

doubt and no chance of collision between the representative of the House and the head of the Government. Such collisions must have a most deplorable effect, resulting in the lowering of the dignity and the infringement of the rights and privileges of this House.

SIR JOHN A. MACDONALD said he quite agreed with the hon. gentleman that there was no question of politics involved in this matter, and that the Commission on Internal Economy had no right to make appointments to offices in this House. The Commission had certain powers respecting expenditure, the right to sign cheques, but the power of making appointments did not rest with them. He did not agree with the hon. gentleman that there was any question of privilege or the dignity of Parliament in the matter. The Crown did not claim the right to appoint officers, and no member of the Government acting for the Crown claimed the right to make these appointments. They rested with the Speaker, and the only question was, not whether the dignity and independence of Parliament had been affected, but simply the question of law, of statutory construction, as to who was the Speaker that had the right to make appointments, whether it was the present Speaker, after his election to the office, or the Speaker of the defunct Parliament. The hon. gentleman said the present Speaker could not get any assistance from English precedent in his course. No question of this kind could arise in Parliament in England. Mr. Manners Sutton, to whose case the hon. gentleman alluded, was declared Speaker on quite a different principle, and for quite different reasons from the present case. They all knew the Parliament in England died with the demise of the Crown, and England was then without a Parliament. In the old days, when there was a danger of disputed succession, owing to claimants in two families, it was thought a matter of danger that England should be without a Parliament at the time of the demise of the Sovereign. It was, therefore, provided that in such a case the old Parliament should continue to exist and assemble, as if it had still a legal existence, for six months after the demise of the Crown, so that at no

period should there be any danger arising to the peaceful succession of the Crown from the absence of Parliament. The Speaker was elected to preside over the deliberations of the House of Commons, and as a matter of necessity, when the Parliament died, the Speaker died. There was no Speaker until the 2nd of May, 1868. In case of the dissolution or the natural death of the Parliament, there was no Speaker until this Act passed, and it was only by virtue of this Internal Economy Act that there was a Speaker at all after the termination of Parliament. This Act did not make a Speaker for all purposes. It declared that after the termination of Parliament, the late Speaker should continue for all purposes of the Act to be Speaker, but did not give the Speaker the general powers of Speaker. The purposes of the Act were simply to carry on the expenditure and keep the machinery, as it were, in motion. There was no provision that the Speaker for general purposes or other purposes than those defined in the Act was Speaker at all, and the fact that he had the power of appointment in one case shows that clearly. There was a specific provision that the Speaker, under this Act, had the power of appointing an accountant. The main object of this Act was to take care of the funds, to apply the funds necessary to keep up the machinery of Parliament, and for this purpose to have always an accountant, and thus the Speaker was given the power to appoint him. The hon. gentleman said that, under the 9th clause, the Speaker had the power of dismissal, and that that involved the power of appointment. That principle could not be found laid down in any book in the world, but the converse was, that, where any power to create was given for a specified time, the power of dismissal was necessarily involved in it. The Clerk had the power of dismissal, but not the power of appointment. That rested with the Speaker. The hon. gentleman argued as a matter of law, of statutory construction, that by necessary implication the power of dismissal conferred the power of appointment. He (Sir John A. Macdonald) denied that *in toto*. If, then, the hon. gentleman had no right to appoint these officers, these appointments were