

had the right of making selections from all over the country. If that had been proposed, I think many honorable gentlemen would have found fault with it. (Hear, hear.) It was due to courtesy that the members of this House should not be overlooked, and not only that, but there were acquired rights which had to be respected. My honorable friend appears to dissent from this statement. Well, the last choice of the people are now in this House, and by the fact of their election they have acquired a right to a seat; and I think those gentlemen who have been appointed for life have gained rights which should not be overlooked. (Hear, hear.)

HON. MR. CURRIE—The honorable and gallant gentleman says we have an acquired right. I admit we have a right to sit here during the term for which we have been elected; but what right have we to seat ourselves here for the remainder of our lives? The people did not send us here to make this change in the composition of this House. (Hear, hear.) And what right even have the appointed members of this House to seats here during their lifetime? I have a despatch here, written by the late Duke of NEWCASTLE, who will be considered pretty good authority upon the point, to the Lieutenant-Governor of Prince Edward Island, on this very question. I need not read the words of the despatch, but the sense of it is, that legislative councillors have no right of property in their position, but simply a naked trust which the Legislature may at any time call upon them to surrender to other hands, if, in their opinion, the public interest shall require such transfer.

HON. SIR E. P. TACHÉ—That is merely a matter of opinion. That may for a time have been the view of the Imperial authorities, but previous to 1856 they held and said directly the contrary. (Hear, hear.) They then said that they had granted certain privileges to certain gentlemen for life, and that they would not commit the injustice of withdrawing those privileges when the gentlemen had done nothing to forfeit them. (Hear, hear.)

HON. MR. CURRIE—I am surprised at the honorable and gallant Premier questioning the ability of the distinguished gentleman who wrote the despatch to which I have just referred. Whatever may have been the opinion of the Colonial Office in 1856, this is a later opinion, for the despatch is dated the 4th of February, 1862. The honorable and gallant gentleman says they do not propose to take from any honorable gentleman the rights

he now enjoys. I could understand this argument if they did not propose to take away the rights of any honorable member of this House; but I cannot understand it when you propose to drive from this House faithful subjects who have served their country honestly in the Legislature, and I am afraid we have not yet had from the gallant Premier that explanation to which the House is entitled. (Hear, hear.) Why is it that the legislative councillors from Prince Edward Island are excepted? In that province, as we know, the Legislative Council is elective, and it is an elected Chamber that is now in existence there, but the members of it are excepted from the provisions that apply to the legislative councils of the other provinces. Why is this? I think there must be some reason, in the first place, for breaking the good rule that in no way shall the prerogative of the Crown be restricted; and, in the second, for making an exception in regard to one that does not apply to the others. I think a reason may be found for this in the fact, that it was doubted whether the resolutions in a different shape would have passed through some of the chambers that compose the legislatures of the different provinces. (Hear, hear.) I would like to know what justice will be done if this change is carried out? What, for instance, will be done with regard to two honorable members who come from the city of Hamilton? One of them (the Hon. Mr. MILLS) is an appointed member; the other (the Hon. Mr. BULL) was the almost unanimous choice of the people only a few months since. Under the working of the resolutions, one of these honorable gentlemen will forfeit his seat.

HON. MR. ROSS—Why? (Hear, hear.)

HON. MR. CURRIE—If it does not follow that one of these honorable gentlemen will lose his seat, it must follow that some other portion of Upper Canada will be unrepresented in this House. (Hear, hear.) Let honorable gentlemen take either horn of the dilemma they please. It may be quite true that the gentlemen who have been sent here possess the confidence of their constituents, but it does not follow that they will be retained in their seats. It is plain that a great injustice will be done these honorable gentlemen, some of whom have served their country faithfully, without, in any way trenching upon the rights of the Crown or infringing on those of the people; and I think the conclusion this House and the country, as well as the other branch of the Legislature, will arrive at, is that these re