

mittee of the Privy Council at which certain orders in council were passed? When the right hon. leader of the opposition was selected to form an administration he himself undoubtedly was first sworn into office as Prime Minister, and possibly as the holder of the office of President of the Privy Council. Then he summoned other members of the Privy Council; he could summon any members he might see fit, who were present in Canada. He had the constitutional right to summon them as a committee of the Privy Council, empowered to act further, and he did so. And when the right hon. gentleman sneers at the present Prime Minister for making appointments by orders in council, the latter is following exactly the same practice as the right hon. leader of the opposition followed when he first constituted his own cabinet; and the same practice has been followed in the constitution of each and every government since 1867.

But, Mr. Speaker, I should like to call attention just to one other phase of the question. I listened, as we all listened, with admiration to the address of the hon. member for Bow River (Mr. Garland)—I think it was one of the most eloquent and, on the whole, most impressive addresses that we have heard during this session of parliament. I do not agree with all the hon. gentleman's interpretations as to the law, and I think he over-emphasized certain interpretations which he gave to existing constitutional practice. The leader of the opposition stated his position very fully last evening. He says that he visited His Excellency the Governor General on Saturday and discussed with him the question of a dissolution of parliament; that he approached His Excellency on Monday about noon, in accordance with a previous appointment, and he then again discussed the question of dissolution; and that His Excellency declined to follow his advice and to grant a dissolution of parliament.

Mr. MACKENZIE KING: In order that the record may be complete I should say that I also had an interview with His Excellency on Sunday. I did not say anything about that previously.

Mr. CAHAN: We will take it that the right hon. gentleman had interviews with His Excellency on Saturday, on Sunday and on Monday. It was the bounden duty of the leader of the opposition, as the then Prime Minister, to have informed His Excellency with respect to recent proceedings in this House, and recent proceedings in the special committee investigating the Department of

[Mr. Cahan.]

Customs and Excise. We know therefore that, if the Prime Minister of that day performed his duty, His Excellency was well informed as to the report of the Customs committee, as to the Stevens amendment moved to that report, as to the fact that that amendment was a reflection, and a serious reflection, upon the administration under the direction and control of the then Prime Minister, who now leads the opposition. His Excellency must have been informed also of the three votes in this House—possibly they were not direct votes of want of confidence, dealing with them in a strictly technical sense—and His Excellency must have been in a position to know that a dissolution of the House, on the advice of the then Prime Minister, would render it impossible for the House, in the exercise of its constitutional functions, to pass the amendment introduced by Mr. Stevens, as amended by one subamendment at least which reflected very severely upon the administration of the government of the day. Now I ask the leader of the opposition to search the records—and he will search them in vain in recent years—to find a case in the British parliament, or a case in any of the dominion or colonial parliaments, if you distinguish between them, in which a prime minister was allowed a dissolution which would have the effect of preventing a legislature then in session from passing a resolution then actually before it, reflecting upon and discrediting the administration of the day.

Mr. MACKENZIE KING: What will my hon. friend have to say if we get a dissolution before the present resolution is voted upon?

Mr. CAHAN: That the present resolution is perfectly ridiculous. I say, and I do not think the right hon. gentleman will deny it, that if the resolution dealing with the Customs report then before the House had been passed when on Saturday, Sunday and Monday the Prime Minister advised dissolution, it would have reflected very seriously upon his administration and have rendered it impossible for the right hon. gentleman to continue any longer in office.

Mr. MACKENZIE KING: Just to show how mistaken my hon. friend is, I really and honestly believe that if I had not resigned because my advice for the dissolution of parliament was not accepted, the criticism that has been levelled against the department would not have been passed at all.

Mr. CAHAN: Oh, well!