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Special Articles

Will Bank Assets This Fall Reach the \$2,500,000,000 Mark?

By H. M. P. ECKARDT.

Conditions in the West.

By E. CORA HIND.

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Orders-in-Council

IN the recent discussions concerning the validity of the measures adopted for obtaining recruits for the army, frequent reference was made to the policy of the Government in dealing with so many matters by the passing of Orders-in-Council, founded on the authority conferred by the War Measures Act of 1914. In the case of some of these Orders the power of the Government to pass them has been questioned, and the important judgment of the Supreme Court of Canada has not in all cases entirely removed the doubt expressed. In another field, too, the propriety of the Order-in-Council policy has been called in question. At a large gathering of business men interested in the fisheries of Canada, held at Halifax last week, there was a very general complaint that the fishing interests suffered from the sudden passing of Orders-in-Council dealing with matters which, it was claimed, should be governed by the more stable method of statute enactment. A resolution, unanimously passed by this important gathering of business men, called on the Government to regulate the fishery matters in question by the passing of Acts of Parliament.

Orders-in-Council are, of course, necessary in many matters. But the Government will do well to take note of the widespread protest against the Order system and to make a larger use of Parliament when its services are available. Government by Order-in-Council is not a desirable thing. It is the exercise of power by the Executive, in the secrecy of the Council Chamber, instead of by the representatives of the people, in open Parliament assembled.

Since Parliament cannot always be in session, it is necessary, for the prompt transaction of business, that in many matters not of high importance the Government shall be empowered to take action by Order-in-Council. That situation, existing even in ordinary times, is made much more pressing by the war conditions of the present.

It is to be expected that under the war conditions the Government will find many occasions on which prompt action by Order-in-Council is the proper and necessary course. The fact should be kept in mind by all who are disposed to complain of the very large extent to which the Order-in-Council system has been used. Making all due allowance for this, however, there is much room for the criticism that Parliament's rights and duties are too often set aside and the power of the Cabinet substituted. In Great Britain, where the need for prompt and vigorous war action is usually much greater than in Canada, Parliament is kept almost constantly in session, the periods of adjournment being brief, so that the representatives of the people can be informed of events and devise whatever legislative measures are deemed necessary. Perhaps it would

not be convenient or desirable that our Canadian Parliament should sit so constantly. But the policy of rushing through business in a short session, dismissing the senators and members, and using Orders-in-Council for the direction of important affairs, is fairly open to criticism. The Canadian Parliament should devote much more attention to its business than it did at the last session, and when the services of Parliament are thus available matters of large importance should be reserved for its consideration. In the case of the last amendment to the Military Service Act the Order-in-Council system was followed while Parliament was sitting. The Order was laid before the two Houses of Parliament and approved by resolution. That certainly was better than entirely ignoring Parliament. But it did not open the question to such public enquiry and discussion as arises from the passing of a statute.

The Government must still make frequent use of the Order-in-Council system, to ensure prompt attention to urgent affairs. But a larger use of the system of Parliamentary government is much to be desired.

The India Report

A DOCUMENT which is likely to take high rank amongst British state papers is the report of Mr. E. S. Montagu and Lord Chelmsford on the affairs of India, submitted to the Imperial Parliament a few days ago. Mr. Montagu is the British Secretary of State for India. Lord Chelmsford is the present Viceroy of India. After a former service as Under-Secretary, Mr. Montagu became Secretary of State for India on the retirement of Mr. Austen Chamberlain a year ago. Mr. Chamberlain (son of the late Joseph Chamberlain) it may be remembered, felt it to be his duty to resign in view of the report of a commission which had investigated military operations in the East that were to some extent under the direction of the Indian Government. The report did not directly reflect on Mr. Chamberlain, but he felt that the public would hold him in some degree responsible and therefore sent in his resignation as Secretary for India. That the Premier and his colleagues did not regard Mr. Chamberlain as blameable has been made evident by the fact that he has since been recalled to the Cabinet in another branch of the Government's work.

For a long time there have been indications of the growth of a movement in India calling for some more popular system of government than that of by-gone years. Nine years ago, under the administration of Lord Morley as Secretary for India and Lord Minto as Viceroy, some modifications were made in the direction of reform, but these seemed only to be regarded as a preliminary step. After Mr. Montagu became Secretary for India, an important announcement was made in Parliament in August, that it was the policy of the British Gov-