

House of Commons, or shall sit or vote in the said House.

Now I ask how that would have been interpreted if these highly important words 'for which any public money of Canada is to be paid' had not been present? Would there have been any question then but that any man interested, directly or indirectly, in any kind of contract at all with the government of Canada, was rendered thereby ineligible to hold a seat in this House? There could be none. But parliament deliberately refrained from enacting such a law, parliament deliberately said: It is not our intention to prohibit every kind of contract between the public and members of this House, it is only that kind of a contract for which the public money of Canada is to be paid that is a contract which will prevent a man holding a seat in this House. It would have been very simple to omit those words. Indeed, if it had been the intention to prevent an interest in every kind of contract whatsoever, it would have been very easy so to enact. An example of it was before the men who drafted this statute. In the Ontario Municipal Act there is exactly the wholesale kind of prohibition I refer to. Under the Ontario Municipal Act no man is eligible to a seat in a municipal council if he owes money which stands unpaid to the municipality; even though there be no express contract between him and the municipality, the mere fact that he owes the debt implies in the law an obligation of a contractual nature resting upon him to pay that debt. The mere fact that a man might be owing to the municipality an unpaid debt, under the Ontario Municipal Act would disqualify him from membership in the municipal council. This parliament never meant to go that length, this parliament refrained from going that length; this parliament at any rate did not prohibit a member of this House from purchasing public stores or goods of Canada if it was decided to sell them. If there were an unused dredge belonging to the Department of Public Works which was being put up for sale by auction, there is nothing whatever to prohibit a member of parliament from purchasing that article, and if he purchased it, from paying for it, as would be his obligation, to the Receiver General of Canada. And just as Mr. Lanctot paid his debt in this case by his cheque to the department, and as his moneys have gone to the credit of the receiver general, so a member of parliament purchasing any goods which might be placed upon sale if there was no longer use for them by the government of this country, would pay his purchase money into the treasury of Canada, and in paying his debt he would in no respect infringe

the statute governing the independence of parliament.

Now that it was the deliberate intention of parliament to prohibit only the transactions under which the contractor receives money or is to receive money from the public treasury, is not only the distinct language of the law which I have read, but it is the distinct inference from every other one of those sections of the statute. I suppose every hon. gentleman is alive to the fact that if he accepts any office of emolument under the Crown, he thereby vacates, his seat. That is provided for by the first one of this group of sections. But notice, it is the receipt of the money or the entering into the relationship which involves the payment of money by the government to the individual, which disqualifies him. If the office, in other words, is one which has no salary attached to it, there is no vacating of the seat, by express language of the enactment. The following section of this statute provides that unless that office is one which involves the payment of money to the holder of the office, there is nothing inconsistent in his being an office holder and a member of this House at the same time; and his acceptance of the office, provided there is no money to come from the public treasury to the individual, has no effect whatever upon his right to sit in this House. That is the express language of the enactment, and the wording of every clause in this group of ten sections which constitutes our Independence of Parliament Act. The views which I present certainly seem to me the clear meaning of the law in this regard, which is that any man who owes a debt to the government of Canada is entitled to pay that debt, and must pay that debt, notwithstanding the fact that he is a member of this House. If, on the other hand, any debt is owing from the government of Canada out of the public moneys of this country to an individual, he cannot take payment of that debt, (although it is his own money) as long as he remains a member of this House. If he is interested in any contract which involves payment to him out of the public moneys of this country, or any money the property of the Crown in Canada, that circumstance avoids his seat in this House. But otherwise a contract such as this is one which any member of parliament in so far as its legal effect is concerned, can enter into with perfect impunity.

For that reason I must admit that I read the conclusions of this minority report with considerable astonishment. I am quite prepared to concede to every gentleman, whether he is a legal practitioner or not, his right to his view of the law just as I have a right to my view. I do not criticise in the least degree the use of the word