

On September 12, 1917, the Senate adopted a resolution for the appointment of a special committee:

To consider the question of determining what are the rights of the Senate in matters of financial legislation, and whether under the provisions of the British North America Act, 1867, it is permissible—and to what extent—or forbidden, for the Senate to amend a Bill embodying financial clauses (money bill), the Senate committee to report to the Senate as soon as possible.

The committee that was appointed to give effect to the terms of this motion reported to the Senate in May, 1918, and its report was printed in a special pamphlet. Its principal conclusions were as follows:

1. That the Senate of Canada has, and always had since it was created, the power to amend bills originating in the Commons appropriating any part of the revenue or imposing a tax, by reducing the amounts therein, but has not the right to increase the same without the consent of the Crown.

2. That this power was given as an essential part of the Confederation contract.

The report also contains the written opinions of three eminent members of the legal profession in Quebec and Ontario, the gist of which may be found in this sentence:

Under the circumstances, we are of the opinion that the Senate of Canada may amend a money bill originating in the House of Commons as fully as the House of Commons can do. Of course the powers of the Senate are limited to the same extent as those of the House of Commons by the fact that money bills must be recommended by a message of the Governor General.

The report of the committee was debated at length during the session of 1918, and the speeches then delivered form a comprehensive review of the powers and privileges of the Senate. By adopting the report the Senate expressed its approval of the committee's findings.

In the session of 1919 Senator Nicholls moved:

That a Standing Committee on Finance be appointed, and that Rule 78 of the Rules of the Senate be amended accordingly, and that the senators in attendance on the session be summoned to consider this motion.

In explanation of his motion Senator Nicholls said:

My proposal is that all money bills may be referred to this committee. It has been charged against this House in the past that it does not do its full duty. It may be true that the reports of a Finance Committee can be only advisory or suggestive, and that we have not the power legally to carry into effect any recommendation we may advance. But, at all events, when money bills come before this House, we shall have had a report from this Finance Committee enabling us to know what

Hon. Mr. MURPHY.

those bills are going to cost us, what will be the cost of the services which the bills are to provide, and, furthermore, we shall feel that we have done our duty to ourselves and the country.

The committee was appointed and became what is known as the standing Committee on Finance. Shortly after the appointment of the committee, the Public Accounts and the Auditor General's Report were referred to it. Later on, the Auditor General was summoned before the committee and furnished information as to the operation of his office, and as to the payments made to the Imperial Government during the War. If the work of this committee were carried on as Senator Nicholls proposed, and extended as circumstances might warrant, it should be of great assistance to this Chamber in directing and crystallizing its scrutiny of public expenditure.

During the session of 1923, on motion of the honourable member from De Lorimier (Hon. Mr. Dandurand), who displays his exceptional parliamentary knowledge and skill in his leadership of this side of the House, it was ordered:

That a message be sent to the House of Commons requesting that House to unite in the appointment of a joint committee to be composed of an equal number of members, not exceeding five, of each House, to consider the following matters:

1. The forms of bills and the best means of affording the information and assistance in the consideration thereof at all stages of legislation in both Houses of Parliament.

2. The better distribution of the work of legislation between the two Houses.

There is another paragraph in the motion so adopted, but as it does not relate to the subject-matter under discussion, I have not quoted it.

The joint committee was appointed, held meetings, and made its report. That report was presented in the Senate and adopted on the 14th of June, 1923. It is printed in full in the Senate Journals for that date. Clause 2 of the report reads as follows:

Your Committee further recommend that the distribution of all private bills, exclusive of divorce bills, be regulated by the Speakers of both Houses jointly, with the understanding that they will see as far as practicable that private bills, exclusive of divorce bills, be introduced one-half in each House.

A further search of the records did not reveal what, if anything, had been done to give effect to this recommendation.

Now let me direct attention to some further proposed remedies. Among those most frequently suggested for increasing the business of the Senate was that of allowing Cabinet Ministers to introduce and explain