

Hon. Sir JAMES LOUGHEED: That is only for administration purposes. It does not affect the material results of the Bill.

Hon. Mr. DANDURAND: There will be no more payments of the tax at the source?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. BOSTOCK: That has been a very common way of collecting taxes in England, I understand, for a great many years. Of course, it may be a method that has been found not valuable or useful as applied in this country.

Hon. Sir JAMES LOUGHEED: It is owing to the experience of Great Britain that we are repealing section 6 of the Act, because they had to refund over \$30,000,000 that was wrongly collected.

Section 5 was agreed to.

Section 6 was agreed to.

The preamble and title were agreed to.

The Bill, as amended, was reported, read the third time and passed.

THE SENATE AND MONEY BILLS.

DISCUSSION CONTINUED.

The Senate resumed from May 21 the adjourned debate on the motion for the consideration of the second report of the Special Committee appointed to consider the question of determining what are the rights of the Senate in matters of financial legislation, and whether, under the provisions of the British North America Act, 1867, it is permissible, and to what extent, or forbidden, for the Senate to amend a Bill embodying financial clauses.

Hon. P. A. CHOQUETTE: Honourable gentlemen, I moved the adjournment of the debate yesterday only for the purpose of permitting a colleague who was absent to have an opportunity to speak on this question. It is not my intention to discuss it at length. I may say, however, that I agree entirely with the opinion which has been expressed by the eminent lawyers of Montreal, Messrs. Geoffrion and Lafleur, and by Mr. Ewart, of Ottawa, and I am very glad to see this question settled. We know now that this Senate has plainly the right to amend money Bills, and in future we shall know where we stand on this question.

Hon. F. L. BEIQUE: Honourable gentlemen, I do not propose to detain this honourable House for more than a few

Hon. Mr. BOSTOCK,

minutes; but I think this report ought not to be adopted without attention being drawn to its great importance, in my humble opinion. Heretofore this question has not been properly examined, either by members of this Parliament or by students. If I am not mistaken, it has been taken for granted that the relations of this honourable House to the House of Commons were very similar to those between the House of Lords and the House of Commons in England, and that the practice obtaining in England should obtain here. It was only on very rare occasions that questions arose as to whether Bills before the House were really money Bills and whether this House could amend them or not. I say that students, as well as members of Parliament, regarded the matter in this way; and on referring to Bourinot, who is often quoted by members of this House and by members of the House of Commons, it will be seen that he deals with the matter in very few words. I quote from page 491 of Bourinot's *Parliamentary Procedure*, Fourth Edition:

Appropriation and Taxation Bills.—As a general rule, public Bills may originate in either house; but whenever they grant supplies of any kind, or involve directly or indirectly the levying or appropriation of any tax upon the people, they must be initiated in the popular branch, in accordance with law and English constitutional practice. Section 53 of the British North America Act, 1867, expressly provides:

"Bills for appropriating any part of the public revenue, or of imposing any tax or impost shall originate in the House of Commons."

And a rule of the House of Commons declares explicitly:

He cites rule 78 as adopted by the Commons years ago. Then he proceeds:

If any Bills are sent down from the Senate with clauses involving public expenditures or public taxation, the Commons cannot accept them. Such Bills may be ordered to be laid aside. The same practice is also strictly carried out in the case of amendments made by the Senate to Commons Bills. Latterly, however, it is not usual to lay such Bills immediately aside, but to send them back to the Senate with reasons for disagreeing to such amendments, so that the upper house may have an opportunity of withdrawing them.

After giving some illustrations of that, he continues:

Many other entries will be found of the house accepting Senate amendments rather than delay the passage of a Bill at an advanced period of the session. It is quite regular, however, to agree to amendments which "affect charges upon the people incidentally only, and have not been made with that object."

In order, however, to expedite the business of the House, the Commons have adopted the following rule: