

sire to impose his wishes upon the committee and a violation of the rule having been noted, the hon. member may, if he has the unanimous consent of the committee, continue his remarks.

Mr. BUREAU: The hon. member is either in order or out of order. If he is out of order we want a ruling; then if we choose to appeal we will appeal.

The CHAIRMAN: The remarks of the hon. member were not in order.

4 p.m. Mr. BUREAU: Then we appeal against that.

Mr. MEIGHEN: By consent?

Mr. BUREAU: No. I think if this committee is going to be run by the rules of Parliament, when a member is out of order he ought to be out of order. We do not want any unanimous consent to break the rules.

Mr. MEIGHEN: Answering the hon. member for Guysborough (Mr. Sinclair), the Order in Council did not, strictly speaking, authorize advances the way it is referred to. —“Authorize the making of advances for the purchase of seed grain.”—If by these words is to be understood the making of advances by the Crown direct, it only authorized the making of advances by the banks, and the way the Order in Council of October 7, 1918, read was as follows:

That for this year—the year 1919—the minister might adopt the method outlined in this Bill,—

briefly put—

—instead of the old method of advancing money on unpatented land for seed grain.

The Order in Council is somewhat lengthy, but when I have stated it in those words I have stated all the Order. I can read it to the House if it is so desired. The reason it was necessary at that time was that we had to make our arrangements with the banks, and the banks had to get ready to take care of this business. The farmer in the winter gets his seed grain ready for the coming spring. It would have been better for him if we could have done this earlier; he would have known then how much land he should get ready for the coming year and he would have been sure he would be able to get his seed. It would never have done to have waited for the meeting of Parliament, because we would have been too late altogether to overtake our work.

Mr. McKENZIE: Do I understand the minister to say that this Order in Council, [Mr. Chairman.]

No. 2472, is based upon any Act of Parliament? The rule is, of course, that every Order in Council must be based upon some Act, otherwise it has no foundation at all. Was there an Act last year upon which this Order in Council was based? Or was it made without any authority, subject to be ratified by this Act? I would like to know from the hon. minister which position that Order in Council is in.

Mr. MEIGHEN: I am not certain whether under any other authority we could have taken action even without passing an Order in Council at all; it is possible we could have, but at the time I recited the whole of the facts in a recommendation to Council in this way:—

The minister further recommends that as there is need for prompt action he be authorized under the provisions of The War Measures Act, 1914, to put into effect the plan above described and make arrangements with the chartered banks accordingly, including the giving of the guarantee above set out.—

—which was authorized under the authority of that Act.

Mr. McKENZIE: Does the minister tell the committee that this Order in Council, which now requires ratification, was based upon some former enactment of this House?

Mr. MEIGHEN: No, not in respect of doing it in this way. There was no special previous enactment that would have authorized our doing it by means of guarantee to the banks instead of by cash outlay ourselves. No previous Act contemplated that. We could, however, have advanced money direct, just as we had done in previous years, but we chose this method instead mainly for the purpose of economy, economy that I have not the slightest doubt will be abundantly vindicated by the result.

Mr. McKENZIE: I am not saying whether it was necessary or not, but I think it is advisable that we should keep within the well defined bounds: that the Governor in Council has no authority to pass an Order in Council except it is based upon some statute.

Mr. MEIGHEN: Under the War Measures Act.

Mr. McKENZIE: My hon. friend did not tell me it was under the War Measures Act. Of course, if that is so then it has a proper basis.

Mr. MEIGHEN: I read that.

Mr. McKENZIE: I did not catch it. In talking of the Order in Council the Minister of the Interior gave us one of those