

in regard to this matter. The hon. gentleman who made the motion distinguished himself by fairness from some of those who followed him, and stated that those points were two—in the first place, that we had exceeded the right the statute gave us in respect to the nature of the expenditures themselves—that they were not of the kind contemplated by the statute; and in the next place, he pressed upon us the point that no less than twelve of the warrants issued had been issued in the exercise of a power which no longer existed in the Governor in Council, because Parliament had commenced to sit; and, holding in his hand the statement of the warrants, he pointed out that no less than twelve had been issued under date of the 14th April, the day after Parliament sat. The hon. member for Bothwell (Mr. Mills), followed him and declared, in answer to the explanation of the hon. the Finance Minister (which was that the power had been exercised by the Governor General on Orders in Council which had been previously passed, and that the date which appeared was the date of what was called the ministerial act of signing the papers occurred), that the Governor General's power in this respect ceased when Parliament met. Immediately, my hon. friend from Prince Edward Island (Mr. Davies), rises and says that is not the point at all; that there is no doubt about the power of the Governor in Council to issue his warrant, and that no question is involved in regard to the date at which he issues it; and, immediately after he resumes his seat, the leader of the Opposition rises and says that is not the point, but the point is the technical use of the power which is vested in the Governor in Council so near the opening of the Session. I think that, when so many of these hon. gentlemen, one after the other, has repudiated the point so prominently put before the House by his predecessor, the House must conclude that the points have been pretty well disposed of; and, as to the twelve warrants which have been referred to as bearing the date of the 14th April, it has been explained by the Finance Minister that these warrants were ordered to be issued before the sitting of Parliament. In stating that this return was typographically wrong, the Finance Minister was misled by me. I sent for the Clerk of the Privy Council, and asked him to give an explanation of the dates which appeared to be subsequent to the opening of Parliament, and, in stating to the Finance Minister that those were erroneous, and had been corrected in red ink on the paper which was in the hands of the leader of the Opposition, and which he stated was not corrected at all, I was simply giving the information which I had received from the Clerk of the Council without having examined carefully the head note at the top of that paper. So it appears that what two out of the four gentlemen, who have undertaken to lead the Opposition on this question, say is the principal point this afternoon, is disposed of by the admission of one of them that there was nothing in it at all, and by his calling the attention of the House back to the point that although we had not used wrongly, in point of law, the power granted to us, still as to the time at which it was exercised these sums ought not to have been paid. Now, addressing ourselves to that point for a moment, let me refer to the statements which were put forward by the hon. member for Bothwell (Mr. Mills) as the ground for attack. His statement was made in refutation of the admission of the hon. gentleman who made the motion to the House. The hon. gentleman who made the motion to the House based his criticisms principally on this ground of argument: that it was unfair to Parliament that large expenditures should be made without the consent of Parliament having been obtained, but he was candid enough to say that that criticism did not apply to the items in this list which had been previously voted by Parliament, and in respect of which the power of ordering a warrant to issue was simply used to revive the lapsed grant. After he had

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made that candid statement to the House as one of the leaders of the Opposition, the hon. member for Bothwell declared that he could not have made any such statement at all, because it would not be common sense if he had. The hon. member for Bothwell went on to make this single criticism: why should these grants lapse at all? He declared the Governor in Council had power to extend them for three months. So they have. But in respect of some of these which are immediately connected with my own Department, I can give the hon. gentleman an illustration by way of answer. Votes were taken by this Parliament during last Session for certain purposes, and the votes were extended for three months, and even after they had been extended for the three months, although the service was being performed, its complete execution had been delayed beyond the time expected, and the time had not come for the payment of the money. In pursuance of the authority of Parliament we had ordered the work to be done and made a contract. The contract was longer in its performance than was expected, and the hon. gentleman says that although we have the authority of Parliament to enter into the contract after a vote of Parliament for the payment of the money and the extension of the grant for the time which was supposed to be sufficient to cover the time during which the contract was being performed, that we were not at liberty to pay the liability that was incurred under Order of this Parliament, simply because the time had elapsed within which the vote of Parliament itself was available, after, as I said, authority had been expressly given by Parliament, and after the money had been voted by Parliament, and when payment of the money was simply delayed because the time for payment had not arrived. All I can say is that if the hon. gentleman thinks that is a reasonable and fair argument to answer to the contention of the Finance Minister that many of these were lapsed votes, I am glad to know that the hon. gentleman who leads him and who made this motion, does not agree with him. Let me refer the hon. member for Bothwell, however, to a statement of special warrants of His Excellency the Governor General issued in accordance with that chapter he has quoted, from the 1st of July, 1877, to the 9th February, 1878, inclusive. The hon. gentleman has declared to the House that under the provisions of that very statute, the principle that ought to prevail is that after a grant has lapsed, and after the Government has exhausted its power of extending the grant, even by his cheer to me a few moments ago, he must be taken to have implied that even if a contract had been made under authority of a vote of Parliament last Session, we were just as much without power until we came here and met Parliament, and waited for three months to get an appropriation to cover the contract—we were just as much without power as if that statute had never been passed at all, and as if the grant had never been made by Parliament. I think there is a very good reason why the hon. gentleman who made this motion did not concur with him; and the hon. member for Bothwell will find, when he refers to that statement of special warrants from the 1st of July, 1877, to the 9th February, 1878, when he was not in a position, I admit, to exercise the fine legal criticism which he has displayed this afternoon—he will find that the Government of that day, of which he was a member, exercised that power in relation to lapsed balances to an extent of no less than \$134,718. The hon. member and his Government expended on account of the following services, being balances of previous appropriations the votes of which had lapsed, namely: British Columbia penitentiary, \$19,106.89; public buildings in the North-West, \$503.05; Lieutenant Governor's residence, Battleford, \$3,784.83.

Mr. MILLS. Hear, hear.

Mr. THOMPSON. I hope the hon. gentleman will turn his attention to the first section of the Act, and remember