

the Crown. But I have still a further statement to make, and I think I may make it in the presence of my hon. friend the Finance Minister (Hon. Mr. Tilley)—that the course of the Governor General in respect to all these transactions has been finally settled and agreed upon by the whole Imperial Cabinet. (*Cheers.*)

It is said, Mr. Speaker, with respect to the Commission that by constitutional authority the Crown cannot know what happens in the House of Commons. Well, Mr. Speaker, that is one of the anachronisms which we see in the quotations of the hon. gentleman opposite. They are two or three centuries behind the times. In days long ago it was settled that no motion could be reported to the Crown; and why? Because in those days the Crown had a very inconvenient mode of sending down a number of officers and taking a member of Parliament by the neck and sending him to the Tower. So that it was told that during a discussion and for protecting the freedom of Parliament there should be no communication to the Crown while any discussion was going on, but it is different now. There can be no danger of any member of Parliament being seized in his place or out of his place. There is no danger of Charles the First coming down and seizing five members. There is no danger of the freedom of the members of Parliament, or of the people, being infringed by any Act of the prerogative.

What happened, however, in this case? Did the matter remain with the House alone, or conclude with the House? No, the House itself sent information to the Governor General by the member for Shefford (Hon. Mr. Huntington). In consequence of the resolutions passed by the House, the member for Cardwell (Hon. Mr. Cameron) introduced a bill for the purpose of giving the Committee power to administer oaths. We passed that bill through both House, and it went to the Crown, to the first branch of the Legislature. Is it to be supposed that when we, the advisers of the Crown, the advisers of the Governor General, asked him to come down here contrary to usual practice, contrary to the general universal practice, to come down before the end of the session to give his sanction to a measure; is it to be supposed that when we brought him down for that special purpose we were not charged by the Legislature to convey to him why we asked him to give his assent? Then why, Mr. Speaker, was it to be supposed that the Sovereign would give as a matter of course his assent to a measure passed by this Parliament without a reason.

Sir, we gave that reason. The advisers of the Crown told the Crown what the motion of the member for Shefford was. They told the Crown what the proceedings before the House were, and that the culmination of their proceedings was that the Act should be passed. That was the reason why the Crown came down, that was the reason why the Governor General instead of at the end of the session came down in the middle. He was fully informed of the motion of the member for Shefford, and of all the proceedings on which the bill was based. But it has been said, Sir, that this Act was an obstruction of the action of Parliament. Why Sir, it was intended for the purpose of aiding Parliament, but it was disallowed; but certainly by no act of mine as has been charged.

It was even asserted somewhere that I had, or that the Governor General had, attempted in some way to influence the Government in England to disallow the Act. Well, Sir, the paper before Parliament shows with what scorn that statement can properly be met. No suggestion direct or indirect, went from the Canadian to the Imperial Government with respect to the disallowance or passage of that act. (*Cheers.*) I did not hesitate in my place in Parliament to express my opinion that the passage of that Act was beyond the powers of the Canadian Parliament. I had formed, I may say, a very strong opinion on the point, but I did not express my opinion so strongly to this House as I really felt it, because I knew from the usual generosity of gentlemen opposite that they would at once have said, "Oh, of course, you throw obstacles in the way because you do not wish the bill to pass", and therefore while I would have liked to state that we had not the power to pass the Act, at the same time I placed great confidence in the opinion of the hon. member for Cardwell. I do not know whether the member for Bruce South (Hon. Mr. Blake) expressed any opinion on the point, but if he did not, many other learned members did, and I paid great respect to their opinions. I did not therefore oppose, as otherwise I would have opposed, the passage of the bill, which I would certainly have done had I not been personally concerned.

When it went up to the Governor General, as the papers will show, as I was bound to express my real opinion, I stated my doubt of its legality, but hoped his Excellency would see his way to allow it instead of reserving it for the signification of her Majesty's pleasure, and I gave my advice not only as First Minister, but as Minister of Justice, that the Act should be passed. The measure was passed and went home to England and, as the despatches show, the case was fully argued, so far as it could well be argued, and the strong impression of the representative of our Sovereign at the time was, that I was wrong in my law, and that the hon. gentlemen who had supported the bill were right, and that the bill would become law. We know what the result was, and that after the consultations the bill was disallowed.

It has been said by the hon. member for Bothwell, that it is out of the question that we should be governed by the law officers of the Crown, but let me state to this House, Mr. Speaker, that the decision was not the decision merely of the law officers of the Crown, but it was the decision of the British Government. It was an order of the Privy Council, and there is an order of the Privy Council passed in which the Lord Chancellor is not consulted before a decision is come to. I state this without fear of refutation that any disallowance of an Act is not the act merely of the Attorney General and the Solicitor General, but that of the Government of Great Britain, the act of the Lord Chancellor at the head of the Privy Council. Will the hon. gentleman venture to deny; will he venture to say that for the disallowance of this bill we have not the highest authority, and that to which we must all bow, whether we will it or not? Will he venture to say that when an Act is disallowed by the Queen in Council it is the act of the Attorney General and Solicitor General, neither of whom is a member of the Privy Council or knows what the Privy Council does? They take their orders. They give their opinions; and these opinions may or may not be accepted by the