

that report and to have these various Acts looked over. It will be a great assistance to hon. members in this House. The hon. gentleman says that it is introduced too late. But if the House thinks so it will say so and throw it over to another year. But all this is wide of the mark. We have been requested to appoint a certain number of members to consider and look over and report upon this report; and unless there is a constitutional objection—and there can be no constitutional objection, because if it is unconstitutional to have a joint committee on the subject of legislation it must be unconstitutional to have it on any subject of legislation—this invitation being given I think it would be churlish and wrong, and certainly without precedent, to refuse to have this committee for the purpose of reporting and assisting this House in their deliberations.

Mr. MILLS. The hon. gentleman says there are precedents for the course he is about to take, or at all events that there is no precedent against it. These instances he gives of considering railway legislation in England, the hon. gentleman will see, are precedents not to consider Bills brought before Parliament, but the principles on which legislation should proceed. Now that is a wholly different principle from the one involved in the proposition before us. Then, Mr. Speaker, we have here a certain mode of proceeding. We read in each House every Bill brought before us for consideration, a certain number of times. Those precedents in procedure are strictly adhered to, in all cases of ordinary legislation coming before us. The hon. gentleman proposes not to take an ordinary Bill, where if a mistake were made it might be reconsidered at another Session, but he proposes to take the legislation of seventeen years on every possible subject, and instead of exercising the usual care of a certain number of readings, and of certain proceedings in the two Houses, acting separately and independently of each other, he proposes that those two Houses shall practically divest themselves of their responsibility and hand over to a joint committee the most important matters that could possibly be brought before either House, for its consideration. That is practically what the hon. gentleman proposes. Now it does seem to me it is of great consequence that not only the members of this House but the people of the country should have the opportunity of reading these volumes and considering the legislation which is proposed, and the changes in the legislation which are proposed. There is no doubt whatever that many very important and valuable suggestions would be received by the representatives of the people of Parliament during the recess. It does seem to me a most extraordinary proposition that the Government should at the end of two months propose that it should divest itself of its responsibility and abandon the usual care it exercises in legislation brought before us, and hand over to a joint committee of the two Houses the consideration of those two large octavo volumes. I have looked at these volumes and I dare say those men have done fairly well the task assigned to them. I do not know what the nature of the commission was, but assuming that it was simply with a view of incorporating the different measures of the same subject into one Bill I think they have done their work fairly well. But there is no proper consolidation of the law in these volumes before us. I take as an instance the provisions in this consolidation relating to the Department of the Interior, over which the hon. gentleman for several years presided. I find here in the first volume, chapter 21, an Act respecting the Department of the Interior. I look to see what were the purposes for which the Department was created, what the functions of the Minister presiding over the Department are, and I find scarcely anything with regard to the Department. It is stated the Minister shall have charge of the public lands and so on. I turn to another Statute, that relating to the

Geological Department, in another part of this volume, and I find in it this clause :

“The Minister of the Interior shall have the control and management of the Geological Survey of Canada.”

In another part of the volume, relating to Indian affairs, I find a clause providing that certain functions shall be discharged by the Minister of the Interior or some other Minister who has control of Indian affairs. Now, here are different provisions on what might be called departmental law, relating to the constitution of Government itself, stating who the officers of the Government are to be, and what the duties of those officers are; and I find with regard to one important office—and precisely the same observation would apply to others—that you are obliged to look through several Statutes in order to find what duties are imposed upon a Minister of the Crown. It is perfectly obvious that anything like a proper classification of our law has not been for one moment considered by the commission appointed to consolidate the laws of Canada; and it is clear, that being the case, that if a committee is to discharge its duty in this matter efficiently, it has almost as great a task before it as if this work of consolidation had not been undertaken by a commission at all. Now, Sir, there has been nothing done in the way of consolidation in these volumes, so far as I have been able to examine them, except what might be done by an ordinary clerk with a pair of scissors. There have been certain sections picked out of one Statute and incorporated in another, and any amendment that has been incidentally made in some particular Statute, relating to any public department, or creating some new duty or function, has been allowed to stand in the position in which it stood in the Statute in which it was introduced. It is perfectly clear, therefore, that this whole work has to be done anew, as if nothing had been actually done by the commissioners, and it requires the most careful consideration of Parliament if there is any case in which it is important that Parliament should not abdicate its functions, and hand over to a committee work that properly belongs to itself under the constitution, it is in the matter of the consolidation of the Statutes. We are entitled to know, and the public are entitled to have an opportunity of knowing, what is contained in these volumes. The public are entitled to have an opportunity of considering their contents, and discussing them; and Parliament has a right to the advantage of that consideration and discussion, which would place us in a better position to consider the contents of these volumes than any committee could be in at the fag end of the Session.

Mr. DAVIES. Before the motion is adopted I just want to say a word or two, not as to the question or precedent, but more particularly as to the result that would follow from the appointment of this joint committee. It must be perfectly evident to anyone who has had anything to do with drafting or consolidating Statutes, that if the committee pretend to do their work this Session, they must abandon all other legislative functions. As my hon. friend has just remarked, to do their work other than perfunctorily, they must make up their minds to go through every chapter and every section. That is out of the question. The hon. gentleman knows he cannot take fourteen or fifteen lawyers out of this House and ask them to give up all their other legislative functions for the rest of the Session. The advantage of allowing this work to lie over for a year would be very great. I have not been able myself to look through the volumes at all yet; and I do not know whether the work is done well or badly. I understood the right hon. gentleman to state, as one reason for the appointment of this joint committee, that the Minister of Justice in the other House could preside over it, and that the very great knowledge which had been gained by him in the compilation of this report