

instance, where a member of Parliament accepted an office of State, and having thereby vacated his seat, and been elected by the people, and appointed to a second office of State. This can be done without vacating the seat on the acceptance of the second office. This doctrine is illustrated by the cases of Sir Robert Walpole, Mr. Pitt, Lord North, Mr. Canning and Sir Robert Peel, each of whom, at different times, filled the positions of First Lord of the Treasury, and Chancellor of the Exchequer, without disqualification. Under the same doctrine, we have the case of Mr. Spencer Percival, who, in 1809, was Chancellor of the Exchequer, and succeeded the Duke of Portland as First Lord of the Treasury, retaining both offices; and by the case of Mr. Bathurst, who, in 1821, held one Cabinet office and assumed the Presidency of the Board of Control. As late as 1873, we find that Mr. Gladstone, First Lord of the Treasury, assumed the office of Chancellor without vacating his seat. But I say these were all offices of State political and non-disqualifying offices, and under the Independence of Parliament Act the holding of both offices was perfectly consistent with a seat in the House. I again challenge the First Minister to point out a single case of a member of the Imperial Parliament holding a non-political, or a disqualifying office at the same time that he held a political office and a seat in the House. So much for the vacation of the seat. Now what does the hon. gentleman want us to do with respect to this Bill? What are the provisions of this Bill? What does the hon. gentleman want to commit Parliament to by this measure? Why, Sir, the hon. gentleman wants to commit the Parliament of Canada to a lie. He wants to commit the people of this country to a lie. He cannot get his Bill through Parliament except by committing Parliament to a lie. The second clause of the Bill says:

"That the said Sir Charles Tupper did not by reason of his accepting or holding the said office of High Commissioner for Canada under the said Commission, cease to be a member of the said House."

The hon. gentleman asks this Parliament to affirm that Sir Charles Tupper by accepting an office of profit under the Crown, did not thereby vacate his seat in this House. That is the proposition to which he wants this House to commit itself. I say it is an extraordinary proposition. I say that on the face of it it is a plain untruth. I say that if any man by accepting an office under the Crown ever did vacate his seat in Parliament, Sir Charles Tupper did by the acceptance of this office, and the seat for the county of Cumberland is now vacant and a writ ought to have issued for a new election. I say that the hon. gentleman himself will not get up in Parliament, and on his responsibility as a Minister of the Crown state that Sir Charles Tupper has not vacated his seat. He will not say so; he cannot say so; I challenge him to say so. I say that Sir Charles Tupper himself will not say that he has not vacated his seat. A reference to the Act would convince anybody who is not blind to the truth that by the acceptance of this office, an office in the gift of the Crown, an office received by Sir Charles Tupper with all emoluments, allowances, and profits connected therewith—that he has vacated his seat. If that is the fact, and if we must pass this Bill, let us pass it on proper grounds. Let us pass it with the truth on the face of the Bill, and not a transparent lie. I say that every step taken by the hon. gentleman from the first day this Session opened, from the day he introduced this Bill, down to this hour, is the clearest possible indication that Sir Charles Tupper is not to-day a member of this House. Sir Charles Tupper's own conduct from the hour the House met until it closes, unless the Bill in the meantime passes, is a clear indication of the fact that this Bill on the face of it does not tell the truth. If it tells the truth what is the meaning of this Bill? If Sir Charles Tupper did not cease to be the member for the county of Cumberland, why does the hon. gentleman intro-

duce a Bill to make him a member for that county by Act of Parliament. If Sir Charles Tupper is still a member for the county of Cumberland, why was it necessary to refer the motion of my hon. friend for West Durham to the Committee on Privileges and Elections? The hon. gentleman will contend that he never vacated his seat, the Bill says that he did not vacate his seat, and yet on his own motion he refers it to the Committee on Privileges and Elections, and he introduces this Bill to indemnify the hon. gentleman to justify his illegal, unjustifiable and unwarrantable conduct of sitting in Parliament in defiance of the Act. Still on the face of the Bill we are asked to say that Sir Charles Tupper did not vacate his seat by accepting the office of High Commissioner of the Canadian Government in England. But that is not all that is stated in this clause. It states that not only did not the hon. gentleman vacate his seat, but that he did not become disqualified from sitting or voting in Parliament and did not commit any offence against the provisions of the Act. Yet the hon. gentleman wants to indemnify Sir Charles Tupper. If he did not violate the Act, what is the meaning of this Bill? If Sir Charles Tupper is not to-day open to the penalties for a violation of the Independence of Parliament Act, why is this Bill before Parliament, and why is the House asked to vote on it? I repeat, that the whole of the hon. gentleman's conduct, the whole of Sir Charles Tupper's conduct, from the first day Parliament met down to the present hour is the strongest possible evidence we could have that Sir Charles Tupper is not now a member of Parliament, Sir Charles Tupper tells us that he has always the courage of his convictions, and does any man tell me that he is not conscious that he is not a member of Parliament when he has avoided voting from the first day Parliament opened until to-day. I say that he is disqualified; I say it is an outrage on Parliament to ask the House, in the face of these facts to say that the seat is not now vacant. No one believes that it is not vacant, and least of all the First Minister and the Minister of Railways. If we are to pass a bill let us do so with the truth set out on the face of this Bill; let the hon. gentleman pass his Bill honestly, openly, and above board. Let him say to the Minister of Railways: "You have vacated your seat it is true; I want to have you in Parliament, and I will pass an Act making you a member of Parliament by Act of Parliament." This is not the first time this course has been taken by the hon. gentleman. He did it in this House, in this Parliament, when we gave a seat by a resolution of this House, to a member now here, but the hon. gentleman wants to do it more formally this time. To-day he fills a vacant seat by Act of Parliament. I ask the hon. gentleman does he not see how he is lowering and degrading the position of a member of Parliament? I ask if there is any person in this House who does not see how he is lowering and degrading the position of the Minister of Railways by undertaking to make him a member of this House by Act of Parliament. What does he say to his colleague? He says: You have no right, you have no business to sit here, your seat is vacant, but I will make you a member of this House by Act of Parliament, and I will call upon my majority in this House to vote that Bill through for this purpose. Sir, I wonder if the hon. Minister of Railways will stand this—so high spirited and sensitive—a gentleman, as he is, so keenly alive to the honour and dignity of Parliament, that when a vote is about to be taken, he leaves his place in the House and sits at the back of the Speaker's Chair. Will he be satisfied to occupy the position of a member of Parliament by Act of Parliament? I trust that the hon. gentleman will not do that. The position taken by the First Minister is an extraordinary position; it is a scandalous position; it is an outrage on the freedom and independence of Parliament, and on the rights of the people of this country.