

Cartwright,	Moffat,
Casey,	Monteith,
Casgrain,	Moss,
Cauchon,	Murray,
Charlton,	Norris,
Cheval,	Oliver,
Church,	Paterson,
Cockburn,	Pelletier,
Coffin,	Perry,
Costigan,	Pettes,
Coupal,	Pickard,
Cunningham,	Platt,
Cushing,	Pouliot,
Dawson,	Pozer,
Delorme,	Ray,
De St. Georges,	Richard,
De Veber,	Robillard,
Devlin,	Rochester,
Dewdney,	Ross ( <i>Middlesex</i> ),
Domville,	Ross ( <i>Prince Edward</i> ),
Dymond,	Ryan,
Ferguson,	Rymal,
Ferris,	Scatcherd,
Fiset,	Schultz,
Fleming,	Scrifer,
Flesher,	Sinclair,
Forbes,	Skinner,
Fournier,	Smith ( <i>Peel</i> ),
Frechette,	Snider,
Galbraith,	Stephenson,
Geoffrion,	Sturton,
Gibson,	St. Jean,
Gillies,	Taschereau,
Gordon,	Thibaudeau,
Hagar,	Thompson ( <i>Cariboo</i> ),
Hall,	Thompson ( <i>Haidimand</i> ),
Holton,	Thomson ( <i>Welland</i> ),
Horton,	Tremblay,
Irving,	Trow,
Jette,	Tupper,
Jones ( <i>Halifax</i> ),	Vail,
Jones ( <i>Leeds</i> ),	Wallace ( <i>Albert</i> ),
Kerr,	Wallace ( <i>Norfolk</i> ),
Killam,	White,
Kirk,	Wilkes,
Kirkpatrick,	Wood,
Laflamme,	Yeo,
Laird,	Young—141.
Lajoie,	

## NAYS :

## Messieurs

Baby,	Lanthier,
Caron,	Masson,
Cimon,	Montplaisir,
Desjardins,	Mousseau,
Gaudet,	Ouimet
Gill,	Pinsonnault
Harwood,	Robitaille,
Hurteau,	Rouleau—16.

## QUESTION OF PRIVILEGE.

Hon. Mr. MACKENZIE said—Mr. Speaker, You mentioned a case of an hon. member of this House, the other evening, who had voted inadvertently before he had taken the oath that he was required to take by law. I said at the time I did not think it would be competent for you,

*Hon. Mr. Cauchon.*

sir, to strike the name off the roll. I have since examined similar cases occurring in England, and I did not find that the name was struck off; but in one case, —I will furnish the reference to hon. gentlemen opposite—the voting without having taken the oath was held to operate as vacating the seat, and a new writ was moved for immediately.

Mr. McCALLUM—The seat is vacant now.

Hon. Mr. MACKENZIE—The hon. member for Monck says the seat is vacant now; but I think the hon. gentleman is quite capable of filling both seats. I was about to say, Mr. SPEAKER, that in that particular case, and it is the only case I have been able to find, a motion was made for the issue of a new writ, and immediately following it was a motion to introduce a Bill of Indemnity. The hon. gentleman has undoubtedly subjected himself to the penalties imposed by law upon such members as sit and vote without having taken the oath prescribed by law, and my impression is at present (and I state it subject to the opinion of the House which I invite) that we cannot strike the name off the division list. We must consider that the division might have been one carried by a majority of one, or it might have been carried by the casting vote of the SPEAKER; it might have, therefore, been an important division, and we have to consider what the effect would be if the vote were struck off such a division as that. As the name does not appear to have been struck off in the English House of Commons, I propose, subject as I say to the opinion of old members of the House who have thought over this question, simply to have a Bill of indemnity introduced that will be held to cover any wrong the hon. gentleman has committed in the premises.

Right Hon. Sir JOHN A. MACDONALD hoped the Hon. First Minister would be kind enough to hand over the case which was a startling one, and he would take the earliest opportunity of looking into it. It would be an unfortunate circumstance, and one which the House would deplore, if an inadvertance of that kind should compel any hon. member to vacate his seat. He thought the correct course to pursue was to introduce a Bill of indemnity, so as to protect the hon. member from the possibility of an action. The case ought to be examined by members of the