

of Ontario and of Quebec occupy quoad this provision, precisely the position which the Executive Council did in the old Parliament of Canada. In other words, that members of the administration of this day were the only officers of the Crown, eligible to sit and vote in this House, while in the Local Houses, members of the local executive were the only ones eligible. It might be argued that these gentlemen were not officers of the Crown; that their appointment is through a derived power, not from the Crown or in the Queen's name. It was possible there might be some force in these arguments, though he could scarcely imagine the Attorney General of Quebec or Ontario, prosecuting in the Queen's name, being held not an officer of the Crown. But if he be an officer of the Crown and a member of the Privy Council of his province, it raised very grave doubts whether he had a right to sit and vote. There was another point which he wished to notice. The Under Secretary of State occupied rather an anomalous position. They are appointed by their chiefs not by the Crown, and they are not allowed to sit in the House of Commons, without going back for re-election; but they sit by virtue of an express statute which declares that no more than four of these officers shall sit in the House of Commons. In the absence of such express statutory provision he inferred these officers would be excluded from sitting; and if on the grounds of public policy a certain number of gentlemen to whom he referred, should occupy seats in this House, then there should be special statutory provision prohibiting any but a certain number should have seats. He did not propose enlarging on the subject. The real question was whether these gentlemen are or are not officers of the Crown? He thought they must be held to be officers of the Crown. One word as to the proceeding which he thought should be taken in this matter. He would direct attention to the course taken in the case of Mr. Forsyth, Under Secretary of State for India. It happened through forgetfulness probably of the state of the law, that five Under Secretaries were found in the House of Commons. Mr. Disraeli called attention to the state of facts, whereupon Lord Palmerston, the leader of the House, proposed a reference of the whole subject to a select committee to inquire into the whole question and report. That committee reported that this fifth Under-Secretary was in fact in the House contrary to law, and recommended that a Bill of Indemnity should at once be introduced to save Forsyth from the penalties incurred by sitting in the House. The ad-

[Mr. Holton (Châteauguay)]

ministration at once withdrew one Under-Secretary from the House of Commons, and appointed a member of the House of Lords in his place. Following this precedent, he thought that his honourable friend at the head of the Government should propose to refer this matter either to a select committee or to the Standing Committee on Privileges and Elections. Of course, he (Sir John) was not under the demands that sometimes existed, by reason of a close division of parties to strain the law or desire that a bad precedent should be established at this the commencement of our new era.

Hon. Mr. Cartier said the honourable gentleman (Mr. Holton) had stated his case according to his own view as full and as temperately and in as good spirit towards the Government as it could be by a member of the Opposition, in order to elicit on such an important question, the views of the Government. He regretted, however, that he had not reduced to writing the purport of his remarks. He (Mr. Holton) contented himself by stating that he was moving the House, verbally, on a great question, affecting the privileges of the House. He thought if he consulted May or any other authority, he would find that when a question as to a breach of the privileges of this House was brought, which implied a knowledge of facts which could not be within the knowledge of members, his statement ought to be made in writing. He (Mr. Holton) implied that honourable gentlemen holding seats in this House, were receiving salaries as members of the Local Governments of Ontario and Quebec. This was not within the knowledge of the House, and it was required to take these facts for granted. The gentlemen referred to had no power to vote themselves salaries—that was vested in the Local Parliaments—but even supposing these gentlemen were receiving annual salaries, that would render the proposition no stronger; it then came to this—that members of another Government had no right to occupy seats in this House. He (Mr. Cartier) would like to see any law prohibiting this. As well might it be pretended that gentlemen holding appointments from the Governments of the Maritime Provinces were precluded from holding seats in this House. The Governments of the different provinces were as distinct as that of British Columbia was from ours. Even supposing that the legislatures of the provinces had met and voted salaries to local Ministers, he still contended that they could sit in this House, if otherwise qualified. The Local Governments