

tion until this session, and he pledged his word of honour, as a Minister of the Crown and the leader of this House, that the investigation should take place this session. But the point I wish to allude to is this, during all that debate, in which the then leader of the House spoke on several occasions, notwithstanding his eminent ability as a constitutional lawyer, he never once raised a doubt as to the power of the Senate to enter into an investigation such as is contemplated by the resolution of the hon. member from Hastings. It had great influence with me, because I know if the then Minister of Justice conceived there was the slightest ground for objecting to the constitutional powers of the Senate to make an investigation of this kind, he would certainly have done so, but he did not do so. I ask hon. gentleman to look through the debate which took place on that occasion, and they will find that although Sir Oliver Mowat spoke four or five times, he never raised a doubt as to the constitutional power of the Senate to deal with such an investigation as is now contemplated by the motion before us, and he never controverted for a moment the clause in British North America Act which I cited and which I claim gave us power clearly and distinctly. I conclude by saying that I regret that my hon. friend has postponed this motion. It would have been better not to have made it when he did than to postpone it from day to day, because it would appear as if the Senate was not really in earnest in proceeding with this investigation, and I came into the House to-day with the intention of asking my hon. friend to drop my name from that committee if he did not intend to proceed with it at once. I shall not ask him, however, to do that to-day, as he has concluded to take his present course after consultation with his friends. I leave the responsibility with him, but I cannot say it is a course of which I approve

Hon. Mr. FERGUSON—I think the leader of the opposition has pursued a proper course, and I am sure if my hon. friend had followed him as closely as I was able to do, sitting near him, he would have found that he gave an excellent reason for the course he had taken. He showed that when a similar situation arose in Great Britain no less an authority than the Duke of Argyll

said, that as the House of Commons had undertaken to investigate it would appear to be better to delay until it should be found whether this committee which the House of Commons had moved would institute a complete inquiry, and he then intimated that if a complete inquiry was not instituted by the House of Commons, it would be competent for the House of Lords and perfectly right for them to go on and institute a complete and thorough inquiry of their own, before they would consider any suggestion which would emanate from this committee.

Hon. Mr. MILLER—Will my hon. friend tell me whether the committee of the House of Lords was asked for before or after the committee of the House of Commons?

Hon. Mr. FERGUSON—On that point I am not sure. I am not sure how it originated, but anyway the House of Commons had got ahead of the House of Lords in appointing a committee, and that being so, in order to prevent the appearance of jealousy, the course of the House of Lords was, as announced by the Duke of Argyll, to wait until they would find whether the House of Commons committee would make a thorough and exhaustive investigation, and reserving to themselves the right to proceed with an independent inquiry before they would pass any legislation emanating as a suggestion from the House of Commons committee. Therefore I think my hon. friend, the leader of the opposition, has excellent precedent to guide him in the course he is pursuing at the present moment. I was, like my hon. friend from Richmond, somewhat surprised to hear the hon. leader of the House again, as he did last year, question the right and power of this House to institute an inquiry of this kind. I know very well that it is the usual course for the members of the House of Lords, as it is indeed for members of the House of Commons, to assert to the fullest extent the rights and privileges of the House of Parliament in which they sit, and this course is certainly expected when a gentleman leads a branch of parliament, and I felt a little surprised, that my hon. friend the leader of the House should once more question the right of this House to institute an inquiry of this kind.

Hon. Mr. MILLER—After a unanimous vote last year in favour of a committee.