

and approved of his election after it took place. He may be a chairman, perhaps, of this assembly of gentlemen, but he is not a Speaker under the British North America Act, because the 4th section of the Act says :

The House of Commons, on its first assembling after a general election, shall proceed with all practicable speed to elect one of its members to be Speaker.

If you, Sir, were not elected properly on 29th April, 1891, you have not been elected at all, because you have not been elected since, and I should be very sorry to think that you were not Speaker in fact, but a usurper of your place and your dignities. If you were not elected, we had no Speaker, and what becomes of the meeting of Parliament ?

Mr. OUMET. What are you speaking for ?

Mr. EDGAR. The hon. gentleman is not now Speaker, and I do not suppose he will have to return any of his indemnity as salary of Mr. Speaker. The British North America Act says :

The Speaker shall preside at all meetings of the House of Commons.

Now, Sir, if this House was not a House at all on the 25th of April, there was no Speaker and the House was not organized, and during all our meetings presided over by you, Sir, we could pass no Remedial Bill, or no legislation whatever. Now, Sir, if you were not duly elected at the proper time, what is to become of all the writs of election which were issued under your warrant ? Since the 29th April, 1891, some sixty writs have been issued under your warrant, Sir. Are they all null and void ; and are the members who have been elected, not elected at all ? If, Sir, you were not elected by the House of Commons duly assembled on the 29th of April, 1891, then, Sir, I believe you would be bound to refund to the public treasury the six years salary which you have drawn from this country. And further, I would draw the attention of the Deputy Speaker to the fact, that if he were not duly elected as chairman of the Committee of the Whole on the 22nd of May, and if this House did not exist until the 3rd of June, the hon. gentleman (Mr. Bergeron) had no right to draw his salary. I am sure the hon. gentleman will be with us in resisting anything of that kind.

Mr. BERGERON. Then who will pay me for the work I have done ?

Mr. EDGAR. Of course, it would be a special hardship, considering the work the hon. gentleman has done. I appeal to the House as a whole, to rise above party, because, Sir, if this is not a Parliament, we will all have to refund our indemnities. Mr. Speaker, is not that too horrible a thing to contemplate ? But, Sir, even if by some curious hair-splitting argument, which

Mr. EDGAR.

I have not heard advanced, it can be contended that since the 3rd June, 1891, this has been a valid Parliament although no Speaker was elected ; then, between the 25th of April and the 3rd of June, 1891, there were any number of Bills read the first, and the second time in this House, and some were read the third time, and of course they would be invalid even if that partial contention would prevail. Now, Sir, it is said, that this question may be referred to the Supreme Court of Canada, to settle. Sir, Parliament has settled the question by meeting on the 29th April, 1891. Parliament has settled that question and no Supreme Court can interfere with it. I say that this Parliament by legislating for six sessions, has proven that it is a de facto and a de jure legislature, and it cannot be interfered with. To annul the Acts of this Parliament, from the 29th of April to the present time would be a revolution. Not only has this House of Commons taken that ground by meeting and going on with its business, but the Senate met then, too, pursuant to the proclamation of the Governor General, advised by practically the present Government, who now wish to throw some doubts upon the question. The Senate also has taken part in affirming our position in this regard. Has any Governor in Council the right, the constitutional right, to submit to any outside tribunal a question like this—a great political question of the first magnitude ? I say, that the Government as a committee of this House and of this Parliament, has no right to do so, and I believe, Sir, that this Parliament will never so far forget its dignity as to consent to it. I admit, that technically, under the terms of the Supreme Court Act and the amendments of 1891, the Governor in Council may submit almost anything to that court. But, supposing a reference were made of this question, would the decision of that court settle anything ? No, Sir. It would unsettle everything. We know that the judgment of that court in a case of this kind is only an advisory judgment, and is not binding. Sir, what advice do we want on this subject ? We have been advised on it, and we have acted too long on that advice, to ask for any one's advice now. Then again, how are the proceedings to obtain the advisory judgment going to be carried out ? There is a provision in the Act that all interested parties should be notified of the hearing before the Supreme Court, and are entitled to be heard also. Why, Sir, the number of people interested in the legislation of this Parliament is infinite ; co-equal almost with the population of the Dominion. How, between now and the next few weeks is it possible to notify the parties interested in the hearing of this question ? And then, when would it be heard ? Could it be heard in time to be effective, and will the judgment be given immediately after the hearing ? If we are going under the reference in the Supreme Court Act, I would