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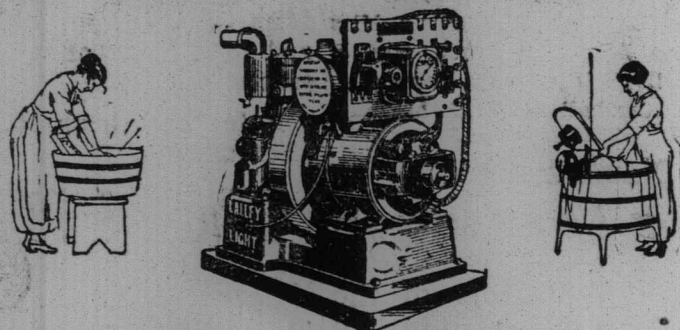
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TUESDAY, May 18, 1920.
MR. HIGGINS (Continued)

To that, however, I take no exception for there would be little or no point in doing so where these gentlemen are concerned. If their positions did not exist legally, they were created by that power which is greater than any government, and when the Minister of Marine and Fisheries issued his fiat that the thing was done before it was done, and because we are living in the shadow of that great man and because we know what he may see fit to do, we dare not offer any resistance to his will. We on this side of the House are afraid that if we are not careful, he will make some of us ministers, for we know what the mighty man do. He was able to anticipate the feelings of the people to such an extent, he knew so well that they wanted a minister of education and he was so confident that the men he picked were the very ones whom the people wanted to fill these positions that he had no hesitation whatever in choosing them. The public must bow to the ukase of the mighty One because his great prophetic knowledge renders it impossible for him to go wrong, but I do say that he should not flood us with ministers and so create a situation where there will be so many positions of emolument that it will come to be looked upon as an honor and a devalued privilege to be an ordinary private member. But the most humorous part of the whole thing is that which applies to the Minister of Shipping. Section 3 of the bill reads: (Here Mr. Higgins reads the section.)

HON. PRIME MINISTER:—That section has been amended. Your objection has been anticipated. The amendment makes it read as follows: (The Prime Minister reads the proposed amendment.)

MR. HIGGINS:—I'm afraid the Hon. Prime Minister has too many worries on his hands to see the humour of the situation as I see it. The point I make is that Mr. Cave will hold his seat, according to the bill, until the end of December "unless the seat is declared vacant by the judges of the Supreme Court." That is the most delightful part of it and it is a great pity we weren't told that even if the Supreme Court did declare the seat vacant the Minister of Shipping would still hold his seat.

It is the one incomplete thing in that bill.

HON. PRIME MINISTER:—Will you move an amendment?

MR. HIGGINS:—I think this is a high class thing to be served up to us, and I think it is a joke to come down here and consider a bill which states that a minister shall hold office but shall not hold office if the judges say that he must get out. Should Section 3 be put in? It has been admitted by everybody that the department of shipping is through, and if anything is to be done it should be done now. None of us could speak but in a kindly way of the Hon. Mr. Cave, but I think it is an insult to him to ask him to stay in office. He is too good a man for that. I am sure that he would not have this House violate its laws by keeping him in any office that is going to be wound up at the end of the year. To keep him in office under such circumstances will appear to the country at large more or less as a convenient way of carrying along a supporter of the government.

It is decidedly obnoxious to put such a measure on the statute book. Mr. Cave has handed in his resignation of that position, which is absolute evidence of his intentions. In handing in his resignation he has complied with the law of the land, and having done that, why does the Government come in and ask us to pass that section. It is improper legislation anyway. If it was absolutely imperative for any man to hold office for a certain time it might possibly be just, but to come in here and say Mr. Cave should hold office to December 1920 you might just as well pass legislation to keep him in office until 1924. Four years or six months would make no difference. So far as the measure is concerned, on its face it states in effect that the department should be abolished and that it was

going to be wound up this year. Surely there are men enough on the other side of the House to do the winding up of this department. I am sure we are free to say that what has to be done is purely work of an administrative character, and Mr. Hall and his staff could easily do this. There's no occasion at all for this section and the enacting and setting up of this section is absolutely unnecessary; beside it is flatly contrary to all traditional constitutional practice in the old country itself, and I do ask the Government to eliminate it. The section as it reads gives no guarantee that the department will be wound up even this year. There's nothing binding on the Government to wind it up, and if it is the intention of the Government under guise of this measure to carry along this gentleman for a time with the object of floating someone else in there later, I think it would be grossly dishonest. The words of the bill on this point I wish to have made clear. It states that the department should be discontinued after this year. It gives no guarantee that it will be discontinued after this year. It gives no guarantee that it will be discontinued, and I ask the hon. members of the government to consider that "political expediency" as my friend the hon. minister of posts and telegraphs has chosen to call it, is not always profitable, and take care that some of these measures like Mother Carey's chickens don't "come home to roost."

There is no such thing as a precedent for legislation which recites that a department is about to be abolished, and yet proceeds to "whitewash" a man who illegally remains there. If the hon. minister of shipping were in his seat to-day and were still known as the minister of shipping, he could not remain in the House. We should ask ourselves in justice to him and the district which he represents if this position should be set up? I think that not alone would it be a mistake, but it would surely place discredit on all of us if allowed to go broadcast throughout the land. I don't think there is any occasion for it. Why surely there are enough members on the other side of the House to fill this position. Why not let the great man who undertakes to look after so many departments take this department under his wing? Where only a couple of months remain for the existence of the department, we should not have to come down here and pass a special law for that purpose. I have no doubt that the hon. member for Bay de Verde, Mr. McGraw, could go down and run that job for three or four months.

HON. THE PRIME MINISTER:—Mr. Speaker, I wish to take exception to one statement made by the hon. member for St. John's East, Mr. Higgins. He said that this bill was introduced with a view to carrying along a government supporter. Mr. Cave, I would like to inform him, is absolutely independent. He did not seek this position, and he can support himself without any assistance from anybody.

MR. MACDONNELL:—Mr. Chairman, as has already been pointed out, this bill which is now before the House is a shining example of corrupt legislation. If I remember rightly it was the Hon. Prime Minister himself, in the Upper House, who one more than one occasion, took exception to the government for allowing a certain number of seats to be filled by defeated candidates, for allowing this House of Assembly to be a rump parliament. Well, a rump parliament is bad enough, but we are going further, we are going to make it hereditary.

It used to be delightful to have it pointed out to us that there was one man in St. John's West, Lord Morris, who was looking after his constituency in the House of Lords in England, and his seat was not filled. There was another man who was a judge of the court, in this town, and his seat was not filled; another man who was at the head of the controller's department, and his seat was not filled. We had in all ten men, and no more was being made to put men in their places, and not one condemned it more than the Prime Minister. I said then that their con-

duct was reprehensible, and I still say it, and we are asked to go a step further. We are asked to change the law or rather to break the law of the land, in order that a man who has no right to a position anyway, may have it.

With regard to the contents of the bill it is quite in keeping with the way in which the department was sprung upon this country. Mr. Higgins has pointed about these departments, until one morning he saw an account of them in The Advocate, and although I was a member of that party, I was in the same position with regard to the department of posts and telegraphs, and education, and this bill being sprung upon the House in this manner is in keeping with that secrecy which surrounded those departments. I have no doubt that it would be a nice point of law, as to whether the actions of those two gentlemen up to the time this bill was brought into this House were legal.

(to be continued)

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