

declared vacant. That information was conveyed to the Committee by an hon. senator. Therefore, the Committee reported information on which the House could proceed; yet the House was so cautious that it did not adopt the report immediately. If any member to-day will say that Mr. Alexander is aware that we are taking these proceedings, or that he recognizes the propriety of declaring his seat vacant, I am prepared to follow the precedent, but the Committee has nothing before it that the House did not know yesterday. No serious harm can arise from taking up the question at a future day.

HON. MR. POWER—I do not look at the matter in exactly the same way as the hon. gentleman from Ottawa, though in his conclusions I concur. We had before us yesterday the certificate of the Clerk of the House. While that is a very authoritative document, and one to which we should naturally give credence as strong *prima facie* evidence of the facts it contains, it is not conclusive evidence; and I presume the object of referring that certificate to the Committee on Privileges was to ascertain whether or not the facts alleged in that certificate were really facts. The Committee to-day has ascertained, I presume, from searching the Journals and otherwise, that the statements contained in the Clerk's certificate are correct, and we are in a position to so report to the House; but granting that the statements contained in the Clerk's certificate are correct, it is still possible, as suggested by the hon. member from Richmond, that the senator whose seat is proposed to be declared vacant may have been in Ottawa, or within ten miles of Ottawa, during one of the two last Sessions, and may have been prevented by illness from attending the sittings of the House. Then it is a matter of courtesy, and of justice also, to the member, that his seat should not be declared vacant until we have ascertained whether or not that is the fact. The object of giving him notice is to ascertain whether or not he was here in Ottawa ill, or within ten miles of Ottawa. Then the question is, whether the resolution moved by the hon. leader of the House is a proper one to adopt, or whether we should follow the precedent in the case of the Hon. Mr. Dickson. I think, myself, that the view

of the hon. member from Richmond is, perhaps, on the whole, the sounder one, because the Committee has, I understand, no power to order a notice to be sent. We can only report to the House; and it strikes me that the proper course for us is to report that on inquiry we find that the statements contained in the Clerk's certificate are correct, and then if we think proper we may recommend that notice should be given to the member in order to clear up any remaining doubt. Under this resolution the matter would not be settled: it would have to come back to the Committee again; and I think the better way would be to let the Committee report that, as far as we can learn from the evidence before us, the seat is actually vacant; and the Committee could report in addition, if it was thought well, that this notice ought to be given, or the House, when the report of the Committee came up, might, of its own motion, decide to give the notice. I presume it should be given by the House, the Committee having no machinery to give notice. I think, on the whole, the line indicated by the hon. member from Richmond is the proper one.

HON. MR. DICKEY—I should like to call the attention of the Committee to the proceeding that was taken as recorded. It will be seen that the course suggested by the hon. member from Halifax was that which was acted on by the Committee. The Committee did not undertake to give notice. They were merely to inquire into the facts—and what was done? The report of the Committee is here on record in the case of Mr. Dickson, in 1884, page 39 of the Journals of that year, signed by the then Speaker, who was also the chairman of the Committee, my hon. friend from Richmond. The House ordered that a notice should be given—"Ordered that the same do lie on the Table"—that is the report of the Committee. "The Hon. Sir Alexander Campbell moved, seconded by the Hon. Mr. Pelletier, that the said report be taken into consideration on this day fortnight, and that in the meantime the Hon. Mr. Dickson be notified thereof, and that a copy of the said report be transmitted to him through the mail by the Clerk of this House." That was the course. There was no such thing as the Committee giving notice to the absent member, but