

revenue or levying a tax, which for the purpose of discussion we may call money Bills, my view, which I have adopted after giving full consideration to the question, is that this House cannot originate a money Bill. It must originate in the House of Commons. Further, if a specific sum is mentioned in a Bill which comes to us, we cannot increase the amount, because the increasing of it is a question involved in the proposition that the Bill originate in the Commons. Apart from that, in my humble opinion, there are no limitations at all upon this honourable House; we can either reduce the amount or throw out the Bill.

There are two sections of the British North America Act to be considered—sections 53 and 54. Section 54 deals with the House of Commons. The House of Commons cannot originate money Bills; these Bills have to originate with the Governor General. It is worth while to consider what happens in the House of Commons with regard to these Bills. When the Committee of Supply or the Committee of Ways and Means come to deal with a money Bill, some person, speaking for the Governor General, has to say that the Bill has His Excellency's consent. The House of Commons cannot increase the sum recommended by the Governor General. If he recommends a million dollars neither of those committees can make it \$1,500,000. There must be another recommendation for the increase. But the committee can reduce the amount, or throw out the Bill.

I desire to make one further remark on that point. I find it laid down very distinctly that it is unconstitutional, or at all events bad practice, for the Committee of Ways and Means or the Committee of Supply to tag on a recommendation, or a suggestion, or a qualification, to the resolution before them; they should pass it, or amend it, or reject it. For that reason I do not believe in our making amendments in the way of pious resolutions with regard to any money Bill in this House, and sending the Bill back in the hope that the House of Commons may entertain those amendments and perhaps embody them in the Bill. My view is that we must do one of two things: We must legislate or not legislate. I think, arguing upon the analogy with what happened in those matters, that it would be an objectionable practice for us to make suggestions for the amendment of a Bill; either we ought not to make suggestions at all, or we ought to put our amendments into the Bill.

Section 54 of the British North America Act is the section of which I have been speaking:

It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address or Bill for the appropriation of any part of the public revenue or of any tax or impost, to any purpose that has not been first recommended to that House by message of the Governor General in the session in which such vote, resolution, address or Bill is proposed.

When we go back to section 53 we find:

Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons.

There is a rule of this House that when a money Bill comes up, this House requires an assurance that the House of Commons had the recommendation or the consent of the Governor General. The House of Commons have seen fit to pass rule 78 in which they embody section 53 of the British North America Act, and then add that it is their sole right to impose conditions and terms, etc., and further, add the words that the vote is not alterable by the Senate. Now, I want to know where the House of Commons got the right to pass that rule. In the first place, there is no use in comparing our powers with the powers of the House of Lords or the House of Commons in England. They are common law institutions, while ours are statutory. We are bound by the British North America Act, and, unless the House of Commons can find in the British North America Act the power to pass a rule that we have no right to amend a Bill, then I say their rule is not of the slightest value.

The only possible argument that may be set up is based on the Act that was passed in 1868 relating to the powers and privileges of the two Houses; but when you come to examine that, you find that it does not deal with the legislative jurisdiction of the two Houses at all. It simply says that the powers and privileges of the two Houses, the Senate and the House of Commons, in Canada, shall be the powers, privileges and immunities of the House of Commons of the United Kingdom of Great Britain and Ireland. The Act of 1868 dealt simply with the question of the privileges of members and the arrest and imprisonment of members, also with the protection of the publication of the debates. I have tried to see if that Act could possibly be construed into an authority enabling the House of Commons to pass their rule 78.