

*Supply—Privy Council*

then I have to take some share of the responsibility, and I do. If by passing these successive interim supply bills and making them into statutes we were giving any countenance to this kind of practice, then we have to accept responsibility. I do not question the legality of the payments that were made between October 17 and January 31. I do not think there is any question about the complete legality of those payments. I do very seriously question the constitutionality of that form of procedure.

I remember, sir, the great care with which Mr. St. Laurent and Mr. Mackenzie King introduced legislation into parliament covering any changes in the ministry. I recall how amendments were made to the Salaries Act and everything was kept regular and proper so there would be no doubt about who was receiving emoluments under the crown. In the light of that earlier practice I believe this was a very questionable procedure to have followed. As I say, I have to take some share of the responsibility for not having noticed it, not having brought it to parliament's attention last October. To the extent I am to blame, I accept that blame. I must say, sir, that it was only very recently, in looking over this item that it suddenly occurred to me to wonder what could be the foundation for the continuation of these payments.

It is one thing to ask parliament, even in this manner, to approve of a procedure which really does not tell us what is being done. The government can say that at least it was in the estimates; we were shown it. It is one thing to tell parliament that these things are going to be done and get some kind of limited sanction from parliament for doing them, but it is another thing to provide additional emoluments, for the governor in council to provide additional emoluments to two of its members by governor general's warrant after parliament has been dissolved in a summary fashion, and when there was no supply whatever for carrying on Her Majesty's business.

The financing of all Her Majesty's business in the months of February and March was being carried on by governor general's warrants, by order in council. Every dollar that was spent in the months of February and March was spent by a government which at that time did not even have a majority nor parliamentary backing. Of course it is very easy for the Prime Minister to say that they got away with it and that they obtained a huge majority; that is true. For three and a half months they carried on the business of this country by order in council and spent the people's money by order in council.

[Mr. Pickersgill.]

For these gentlemen to hand out money to two of themselves, to two members of the council by order in council, without any legislative sanction whatsoever, without any statutory foundation for it that I have been able to find, seems to me in itself to be an extremely serious abuse. But for those two gentlemen in receipt of those amounts to become parliamentary candidates in apparent defiance of the law is a matter for comment; and I say "apparent" because I do not want to be unfair; if there is something I have neglected my face may be a bit red and I shall have to take the consequences. For those two gentlemen to be accepting emoluments which they handed out themselves by order in council at a time when there was no parliament in this country, and then to become parliamentary candidates while they were in receipt of emoluments from the crown in defiance of the Canada Elections Act seems to me an extraordinary procedure.

I do not suppose for a minute that the hon. member for Greenwood ever thought of this situation. I am perfectly certain that if he had ever thought of it, it would have worried him very much indeed. I am sure the same is true of the hon. member for St. John's West. It may be—and I say it again—that there is some legal explanation of this matter of which I am unaware. However, I have tried very hard and have been unable to find any.

But then, Mr. Chairman, it is not only that matter to which I direct attention. These gentlemen were elected to parliament by, I believe, substantial majorities. I am not seeking to upset those elections at all. Those gentlemen are here now. However, they came into this house and they took their oath as members of the house in apparent—and again I say "apparent" because there may conceivably be something about which I do not know—disregard of the Senate and House of Commons Act.

Mr. Chairman, in these circumstances and in view of what has happened in this case, even if there is some obscure provision somewhere in the law that somebody has dug up in an attempt to justify this rather underhand method of procedure, this rather extraordinary way of carrying on; even if some kind of obscure sanction or apparent sanction for it can be found, it seems to me that it is still highly objectionable from a constitutional point of view.

It seems to me that if there is to be that responsibility to the legislature which is the foundation of our system of responsible government, and which differentiates our system of government from that of other countries except those who have copied our system,