

is urgently and immediately required for the public good, then, upon the report of the Minister of Finance and Receiver General that there is no parliamentary provision, and of the Minister having charge of the service in question that the necessity is urgent, the Governor in Council may order a special warrant to be prepared, to be signed by the Governor General, for the issue of the amount estimated to be required, which shall be placed by the Minister of Finance and Receiver General to a special account, against which cheques may issue from time to time in the usual form as they are required.

Now, that is the only authority, as far as I know, upon which Governor General's warrants are issued. Was this a case designated in this subsection of the Act from which I have read? Was there anything unforeseen in connection with the payment of the civil servants? Did not the parliament of Canada know—does not everybody in the country know that the services of the country had to be carried on—that the money should be provided for the payment of the civil servants in different parts of the whole country; and was it not known also that under certain contracts that had been let and works that were in progress, the money would be required to meet that service? Does any one doubt that position? If so, then he must have a strange mode of arriving at conclusions. The parliament of Canada was in session prior to the 30th of June, the termination of the fiscal year. At that period every one knew that the appropriations would lapse unless they were carried forward in certain cases for public works, under the Audit Act, for a certain length of time. They knew when they refused to pass those estimates that parliament could not, by any possibility, meet to provide the estimates to carry on the ordinary affairs of this country, and the issue of the warrants under such circumstances I hesitate not to think, though not a lawyer, is absolutely illegal, and I would suggest, if the hon. gentlemen would take any advice from me, that they should introduce a bill to indemnify them for what they have done. I do not mean to say that the money should not have been provided for the carrying on of the services of the country, and more particularly under the circumstances; on the contrary, some means should have been devised, but the course pursued by the government of the day in asking the Governor General to sign a warrant which did not come within the meaning of the law, and which was contended by some good

lawyers and by laymen who can read the English language, was directly and diametrically opposed to the law. The hon. gentleman referred to the action of the government—not the last government, but the government which preceded it, because the last session of parliament was held before the new government was formed—and he read from Todd to prove that the opposition had acted strictly in accordance with constitutional and parliamentary practice; at least, so I understood his argument.

Hon. Mr. POWER—I said that the constitutional practice was not to grant the supplies for the year. I did not deal with the conduct of the opposition, because I am not aware that the government at that time ever asked for supplies.

Hon. Sir MACKENZIE BOWELL—I am rather surprised to hear my hon. friend make that statement. We all know that he watches with peculiar interest every act of his opponents, and his remark, that he is not aware that the government of that day asked parliament to provide for the very contingency which the present government have had to meet by a violation of the law, is a matter of surprise to me. The Hon. Mr. Foster, the late Minister of Finance, not only made the proposition to the leader of the opposition, personally pointing out to him the difficulty which would arise if a partial appropriation was not voted by parliament, but he asked the opposition on the floor of the House of Commons, to vote a sufficient supply in order to carry on the business of this country until the elections could take place and parliament meet to provide the balance. Now, that is precisely what Todd says should be done in his memorandum upon this question. He is so clear and distinct that one cannot misunderstand the language. The government of that day consulted the constitutional authorities as to what their duty was, and the Finance Minister made the proposition to which I have referred to the leader of the then opposition of the House of Commons, and appealed over and over again to that House to cease their obstructive conduct in order that the estimates, or a portion of the estimates, might be passed by the Commons and by the Senate to enable them to carry on the affairs of the country. We all know what the conduct of the opposition was during that