

*Government's Right to Office*

an administration that purported to act as an administration before the House had functioned as such. The only method I know of under our rules is the method I have just suggested: the government moves the Address in reply to the Speech from the Throne and, if there is any opposition, the opposing party moves an amendment thereto. That is the manner in which the position of the government is vindicated. The point of order taken by the leader of the opposition (Mr. Meighen), that no notice having been given the motion is not in order, is, it seems to me, perfectly well taken. The matter is a very simple one, for the rules of the House clearly determine that a motion of this character shall be considered by the House only after notice has been duly given, so that every hon. member of this tribunal may have an opportunity of considering just what he is called upon to decide. That is why notice is necessary. No notice having been given in the present instance, it is clear that the rules of the House have not been observed; and that being the case the motion is out of order. That is the point which is now under consideration.

Hon. E. M. MACDONALD (Minister of National Defence): My hon. friend from West Calgary (Mr. Bennett) has well observed that the only question before the House is a point of order raised by the right hon. the leader of the opposition (Mr. Meighen). It is rather singular that the right hon. gentlemen, just as hon. members were leaving this chamber to attend upon His Excellency, handed to my hon. friend who is leading the House at present (Mr. Lapointe) a copy of a resolution which he intended to move but which was nothing more nor less than the negative of the motion which has been actually proposed. My right hon. friend evidently thought that he was going to be in order without having given notice.

Some hon. MEMBERS: No.

Mr. MACDONALD (Antigonish-Guysborough): Then what did he mean by handing to the Minister of Justice that copy of his resolution? Yesterday my right hon. friend observed that there was no government. Well, we want to know as a government whether or not we have the confidence of the House; and by virtue of the privilege which is usually exercised when a bill pro forma is introduced before the consideration of the Speech from the Throne is entered upon we have at the present time the right to submit this motion to the House. Under the circumstances I con-

[Mr. Bennett.]

tend that the motion is in order without notice.

Mr. MEIGHEN: I rise, Mr. Speaker, not to labour that point of order, for no one has seriously contended that it is not well taken, but merely to make a statement with reference to the words of the erstwhile Minister of National Defence (Mr. Macdonald) referring to a notice I gave the leader of the group opposite (Mr. Lapointe) immediately after three o'clock. I have no doubt that the House will contrast the conduct I observed with the conduct of the government. Between three o'clock and the removal of hon. members to the Senate chamber, I gave the leader in this House of the government party notice of an amendment which I proposed to move. The opening paragraph read as follows:

The following motion will be made by Mr. Meighen at the first available opportunity:

You will observe that I stated "the first available opportunity." How could it have been stated otherwise? Knowing whom we had opposite us, how did we know what they were going to do? To-day they have sought to override the rules of parliament, as for two months or more they have sought to override the vote of the people. I now put on record the amendment, of which they had approximately an hour's notice, and I do so merely in an explanatory way. The House will observe that I am not moving the amendment now; I am simply standing on my point of order.

Moved in amendment by Mr. Meighen;

Seconded by Mr.

That all the words after the word "that" be struck out and the following substituted therefor:

In the late general election the candidates of His Excellency's then advisers, at whose instance the appeal to the country was made, were defeated in a large majority of the constituencies.

That nine ministers of the crown, including the Prime Minister, were rejected at the polls and have no seats in parliament.

That the party represented in the last parliament by His Majesty's opposition secured in the said election by far the largest support in the popular vote, and has substantially the largest number of members of any party in the present House of Commons.

That those who now assume to be His Excellency's advisers have among them no Prime Minister with a seat in either House of Parliament, and under such circumstances are not competent to act as, or to become, the committee of parliament, commonly known as the government, or to address parliament through His Excellency, and their attempted continuance in office is a violation of the principles and practice of British constitutional government.

Had the government followed the order of procedure which they followed four years ago at the opening of the last parliament, and which they notified me in writing they would follow to-day, I would have moved that amendment to that item of business appear-