

cussion as conducted by the other side, believing that I could get wisdom, that I could get assistance, that I could learn something from those hon. gentlemen. I have learned something, but I have learned this more particularly, that one is not safe to trust his judgment at least to the statements of fact enunciated from the other side. I have examined this Act with some desire to come, as I hope, to an honest conclusion as to what the law is, and I admit frankly that the effort to come to that conclusion is not entirely satisfactory. The law is not as clear as one would like. We are told by the hon. member for York (Mr. Foster) that necessity does not justify the action, and to fortify himself in that statement, he harks back again, as other hon. gentlemen on that side have harked back, to opinions which, on other occasions, when it suited their purpose, they have seen fit to minimize and discount. They are willing to-night to accept the opinions of the Hon. Edward Blake, they are willing to-night to accept the opinion of the Hon. Mr. Mills, but I have read in parliamentary debates how often hon. gentlemen opposite have derided, and laughed at, and endeavoured to minimize the opinions of those two gentlemen. When the occasion suits them they can accept their opinions, and when the occasion suits them otherwise, they are quite competent to dissent from those opinions. Therefore, Mr. Speaker, what conclusion can be drawn from hon. gentlemen who play fast and loose; who take when it suits them, and discard when it suits them, the same opinions and the same reasons. Surely, as a new member of this House, I cannot look with much confidence upon their arguments and upon their conclusions. Now, as I have already remarked, I admit that this Act is surrounded with some difficulty. The hon. member for York says that necessity does not justify the action of the Government. Has that hon. gentleman never heard the old saying that necessity knows no law?

Mr. FOSTER. Hear, hear.

Mr. LOUNT. The hon. gentleman says, "hear, hear." I believe that the hon. gentleman is necessity itself—not that I mean to say he absolutely knows no law, but that he is capable of expounding some extraordinary doctrines with regard to law, which would rather indicate to me at least that necessity has had a great share in the wisdom which is given to him with regard to the knowledge of law. Just to glance for a few moments at the legal position, this Act, strictly and literally read, says that Governor General's warrants may issue when occasions arise for the expenditure of public money, not foreseen or provided for by Parliament. Hon. gentlemen opposite desire to import into the language, not the word "or" but the word "and," and doing so they are able to raise an argument in support of

Mr. LOUNT.

the amendment to the resolution. When the Act is thus read, the action of the Government is clearly and obviously within their province. If hon. gentlemen opposite say this was an expenditure which was foreseen—and perhaps they may be right in that, on which point I shall have a few words to say later on—it is not denied these moneys were not provided for. If not provided for, then under the terms of the Act the Government were justified in presenting the warrants. So that according to the conclusion I am able to arrive at with respect to the literal construction of the Act, the Government were perfectly justified in their action, and I think hon. gentlemen opposite concede it, for I have not heard them dissent from that proposition, I have not heard any hon. gentleman express an opinion which goes the length of saying that if this money was really unprovided for, then the Government is in any sense to blame. This being the literal reading of the Act, what has to be done before the Government can be condemned? You must change the language of the statute and put one word for another. I admit, as a lawyer, that judges when interpreting Acts of Parliament endeavour to find the meaning and if an Act is not capable of construction, it is the duty as well as the privilege of the bench to interpret it and to give it a reasonable and sensible meaning. This being so, on what ground do hon. gentlemen opposite pretend to say that it should be read "and" instead of "of." I understand hon. gentlemen to say that the Act is not capable of proper construction if it is read as it is worded at present. But I take this position, and it is a position so far as my influence can affect hon. members behind the Government, that where there is any doubt, and I submit there is strong doubt whether "and" should be imported into the Act, and the word "or" removed, hon. gentlemen are perfectly safe in supporting the Government, they having taken their course not hastily or ill-advisedly, but with the greatest precaution and prudence. What greater precaution could have been taken, what better course could have been pursued than has been followed? To whom should this Government apply for an opinion in regard to these warrants? Should they take the opinion of the hon. member for York (Mr. Foster), with his legal mind; should they fall back on the hon. member for Pictou (Sir Charles Hibbert Tupper), who has displayed, I admit, marvellous ingenuity in the course of the debates which have taken place in this House in making white appear black and black white; should they have taken the opinion of the hon. member for Halifax (Mr. Borden)? I have heard an old saying, which I will not repeat, about going to Halifax.

An hon. MEMBER. Oh, oh.