

Hon. Mr. HOLTON remarked that this Bill covered a different ground. At all events it should pass the first reading.

Hon. Mr. TUPPER suggested that the two Bills should be referred to the same committee to be amalgamated. This would obviate the difficulty of having two laws on the same subject in the statute book of one year.

Hon. J. H. CAMERON said these Bills should be carefully considered because they might conflict with the rights of the Local Legislatures. He had not examined this Bill, but he knew there were provisions in the measure introduced by the hon. member for Hamilton which most certainly came within the jurisdiction of the Local Legislature. If, in such cases, the Government did not themselves determine upon a certain course to be pursued, they ought to see in some way that a special committee, or a sub-committee of the Railways and the Banking and Commerce Committees, should examine such Bills carefully with a view to recommending some system to be followed in reference to these measures.

Hon. Mr. MACKENZIE entirely agreed with the suggestion made by the hon. members for Cumberland and Cardwell. It was understood when the hon. member for Hamilton introduced his Bill that it should be referred to a sub-committee of the Railway Committee, composed of gentlemen learned in the law and experienced in business. It would be advisable to refer this Bill to the same committee and have the two amalgamated. The Government would take their own course, but would invite the assistance of hon. members opposite in dealing with this matter.

Hon. Mr. MITCHELL would have very much preferred to see this question taken up by the Government, as it affected the travel, trade and commerce of the country, which ought not to be dealt with according to the views of a private member of this House. It was taken up by the late administration, and it seemed to him the same course should be pursued by the present Government after these bills were reported from the committee.

Mr. MILLS suggested the propriety of the House appointing a Judicial Committee, of which the Minister of Justice would always be one, to whom any Bill

respecting which there was any doubt as to the jurisdiction of this Parliament might be referred. In the two Bills adverted to in the present instance, not only the question of jurisdiction, but questions relating to trade and commerce were raised, and which the Committee on Banking and Commerce might be a very proper committee to deal with the latter questions, they might not be the best committee that could be found for considering the former. Under a limited constitution like ours the question of jurisdiction might be raised upon many measures, and it would be well to have a committee whose special functions would be to consider such measures with reference to the question of jurisdiction, and that point being disposed of, they could be dealt with by the appropriate committees.

Bill read a first time.

RETURN OF A MEMBER.

Mr. SPEAKER—I have the honor to inform the House that the clerk has just received the certificate of the Clerk of the Crown in Chancery, informing him that JAMES H. FRASER is returned as duly elected to represent the city of London.

QUESTION OF PRIVILEGE.

Hon. Mr. MACKENZIE—I called the attention of the House, yesterday, to the case of the hon. member for Centre Wellington who sat and voted in this House before he became qualified to do so by taking the oath prescribed by law. I stated, also, that in a similar case in England the member who had voted in this manner voided his seat by the act of voting, and that the course pursued was to move at once for the issue of a new writ. I have examined the reports since then, and I find that no discussion in the House of Commons upon the case is reported, but I find that under the act of 1702 it is provided that where parties voted without having taken and subscribed the oath, the seat was thereby voided, and this act was renewed in 1866. It was under the act of 1702, that the proceedings took place in 1831. Although the law was renewed as late as 1866, in England, it has never been the law in this country, and to what extent the English law may govern the procedure of this House, I think it is a matter for the Committee on Privileges

Hon. Mr. Holton.