

There is no example of this kind; and if such an *unheard* of proceeding should happen, it is left to consideration whether a Parliament *would not vindicate the kingdom against so gross and fraudulent a contrivance.*" And finally they declare, "Therefore the Commons of England would insist upon the old ways; would keep the balance of the constitution as they found it; *and not change the laws and customs of England* which hath been hitherto used and approved to the benefit of the kingdom." Hales, J., has said: "The Court of Parliament is the highest Court, and hath more privilege than any other Court of the Realm." And the same learned jurist further says: "*It is lex et consuetudo Parliamenti* that all weighty matters in any Parliament ought to be discussed, determined and adjudged by the course of Parliament, and not by any other law used in any inferior Court, which was so declared to be *secundum legem et consuetudinem Parliamenti.*" Mr. Todd, the Librarian at Ottawa, in a work recently published (Vol. 2, p. 348), referring to Royal Commissions, remarks: "*It would be unconstitutional to refer to a Royal Commission subjects which are connected with the elementary duties of the Executive Government, and with its relations to Parliament; or to appoint a Commission with a view to evade the responsibility of Ministers in any matter, or to do the work of existing departments of State, etc. Neither should a Commission be appointed unless the Government are prepared to give definite instructions to the Commissioners.*" From the quotations we have made, it is clear there exists a *special law and usage* to meet the case of Ministers' conduct in the Pacific scandal matter—a law and usage consecrated by the sanction of nearly two centuries. The Act of 1868 never was intended to apply to such a case as the Pacific scandal. The issuing of the Royal Commission was, therefore, a gross violation of the privileges of Parliament—a usurpation of ministerial power, that should be frowned upon by those who wish to preserve intact full ministerial responsibility and unfettered Parliamentary action. The accused being allowed to appoint his own judge, is a principle abhorrent to every feeling of British justice. The evidence produced before the Commissioners is well worthy of careful perusal. We shall not dwell at length upon it. The facts, as brought to light by the evidence, throw great discredit upon leading members of the late Government. It confirms, beyond doubt, that Sir John A.