

we have heard of the statements of Mr. Taschereau, but nevertheless it is a fact that the misery which exists from coast to coast is heartrending. The farmer in the west who is facing the crisis of supplying himself with seed when he has no money, of financing repairs to machinery and the preparation of the land, is not interested in the constitutional aspect of this matter. But that does not relieve us as members, their representatives in the House of Commons, of the obligation of observing our sworn duty and it is not our part, whilst parliament is sitting, to relinquish into the hands of an executive the power that parliament alone should exercise.

The struggle for this very liberty that we have to-day is not of contemporary history. It stretches away back for hundreds of years. If a student looks the matter up he will find that it is 635 years ago when the right of parliament to grant moneys to the crown was first determined under statute 25 of the reign of Edward I in 1297. The language used in that *Confirmatio chartarum* is:

No aids, tasks and prizes are to be taken except by the common consent of the realm and for the common profit.

Thenceforth the crown asked parliament for the assent of the nation to its financial proposals. There were of course, one or two attempts on the part of the crown, as there is on the part of the present administration, to usurp that right and it was not really until 1407, or 525 years ago, that the definite principle that all money bills must originate in the commons, was first established. Then the powers of the commons slowly expanded under parliamentary practice and procedure, generation by generation, parliament by parliament, in spite of the stubborn, almost rigid opposition by Conservatives in those days, just as to-day. It was not until several centuries had elapsed that the practice of setting up committees of supply and committees of ways and means was established. The reason for the setting up of those committees was that they might determine first the amounts of money that parliament was to be called upon by the administration to vote, and, second, the destination of the amounts. Only by those two methods has parliament a certain control over the amounts and their destination. It is true that under Public Accounts, established about the same time, we can ascertain afterwards the character of the expenditure of the money. Let me put the matter in this way: Anson, in his *Law and Custom of the Constitution*, has clearly indicated that in recent generations the power of parliament is steadily being encroached upon by the cabinet, age

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by age and parliament by parliament. At pages 133 to 135 of volume 2 he uses this language:

"The modern rules of procedure and the closure place both business and discussion in the hands of the cabinet." . . . Hence the Commons have become dependent on the cabinet, rather than the other way round, and a threat by the cabinet to dissolve parliament may command the continued support of a working majority long after the Commons has ceased to really represent the political opinions of the country.

Now we come to this particular case. If you turn back the pages you will find that in volume one of this book he indicates the last five remaining measures of control that parliament has over the executive. The third of these, which is relevant to this discussion, is as follows:

The Commons exercises control over the executive as to spending departments, by committee of supply to vote money, by committee of ways and means to raise money.

Now the effect of this legislation will be to remove from us the power to consider in committee of supply the amounts to be voted, nor shall we be able to determine the destination of the vote. Last session it was indicated to the house—and many of us gullibly believed it—that this money was to be voted for farm relief and for unemployment relief. I was astonished when the Minister of Trade and Commerce (Mr. Stevens) spoke, that he did not, in discussing the orders in council, appear to be seized of the fact that the government did not live up to that understanding, but diverted sums of money to other purposes than either farm or unemployment relief. There is no question they had power to do that, but we had no understanding that that was their purpose, and if in the absence of understanding they were guilty of so much in one year, of what may they not be guilty if we renew that vast power to them? The Minister of Trade and Commerce mentioned the orders in council; he disposed of them with an airy, discursive statement in respect thereto, and asked the general question: Was it not all in the best interests of the country? Did anybody suffer by it? That is not the question. It is as to the powers to be exercised under legislation of this character. While parliament is sitting, parliament has no right—and I say this advisedly—in the face of its sworn obligation to do its duty in respect to certain matters, to delegate to an executive the power to legislate. The power to legislate as well as the power to vote money is inherent in parliament itself, and while it is sitting, it cannot, constitutionally, without doing violence