

member of this House I was at times almost constrained to think that he believed himself to be right. We contended on this side of the House, and properly I submit, that if there were other ministers in the House properly clothed with authority and prepared to assume the functions of an administration it was not necessary for the Prime Minister to be also in the House. I submit that we were correct in that, as we are now correct in the theory that you cannot have government not only without a prime minister, without whom according to my hon. friends the government cannot function; but without any other responsible minister who has taken the oath of office properly to administer the affairs of his department.

See the change in the arguments of my hon. friends to suit their own case; they have not one minister who has taken the oath of office. Is that what my hon. friend intended to convey when he spoke here the other day? Might I pause here to say that in parliaments thought to be enjoying responsible government it has been usual, no matter how secretive the Prime Minister and other members of his cabinet may feel disposed to be, before assuming the functions of government for them to be good enough to disclose to parliament at least some of the policies which they intend to follow in the course of their duties as a government. Of course I cannot blame them for not doing what governments do, because this is not a government. I cannot blame them for not doing what administrations do, because even they do not claim that this is an administration. But what did my right hon. friend the Prime Minister (Mr. Meighen) promise this House in the message which was delivered by my right hon. friend the Acting Minister of Finance (Sir Henry Drayton)? This is the message sent to this House; it appears at page 5097 of Hansard:

Immediately following the resignation of the late government and the adjournment of the House yesterday, His Excellency, the Governor General sent for the Right Honourable Arthur Meighen, leader of the Conservative party and requested him to form a new administration. Mr. Meighen advised His Excellency last evening that he would undertake this task, and was sworn in this morning as Prime Minister, Secretary of State for External Affairs and President of the Privy Council.

Having in mind the fact that the present session has now continued for almost six months, and is very near its close, Mr. Meighen believed it to be the first duty of any government he might form to conclude with all convenient despatch the work of the present session. Such a course in preference to a somewhat prolonged adjournment was demanded also by a just regard for the convenience of hon. members, especially those who come from a great distance.

It was manifestly impossible to effect this result if a government was to be formed in the usual way and if ministers were to be assigned portfolios necessitating the vacating of their seats and consequent by-elections. The delay thus involved would, especially at this period of the year, have entailed unnecessary hardship. The Prime Minister accordingly decided to constitute and submit to His Excellency a temporary ministry composed of seven members, who would be sworn in without portfolio.

Note the words, Mr. Speaker:

—who would be sworn in without portfolio, and who would assume responsibility as acting ministers of the several departments.

When would they assume that responsibility? After they had been sworn in as ministers without portfolio! But does my hon. friend for a moment contend that the Prime Minister intended by that message that they would not take the oath? He did not say: who have years ago been sworn in as privy councillors, which oath they intend to rely upon as vesting in them the power to become acting ministers in their several departments. That is not what he said. What he said was: "who will be sworn in." So that my hon. friends have not carried out the procedure which the Prime Minister evidently communicated to them, and which the Acting Minister of Finance communicated to this House as the declared intention of the Prime Minister as his method of forming this acting cabinet. I want again to refer to the fact that nowhere in any British dominion at any time has any collection of individuals claimed to exercise the rights of government under the British constitution without some of those ministers having come into being in the regular way. What is the theory with regard to ministers who have not been vested with the full powers of a minister, who come in as ministers without portfolio? That is set out quite clearly in the practice and procedure relating to this matter. I refer to Bourinot, fourth edition, page 21, where I find this:

The act provides for a council to aid and advise the Governor General in Canada. This body is styled "The Privy Council" and its members are appointed and may be removed at any time by the Governor General. That portion of the council known as the cabinet is always supposed to represent the views and policy of the majority of the peoples' representatives in parliament and can hold office only as long as its members retain the confidence of a majority in the House of Commons. The principles that prevail in the formation of a cabinet in England obtain in the case of an administration in Canada. Its members must have seats in one or the other of the House of Parliament, but the majority of them, as a rule, sit in the House of Commons. The whole privy council practically never meets for business as an organized body but only those select members of it who constitute the cabinet. The cabinet consists, generally speaking, of those members of the privy