

Again, we find the deep-water terminus at Halifax. I do not know whether the hon. member for Halifax saw such damage created to that, that it required this expenditure, but I can speak with regard to the deep-water wharf at St. John, and I think my hon. colleagues will join me in saying that we could not understand what immediate necessity there was that required work to be done to the extent of \$5,000 on that during February, 1887, except that it happened just about the time of the general elections. We also find on the Intercolonial alone nearly \$600,000 paid out of the Treasury by special warrants. We should have full explanations with regard to these matters, to show whether the Act authorising the warrants to be issued, which is clear and specific in its terms, has been complied with. There is no point in which we, as representatives of the people, should be more jealously guarded in our conduct than in the appropriation of money unauthorised by the representatives of the people, and when we find an unauthorised expenditure of between \$2,000,000 and \$3,000,000 we ought not only to have the fullest explanation, but, as was done in 1878, we ought to have the warrants and the Order in Council showing the necessity of this expenditure and enabling us to judge whether it was necessary expenditure under the Act or not.

Mr. FOSTER. My hon. friend has brought up a new point to be added to the many views adduced yesterday, and that is, that these expenditures were unwarrantable, because the Orders in Council upon which they were based do not appear with the return laid on the Table. He says the Orders in Council are necessary to show why these warrants were issued, and that the Orders in Council having been brought down in one case whilst they were not brought down in the other cases, is proof of the necessity of their being brought down in all cases. There is not much in that argument. The Orders in Council are simply the orders upon which are based the warrants, a statement of which is laid before the House, for the past year, and if they were brought down they would be couched in the same language as those upon which the statements brought down of warrants issued in previous years were based. My hon. friend stated, and I think some other hon. gentlemen bore him out in his statement, that there was no law which made it necessary, under the late Administration, to bring down a statement of warrants which strictly defined the purposes for which warrants could be issued. The law was passed afterwards. If he will look at 31 Victoria, chapter 5, Statutes of 1867, he will find there was an Act then, and that it was just as strong and explicit as the Act from which he read; he will find that the present Act from which he read is in this a transcript of the other. The second clause of section 35 says:

"If when Parliament is not in Session, any accident happens to any public work or building which requires an immediate outlay for the repair thereof, or any other occasion arise when any expenditure not foreseen or provided for by Parliament is urgently and immediately required for the public good, then, upon the report of the Minister of Finance that there is no parliamentary provision, and of the Minister having charge of the particular service in question, that the necessity is urgent, the Governor in Council may order a special warrant to be prepared, to be signed by the Governor himself, &c.

The words are the very same as those in the clause in the later Act. More than that, the Act requires that not later than three days after Parliament sits, a return of the warrants shall be presented to the House. It would not make much difference whether there was an Act or not, provided you took your stand, as the hon. member for Bothwell (Mr. Mills) did yesterday, on the principle that it was one of the peculiar functions of the House of Commons to regulate and to keep a strong supervision over the expenditure of public money, and that it was an abuse of power to expend money without parliamentary appropriation. Surely that hon. gentleman will not argue that it was necessary to have an Act in order to keep him right; surely he will not argue that if

there is a constitutional function invested in this House, and that function would be violated, the excuse may be set up that there is not an Act of Parliament forbidding its violation? Unfortunately, however, for my hon. friend, there was an Act of Parliament whose provisions were just as stringent as those of the present day, and that Act having been violated by my hon. friends opposite, they are responsible for the wrong. However, the hon. gentleman seems to think that the present wrong cannot be condoned by the fact that a previous wrong had been done. That is true, but the whole force of the indictment yesterday made specially by the leader of the Opposition, was, that it was wrong, that it was almost criminal to use money under Governor General's warrants unless an accident happened, unless some great and pressing necessity existed, and if any money was expended under a Governor General's warrant without this condition, the expenditure was illegal and almost criminal. My hon. friends opposite cannot get away from that position; they cannot escape the castigation of their own leader. If it is wrong and almost a crime in this instance to use money under the Governor General's warrant, when there was no accident, no great unforeseen pressing necessity, it was equally wrong then. If the castigation applies to any one, it applies to the hon. member for Bothwell and his colleagues in the Mackenzie Government who did the wrong complained of.

Mr. MILLS. You have not shown anything wrong.

Mr. FOSTER. My hon. friend says I have not shown anything wrong. Hon. gentlemen opposite say they have shown wrong in connection with the statement of warrants now brought down, but in 1874-75 it has been said no statements of warrants issued were brought down as required by the law. Not having been brought down, that omission was a direct violation of the law and of the Act of 1867, and it was committed by hon. gentlemen opposite. I find that in 1876 \$25,000 were expended under the authority of the Governor General's warrant, and I do not find that any accident occurred or that there was any great or pressing necessity to justify this unauthorised expenditure. The \$25,000 were voted for the exhibition at Sydney, N.S.W., and if we are to go by the letter of the Act, as the leader of the Opposition and the hon. member for Bothwell say we ought, why not go by it in the one case as in the other? There was no pressing necessity or urgency for this expenditure of \$25,000 by special warrant, yet the warrants issued. The hon. the leader of the Opposition yesterday made some very severe remarks about hon. gentlemen on this side not estimating sufficiently the sums required, or being so wide of the mark that afterwards they had to make up the deficiency by special warrants, and he stigmatised that as a very improper thing. What do we find in this report of the warrants issued in 1877? We find them confessing, in a report of the Privy Council, that for some unexplained or exceptional causes, the original estimate of the cost of works in the North-West, at Battleford and Fort Perry, had been exceeded by \$30,000, and they had to cover up that error in estimation which my hon. friend, the leader of the Opposition, stigmatised as so improper, by obtaining a Governor General's warrant for \$30,000. I find, also, that in 1878 there were Governor General's warrants issued, special warrants to complete the main tower of the Parliament building, no appropriation having been made for that purpose. Why was that appropriation not made? Did not the hon. gentleman know that the main tower needed some amount of money to complete it? But they did not ask for it during the Session, and, after the House adjourned, they obtained a Governor General's warrant. Then there were a number of lapsed balances which were carried over in the same way. Then, in order to relieve the distress among the Indians, they had another warrant issued. That might be found to be a pressing necessity, but the same thing occurs in the warrants