

could be considered by them, and a report laid before the House, which would be a guide to a proper decision.

Hon. Sir JOHN A. MACDONALD said his honourable friend had been kind enough to mention to him before hand, that he would bring this subject up, and it was one to which he had a right to call the attention of the House. The essential facts were known to the country, but he would state them briefly. Hon. Mr. McDougall was the Minister of Public Works, and member for North Lanark. He was asked to accept the Governorship of the North West, under the Act of last session, which provided for a Provisional Government for that country, and he agreed to accept it so soon as Rupert's Land should become a portion of the Dominion. A salary was fixed, of course, subject to the sanction of Parliament, when the office should come into effect. Hon. Mr. McDougall did not resign his seat. The Government thought it well that Hon. Mr. McDougall should go with all convenient speed to that country, to make certain preliminary inquiries, and report as to the requirements of the country. He took with him a Commission under the Great Seal of the Dominion, which Commission was to take effect from and after the time of the union of Rupert's Land with the Dominion by Her Majesty's Proclamation. The House was aware of the circumstances which caused hon. Mr. McDougall's return to Canada proper, without assuming the Government, and these facts would all appear in the papers, to be brought down when no doubt there would be a full discussion on the whole subject. As regards the seat, he thought it would not be well for members to express strong opinions on that point, because if his honourable friend's suggestion was adopted, and the case went before the Committee on Elections, it would then be discussed from a legal point of view, and in a judicial spirit. He might say, however, that on the first impression, he did not think it clear that the seat was vacant, and therefore did not follow the course that would have been followed in cases where there was no doubt, that is, to present to the Speaker, a certificate, signed by two members, stating that the seat was vacant, and asking for the issue of a new writ. Such a course had not been followed by any two members, or the Speaker would have told them of it yesterday, and he thought this showed that the doubt which existed in his own mind, as to whether or not the seat was vacant, also existed in the minds of gentlemen on both sides of the House. As to the course which should be pursued, now that his honourable friend had brought the matter up, he would

rather not at the moment express any opinion one way or the other. Besides the honourable member himself was in his place in the House, and, of course, his opinion as to his constitutional rights should be met as far as possible. Of course it was quite open for any two members now to try the question, by sending in to the Speaker a certificate declaring the seat vacant, but the House being in session, perhaps that would not be proper.

Mr. MACKENZIE—It cannot be done while the House is in session.

Hon. Sir JOHN A. MACDONALD—Now my honourable friend has brought the subject up, I would be glad to hear the opinions of other members versed on constitutional law, and if the matter was allowed to stand over till another day, we might come to some conclusion in the matter.

Hon. Mr. HOLTON observed that he quite recognized the ready way in which his honourable friend had met his suggestion, but he must be aware that during the sitting of the House the course of sending the certificate to the Speaker by two members could not be adopted. His honourable friend had pushed the inference from the non-delivery to the Speaker of the certificate a little too far. The appointment of hon. Mr. McDougall was never gazetted. There was no authentic announcement of the appointment. That course could only have been taken by members of the Government, or by members at the instance of the Government, and therefore the inference to be drawn from the non-delivery of the certificate would not be quite so broad as stated by the honourable gentleman. He would be very glad, indeed, to hear the opinions of other members on the subject, and had no objection to let the matter stand over another day. He had felt it to be his duty, if the matter was to be mooted at all, to moot it at the earliest possible moment, perhaps it ought to have been done yesterday. Under the circumstances he thought it might be delayed till to-day, but he felt that, so far as he was concerned, if the subject was not mentioned to-day, he would not be at liberty to mention it at a later period.

Hon. JOHN SANFIELD MACDONALD said it appeared to him that some steps should be taken to lay the foundation for action. A writ might be moved for, and the motion referred to the Committee, who would report, and their report would be the basis for discussion.

Mr. MACKENZIE said it was not well to precipitate discussion in this matter. If the papers were brought down, showing the date of hon. Mr. McDougall's Commis-