

merly held. In addition to this, we all know how unlikely Ministers of the Crown would be to forego any patronage they might possess to recall an old public servant. In England, under the Superannuation Act, from which our Act is copied, a civil servant is liable to be recalled at the same age, and under the same circumstances as under our Civil Service Act, and yet there is an express clause in the Imperial Act, not only justifying the election of civil servants enjoying pensions to the House of Commons, but absolutely inviting their being elected by expressly declaring that they shall be eligible. There is a separate Statute to that effect. They have taken the pains expressly to enact that a person who is in receipt of a pension, shall be eligible to sit in the House of Commons, and there are persons in both Houses of Parliament enjoying pensions, to the great advantage of the public interests. The second reason is, "Because it might lead to the superannuation of civil servants in order to make them eligible for election to this House, whereby the public service would be injured, and the independence of the House affected." That also pre-supposes wrong doing on the part of Ministers of the day—that they would, for some improper purpose, give pensions to persons not entitled to them. The third reason is, "Because another class, viz: judges, are entitled to retiring allowances only when suffering from bodily or mental infirmity, disabling them from work, or are retired under the discretionary power of the Government, for reasons alleged to affect the administration of justice. It would, therefore, tend to affect the independence of the bench as well as interfere with the independence of this House." I submit, with great respect for the other branch of the Legislature, that is but a partial statement of circumstances under which judges are allowed to retire. They are entitled to retire after fifteen years service, besides being allowed a retiring allowance when suffering from bodily infirmity. This reason also pre-supposes that a judge would be tampered with for the purpose of making him eligible as a candidate. Now, all these reasons seem to me—and I say it, I hope, with all proper respect, and yet, at the same time, with a proper sense of what we are entitled to in this House—

*Hon. Mr. Campbell*

not to meet the case. The pension of a civil servant becomes an annuity which no more ties him to the Crown than a life insurance ties a person to the company from which it is received. The Superannuation Act must be administered by the Government under their responsibility to Parliament, and that is the great security the people have that the wrong expected will not be done. I think the reason given for their inability to assent to our second amendment is sufficient, and that it would not be wise on our part to insist upon that amendment. I did not realize when we were discussing this matter before, the Clerks of the Peace are, in the different Provinces, custodians of the voters' lists, and there might be some apprehension on the part of the opposing candidates that the lists might be tampered with, therefore, I propose to inform the House of Commons that the Senate doth not insist upon its second amendment to that Bill. I move,

"To Resolve, That the said Bill intituled: 'An Act further securing the Independence of Parliament' be returned to the House of Commons with a message to the effect that the Senate doth insist on their first amendment to the said Bill for the following reasons:

"1. Because in view of our system of Government, under which the people of the different Provinces are represented in Local Legislatures and in general Parliament, a large number of suitable representatives is needed as compared to the educated population, and it is unwise to restrict the choice of the people by declaring ineligible a class likely to present from education and knowledge of affairs, persons with strong claims to the confidence of an electorate.

"2. Because when once a superannuation allowance is granted under the Statutes to retire Public Officers, it becomes an indefeasible right and cannot be withheld at the discretion of Ministers of the Crown, or except for cause defined in the Statute.

"3. Because the Superannuation Act is administered under the responsibility of Ministers of the Crown to Parliament, and they would be amenable to the censure of Parliament for any infringement of public or private rights in connection therewith.

"4. Because the tenor of Imperial Legislation of late years has been to justify the presence of retired Civil Servants in both Houses of Parliament on account of the great public advantage to be derived from their knowledge and experience in public affairs, and no inconvenience has resulted from their liability (under any circumstances very remote) of being recalled to the Public Service."