

time. As a member of the Government he denied most emphatically having initiated any legislation with the view of affecting the seats of particular gentlemen in the other branch. The Government had not, directly or indirectly, inspired the measure, they had simply dealt with it as they dealt with every question which came before them, as public men bound to give every subject their most careful consideration. He, for one, would be sorry to see the gentlemen in question excluded from Parliament, as it was advisable to have in that body the best men we could have. As respects the probability of an injustice being done to a candidate by a returning officer, it must be borne in mind that he had his right of appeal to a Committee of the House.

Hon. Mr. CHRISTIE—How can a person who is declared ineligible to appear as a candidate come before a committee—he is not recognized?

Hon. Mr. MITCHELL—Every person has the right of petitioning Parliament and asking for redress. If a candidate was improperly excluded by the returning officer he could petition Parliament and obtain a remedy. The bill was no interference with local legislation, the Parliament simply defined its own rights and expressed its wishes with respect to its own representation. He referred to the Election Law to show that the rejected candidate had a right to appear before the Committee of the House. Under any circumstances, he contended it was not unusual to legislate for one province differently from another. The ballot was still in operation in New Brunswick, whilst open voting was retained in Quebec and Ontario.

Hon. Mr. LETELLIER DE ST. JUST—The Government did not find themselves strong enough to bring in a general measure respecting the mode of conducting elections.

Hon. Mr. MITCHELL—The Government professed to govern in accordance with the "well understood wishes of the people." The Government would not attempt to interfere with those rights and privileges to which the people of a Province professed an attachment. No one denied that the Senate should criticize and deal with every measure that came up from the other branch, but what the Hon. Postmaster General urged was that the Senate should not interfere unduly with a measure of a special character, affecting the interests and privileges of gentlemen in the Commons.

Hon. Mr. LETELLIER DE ST. JUST said that whilst the hon. gentlemen op-

posite professed a great indifference, they certainly displayed a large amount of earnestness—in fact, excitement,—whilst discussing the question.

Hon. Mr. MITCHELL said that the Government discussed that measure as they did all public acts with earnestness; but they did not instigate the Bill.

Hon. Mr. LETELLIER DE ST. JUST contended that the Bill was only establishing partial legislation, and that the duty of the Senate was clearly to reject it. He did not understand the argument of the Hon Postmaster General, that the Senate should not interfere with such a question.

Hon. Mr. CAMPBELL had only referred to the expediency or propriety of interfering with a measure of that kind.

Hon. Mr. LETELLIER DE ST. JUST said that the application of the elective principle to the old Legislative Council had been mooted in the House of Assembly. He did not see why the Senate should not declare what was best for the general welfare of the country. The Government were aware that the bill was partial and exceptional in its character.

Hon. Mr. CAMPBELL—The Government knew nothing of the kind.

Hon. Mr. LETELLIER DE ST. JUST—Well the press of the country had revealed the motive at the bottom of the measure.

Hon. Mr. MOLELAN said that the Legislature of Ontario went as far as it could to declare against dual representation, but it could not define the qualifications of a candidate for the House of Commons, and therefore it was left for Parliament to perfect the legislation on the question. He referred to the practical workings of a similar measure in Nova Scotia to illustrate some of the effects of the Bill.

Hon. Mr. REESOR said that it was not a matter of surprise that the Minister of Justice had not voted for the Bill, for he must have had his doubts as to its constitutionality. By reference to the Constitutional Act it would be seen that the Local Legislatures had exclusive jurisdiction over the property and civil rights of the Province. It was obvious that it was an interference with such rights to tell them that they should not send the candidate they chose to the House of Commons. A question might also be raised as to the propriety of having one person elected for two constituencies, and allowing him subsequently to select his seat. That privilege which had existed from time immemorial was more extraordinary than the one which would allow one person being elected for two Legislatures. He had been always opposed to