was used expressly in the same sense in the second clause, when it referred to officers appointed under the authority of the Local Government. They knew that, besides this word in the old Statute, those additional words, "To which an annual salary was attached," were inserted; those were qualifying

words, and they knew how hon. gentlemen opposite interpreted the Statute. They appointed an officer who, from the nature of the appointment, held a permanent position under the authority of Parliament, and who, so far as the spirit of the law was concerned, was appointed in violation of it; but, as this Statute was highly penal in its provisions, and, according to the reading of the rules applicable to penal Statutes, would be practically so construed, this gentleman was paid, not an annual, but a monthly salary, and the Statute was evaded. Leaving out all allusion to salary, it would be impossible, if this clause were adopted as the hon. the Minister of Justice proposed, that any such evasion could be practiced under the provisions of the law. The same expression was used in the Act of 1871, "No person accepting or holding any office, commission or employment, permanent or temporary." It was quite clear the word was used in its proper legal sense, with reference to the continuance of the office, not with reference to the continuance of the officer. If a person were appointed to such an office, he came under the disqualifying provisions of the law. The reasons for extending the provisions arose from the relations existing between the two Governments, from the peculiar relations which might at any time be called into existence by the action of the Local Government. It was proper that no one should sit in this House as the placeman of a Local Government.

MR. McDUGALL (Three Rivers) said he believed all legislation was intended to remedy an evil, or to avoid a danger. The discussion which had taken place, relative to the exclusion of employes of a Local Government, seemed to be of a nature to avoid danger, but the evil did not exist. Those employes had hitherto had the right to sit in Parliament, even members of the Local House had this right at the beginning of Confederation before dual representation was abolished. Employes were not really excluded by the Local Legislature, and they were now fighting to exclude them. The present Bill reminded him of the motion of the hon. member for Vancou-