

hon. gentlemen opposite entertain in attempting to form a visionary government to carry on the affairs of the country. Although they admit that they are not the king's ministers they claim to be ministers entitled to ask for supply, and pretend to be vested with the power to manage the various departments of the public service.

What is, and has been in the past, the attitude of other administration under circumstances similar to those in which we find ourselves at this time? The hon. gentleman referred to the Letellier case, already mentioned by the hon. member for Dorchester. I do not intend to discuss that case at any length, but in my opinion, like the Alexander Mackenzie case, it proves exactly the opposite of the contention advanced by hon. gentlemen.

The last reference which my hon. friend made appears to me the most important. I want to do my hon. friend the credit of being fair enough and frank enough in reading these instances to refer to the fact in almost every case that the word "colonial" was brought in in one place or another, in connection with the recital of what had taken place. On this occasion, the birthday of this great country, it seems remarkable that my hon. friend—who, in common I think with all the other members of this House and the people of this country, is proud of the status acquired by this Dominion among the overseas dominions of the world and proud of the fact that it has advanced to the stature already attained—should suggest, as a reason why a certain course should be followed now, some course followed years ago in certain places which were admittedly merely colonies at the time.

In connection with the argument of my hon. friend the Acting Minister of Justice I would like to refer to chapter 10 of the statutes of Canada. This chapter, as my hon. friend correctly stated, refers to the fact that no person accepting or holding any office, commission or employment, permanent or temporary, in the service of the government of Canada, at the nomination of the crown, or at the nomination of any of the officers of the government of Canada, to which any salary, fee, wages, allowance, emolument or profit of any kind is attached—as well as sheriffs, et cetera—shall be eligible as a member of the House of Commons or shall sit or vote therein. May I draw particular attention to those words:

—to which any salary, fee, wages, allowance, emolument, or profit of any kind is attached—

[Mr. Elliott.]

Looking at the English act you will see that the word "profit" was not originally included there, which gave rise to some of the decisions given years ago in England. But I want to ask my hon. friends this. Can anyone point to a case in any British dominion where it was even argued, let alone conceded, that you could have a government or an administration without having therein one minister clothed with the full powers of a minister?

The present administration cannot be called such. Just let us see how it was organized. The Prime Minister was sworn in, and by that act he vacated his seat. At the beginning of this session nearly three weeks were spent by hon. gentlemen opposite in attempting to convince members of this House that unless there was a Prime Minister occupying a seat in either house, no matter how many other fully qualified ministers there were, the government could not function. In this connection may I just read the words of the then leader of the opposition as they appear on page 15 of Hansard:

The powers of a prime minister are very great. The functions and duties of a prime minister in parliament are not only important, they are supreme in their importance. The Prime Minister is not only the leader of the House, in whichever house he may be, but he is the spokesman of the nation before the crown or the representative of the crown. He is the spokesman, and the only spokesman, of the nation. He is the sole *via media* between parliament, as parliament, and the crown or the representative of the crown.

Then later he proceeds:

The ministry is embodied in the Prime Minister. He personifies his ministry in so far as parliament is concerned, in so far as the crown is concerned, and he speaks as between parliament and the crown. All this implies—and it is the result of many years of constitutional development, a development which proceeded against struggles not a few—that the minister known as the Prime Minister, in order to enable the government to function within the walls of parliament, must be a member of one of the Houses of Parliament. He must be a member because parliament has the right to demand that he come there to expound the policies of the government, to defend those policies, and admit his submission to the control of parliament. Otherwise though he be the King's servant he is not the agent of parliament.

Then he went on to elaborate that theory to such an extent that as I watched him and as hon. members around him applauded to the detriment of the furniture on this side of the House—

Mr. GEARY: We are through with that furniture.

Mr. ELLIOTT: Only for a very short time. Watching the right hon. leader of the opposition, in my innocence as a very youthful