

"purpose mentioned, and at the solicitation, and under the pressing instances of Ministers,—

"That part of the moneys, expended by Sir *Hugh Allan* in connection with the "obtaining of the Act of Incorporation and Charter, were paid to him by the said United States Capitalists under the agreement with him,—it is

"Ordered, That a Committee of seven members be appointed to enquire into all the "circumstances connected with the negotiations for the construction of the Pacific "Railway—with the legislation of last Session on the subject, and with the granting of "the Charter to Sir *Hugh Allan* and others; with power to send for persons, papers "and records; and with instructions to report in full the evidence taken before, and "all proceedings of said Committee;" which was negatived on the following division:—
Yeas, 76; Nays, 107.

As your Lordship will perceive, this motion charges my present advisers with a very infamous proceeding,—with no less a crime than that of having sold Canada's most precious interests to certain American speculators, with a view to debauching the Canadian constituencies with the gold obtained as the price of their treachery.

In making his motion, Mr. *Huntington* did not accompany it by any statement as to the grounds on which he founded his charge, or by the production of any evidence in support of it; and neither Sir *John Macdonald* nor any of his colleagues having risen to address the House, a vote was forthwith taken without debate, which resulted in a majority of 31 in favour of the Government in a House of 183.

The next day Sir *John Macdonald* himself gave notice that he would move the appointment of a Committee for the purpose of investigating Mr. *Huntington's* charges, and it being further suggested—as I am informed—by some of the opposition members, that the evidence should be taken on oath, a Bill for that purpose was introduced by The Hon. *John Hillyard Cameron*, an eminent lawyer of Ontario, and the Chairman of the proposed Committee.

This Bill was accepted by the Government, and passed with scarcely any discussion in the House of Commons.

It was introduced into the Senate by Mr. *Campbell*, the Postmaster General, and gave rise to some difference of opinion as to whether its enactments were within the competence of the Canadian legislature.

In the 18th clause of the Union Act of Canada, it is provided that "The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate, and by the House of Commons, and by the Members thereof respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the Members thereof," and the critics of the measure observed that inasmuch as the British House of Commons did not acquire the general right of examining witnesses on oath until a date subsequent to the passing of the Union Act, the Dominion Parliament was precluded by the terms of the foregoing clause from investing the Canadian House of Commons with the powers in question.

It strikes me, however, that the 18th clause of the Union Act was not framed for the purpose of restricting the legislative action of the Dominion Parliament, but that the terms "immunities, privileges, &c.," refer to those immunities and privileges which are inherent in the British House of Commons as a separate branch of the Legislature, and this view seems to be confirmed by the use of the word "defined."

The manifest purpose of the Act was to endow the Canadian House of Commons with a status analogous to that enjoyed by the House of Commons at home; and for obvious reasons it was necessary that the attributes of this status should be distinctly specified in the manner provided for by the 18th clause, but it could scarcely have been intended to preclude either branch of the Canadian Legislature from acquiring, by Act of Parliament, such other powers as experience might prove to be necessary, providing these powers were constitutional in themselves, and did not infringe the prerogatives of the Crown.