

Hon. Mr. DANDURAND: No, I am speaking of the honourable gentleman from Middleton (Hon. W. B. Ross).

Hon. Mr. LYNCH-STAUNTON: Do I understand the honourable gentleman to say that by that resolution we are authorized to amend a Money Bill?

Hon. Mr. DANDURAND: It is not legislation; it is a declaratory resolution as to our powers. A Committee worked upon it, studied the constitution of Canada, obtained the legal opinion from outside of two very important barristers of this country, and in this report, which I think has been distributed since the beginning of the Session, we unanimously adopted a resolution declaring what we conceived to be the concurrent powers of the Senate with the House of Commons. In that resolution I believe that I shall find justification for my answer. Now, I cannot go further. I do not know whether the Senate, whose composition has been changed by the departure of members and the addition of others, would still find a majority to affirm that same principle. I do not know what the House would say, but I believe His Honour the Speaker voted with us and was a member of that Committee.

I do not know what stand the House of Commons will judge proper to take on this question. It has in very many instances accepted amendments such as the one we are now discussing, by adding a rider that it should not be a precedent, but it went on from one statement to another to the same effect, and as a matter of fact I can point to decisions by this Chamber altering Bills of this nature which were accepted even with a "no precedent" clause. So that all I can say is that it lies with the Senate to affirm its right to do what it pleases. I am not consulting the members of the Commons or my colleagues in the Cabinet; it is a question of constitutional power.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, my honorable friend last night moved the adjournment of the consideration of this Bill for the purpose of consulting the Government, and he has made his answer to-night. It did appeal to me last night that there were insuperable objections to the Bill on account of the principles which were to be found within its four corners; but never did I conceive that we would reach that stage in the handling of public money that was declared by my honourable friend this evening when he said that the Government of the day had given a free hand to the Canadian National Railway Board.

Hon. Mr. FOWLER.

Hon. Mr. DANDURAND: On general lines.

Hon. Sir JAMES LOUGHEED: On general lines. That is even broader still. I ask my honourable friend, have we reached that stage when we have abandoned the fundamental principle of representative institutions, and handed over to an irresponsible Board the expenditure of public moneys, thus depriving Parliament of making any inquiry or investigation into so important a subject?

Hon. Mr. DANDURAND: I certainly did not state anything of the kind, except to hand the programme over to the Senate, to review, and to accept in part or in whole.

Hon. Sir JAMES LOUGHEED: My answer to that is this. That is an insignificant matter in comparison with the principle involved in this Bill, that we hand over to the Canadian National Railway Board practically \$100,000,000 for expenditure without their accounting in any way to Parliament, and having three years in which to handle that sum. Suppose such a subject was broached in this Chamber, and my honourable friend from Moose Jaw (Hon. Mr. Willoughby) selected his particular branch out of the schedule attached to the Bill, is the Senate prepared for one moment to swallow the vicious principles embodied in this Bill, by which we abdicate the functions of Parliament and hand them over to this Board? That is the principle involved in this Bill.

Hon. Mr. DANDURAND: But do I understand that we will not allow that Board, the Railway Management, to do the construction work of one of those branches after we have voted them money to do it?

Hon. Sir JAMES LOUGHEED: The Canadian National Board has been appointed for the operation of the Canadian National Railways, not for the purpose of extending National railways and duplicating mileage. That is the function of Parliament. The Board was not appointed for the purpose of demanding from the Government of the day \$100,000,000, and spending it in any way that may appeal to their judgment, irrespective of the voice of Parliament. That is not the function of the Canadian National Railway Board that is the function of Parliament, and if I know this Parliament, it will reserve to itself all the ancient rights which it has exercised from time immemorial down to the present time. Parliamentary institutions as we know them to-day, free institutions as we know them have not been established for the purpose of handing over