

House of Commons Debates

THIRD SESSION, FIFTH PARLIAMENT.—48 VIC.

HOUSE OF COMMONS.

FRIDAY, 27th March, 1885.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

COURT OF CLAIMS FOR CANADA.

Sir HECTOR LANGEVIN moved that the House resolve itself into Committee of the Whole on Tuesday next to consider the following resolution:—

That it is expedient to provide (a) That the salary of the judge appointed under any Act to establish a Court of Claims for Canada, shall be \$5,000 per annum, and that such judge, after fifteen years service, or in case of his being disabled by permanent infirmity, may be paid a superannuation allowance equal to two-thirds of his salary at time of his resignation. (b) That the salary of each assessor appointed under such Act shall be \$1,000 per annum, and that the salary of the clerk of said court shall be \$1,600 per annum, with an annual increase of \$50 until such salary reaches \$2,000, provided that if the officer or person holding the appointment of secretary to the official arbitrators is appointed to the office, his salary shall continue to be \$2,000 per annum as at present. (c) That the provisions of "The Canada Civil Service Act, 1882," and the Acts amending the same, and of "The Civil Service Superannuation Act, 1883," shall, so far as applicable, extend and apply to the assessors, the clerk and the officers and servants of the said court appointed in virtue of such Act. (d) That the costs in any case before the said court in which the sum allowed by the court is greater than the amount tendered in compensation, or if there has been no sum tendered, when the judgment is against the Crown, may be paid out of the Consolidated Revenue Fund of Canada."

Motion agreed to.

COMMISSIONERS REPORT—REVISION OF CANADA STATUTES.

Sir JOHN A. MACDONALD moved :

That this House do concur with the Message from the Senate requesting this House to unite with them in the formation of a Joint Committee of both Houses, to examine and report upon the report of the Commissioners appointed to consolidate and revise the Statutes of Canada, and that Messrs. Abbott, Beaty, Davies, Edgar, Girouard, Landry (Kent), Laurier, Royal, Shakespeare, Tupper, Weldon and Wood (Brockville), be appointed to act on behalf of this House as members of the said Joint Committee; and that a Message be sent to the Senate to acquaint their Honours therewith.

He said: As this commission for the consolidation of the Statutes is under the direction of the Minister of Justice, naturally, and as he has taken great personal interest in this very important work, he has thought it well, after considering the matter, to move for this joint committee. The joint committee is formed for the purpose of looking over the work and seeing that the work is really and *bond fide* a consolidation of the Statutes—that is to say, a rearrangement of the Statutes, altering no matter of consequence and only matters of form. The intention of the Minister of Justice is to expedite the measure in both Houses and to prevent the necessity of having a special committee sitting in either House, if possible, upon the report of this joint committee. It is the intention of the Government to introduce a Bill on this matter in the House. The committee can sit and consider and look over the report, and if it be

satisfactory to both Houses they can adopt it; or, if not, take the usual course. But, in order to prevent delay in this most important matter, it is thought if both Houses be satisfied with this joint report, the measure after passing the second reading, could be considered in Committee of the Whole and be adopted *en bloc*. The Minister thought that, perhaps, he might introduce the Bill in the Upper Chamber. I am not sure that, constitutionally, he could not do so, because, although it deals with all matters of legislation—revenue, tariff and others—yet it is a mere consolidation of the Statutes, a mere readjustment, and does not impose any new burdens on the people. But, lest there might be any mistake in the matter, and in order to avoid any question arising as to the privileges of this House being interfered with, he came to the conclusion, with myself, that the better plan would be to introduce the measure here, and only to use the report as a means of information to this Chamber as well as to the other.

Mr. BLAKE. I am unable to assent to the view of the hon. gentleman, that this is a fit course to be taken in reference to this measure. The hon. gentleman has not cited any precedent for a joint committee of both Houses being appointed upon any subject of this description, nor is there to my knowledge any such precedent. When the hon. gentleman himself was charged with the duty of bringing under the consideration of the Legislature of the old Province of Canada a measure for the consolidation of the Statutes, this step was not taken, but the Government took the course of introducing a Bill for the consolidation of the Statutes of Canada and for the consolidation of the Statutes of Upper and Lower Canada, and that Bill, being introduced upon the responsibility of the Government, was after the second reading submitted to a select committee, which investigated the procedure. We have appointed joint committees of both Houses for particular purposes. We appoint a Joint Committee, under our regulations, to conduct the printing of Parliament, which is managed thus in order to avoid duplicating the printing and provide the utmost efficiency for the service of both Houses at the least cost. We also appoint a joint committee to assist you, Mr. Speaker, in the direction of the Library, which is a matter in which the Houses are jointly interested, the Library of Parliament belonging to one House as much as to the other. But, when an effort was made some years ago to carry out further the notion of joint action and to bring it into the domain of legislation by establishing a joint law department, there was a conference or a committee to consider that subject, and, after full consideration, it was agreed, I believe by the majority from each House of those who were upon it, that it was not well to make the attempt, and we have a separate law department, which had always existed heretofore and has been continued by the approval and assent of both Houses, after enquiry based, I have no doubt, on the notion that the independent action, the separate action, the separate responsibility of each House with reference to the legislation of the country required that each House should have its permanent law department under its own control. Now, the hon. gentleman proposes at one stroke to go further, and, not content with dealing with