

"If when Parliament is not in Session, any accident happens to any public work or building which requires an immediate outlay for the repair thereof—

If a lock breaks in a canal or some accident happens which requires some public work to be repaired.

—"or any other occasion arises when any expenditure not foreseen or provided for by Parliament is urgently and immediately required for the public good, then, upon the report of the Minister of Finance and Receiver General that there is no parliamentary provision, and of the Minister having charge of the service in question that the necessity is urgent, the Governor in Council may order a special warrant to be prepared."

So that you get, first of all, the example of the class of cases, you are told what Parliament meant; and then you get the general principle from the illustration just given. If some accident happens to a public work or building which requires immediate outlay or repair—not merely an accident, but an accident of such a character that it requires immediate outlay for repair—then the warrant may be issued; or

"If any other occasion arises when any expenditure not foreseen or provided for by Parliament is urgently required for the public good."

So that you get the illustration in the particular, and then you get the general condition, and you find urgency and the necessity for immediate action for the public good are the elements which give to the Administration power to act. Now, in a great many cases, it is utterly impossible to apply these views to the warrants in this return. In many cases, the use of this power was made so late that Parliament was actually sitting when the warrants issued. I care not whether there is a legal justification in the clause of the absolute power of the Government to issue the warrants for which the Orders in Council were passed, the day before the Session of Parliament or the day before that again. I want to know what the spirit of the clause is, and what the meaning of it is. It is that if the public good imperatively requires money to be expended, in respect of which the condition of things renders it impossible that Parliament should be consulted and its consent obtained, the Government may issue special warrants for such expenditure during recess; but that cannot be said in reference to certain expenditures for which the Orders in Council were passed just before the 13th April, so late that the warrants could not be issued in time to have them out before Parliament. Take the expenditure on 14th April of \$31,000 on the Banff Springs. I am not speaking of the work done. What I would ask is, was there such urgent and immediate necessity in the public good for that expenditure, that it was necessary on the 12th April, the day before Parliament was summoned to meet, to pass an Order in Council ordering the immediate issue of a special warrant, which it was not possible, with all diligence, to get out until the day after we met? If the public good required the immediate expenditure of such moneys, the duty of the hon. gentlemen was at the earliest possible moment to have brought down a vote of credit, to have brought down a proposal to us to ask us to assent to the expenditure of this money on the ground of the public urgency, and not to have waited for estimates, but to have said: We cannot wait for the estimates, but the public good requires that we should ask for this expenditure, and we ask you now and at once to grant this money for the public good; but it does appear, and I repeat it, that this power is prostituted when, just on the eve of the meeting of Parliament, warrants for this large amount are issued, warrants for moneys which are not paid until long after the time of our meeting, warrants which were not issued at all until the date of our meeting. We see here an Order in Council passed on April 12th to pay the St. Catharines Milling and Lumber Company, costs in the suit of the Queen, represented by the Ontario Government, against that company, \$4,000. Did the public interest so urgently require that the eminent lawyers who were employed in that case should be paid before a vote was taken, that it was neces-

sary to use the Governor General's warrant, this statutory warrant, in order to prevent our having a voice in saying whether they should be paid or no? It is absurd, it would be ridiculous, if it were not worse, to apply the warrant under these circumstances. It is only when the necessity is urgent that this special warrant is to be prepared, and it is only when the expenditure is immediately required. I find, by the light the Finance Minister has thrown upon this matter, that one Order in Council was made on the 11th February, and that not until the 14th April was the Governor General's warrant issued for it. There is proof upon the face of the documents that that Order in Council was improperly issued, that it could not have been urgently needed, for, though they passed the Order on the 11th February, more than two months followed before the authority was acted upon. When they had waited so long, would it not have been easy to wait until they got our consent and authority for the payment. One of the most important functions of the House of Commons—perhaps the most important function, if the House rightly understood its duties—is its control over the public expenditure; and how is it possible to say that we are discharging our duty, as controlling public expenditure, if we are to permit two millions of money to be expended, without our consent, upon such flimsy excuses and pretences as have been offered for our consideration to-day. Then there is the First Minister's own Department. On the 11th April, it seems, by the information which has been supplied to us, an Order in Council was passed under which a warrant issued on the 14th, for Dominion Lands, income, amounting to the sum of \$26,000. I do not know, I have no particulars as to what it is for, but you find that, after the meeting of Parliament, the consummation of the authority is taken to pay \$36,000 on account of income, in the Department of Dominion Lands, which the First Minister, at any rate, presided over very lately, and in regard to which he is said still to have a great deal to do. There is yet another instance, in regard to Indians, Manitoba and North-West Territories and British Columbia, a very large sum. On the 23rd March, according to the corrections, so-called, which the Minister of Finance has placed in our hands, a warrant was issued for the Indians of Manitoba and the North-West Territories and British Columbia, to the amount of \$189,000, but it is not until the 14th April, after Parliament has met, that the Governor General's warrant issued for that payment; so that it is evident that the necessity was not urgent and immediate to obtain the money, but it seems clear that in many of these cases the necessity was urgent and immediate to obtain the authority to spend the money without the consent of Parliament, and nothing else. Now, I cannot understand how it is possible for us, consistently with our duty, to accept as satisfactory the statements of the Minister of Finance as a fair justification for this use of this extraordinary power. It is a power to be used for the good of the State in order that, in case some unavoidable, some unforeseen, some extraordinary accident or other emergency occurs, the commonwealth may not suffer damage by the fact of the Government not having the power to spend necessary moneys at the moment. That is the essence of the whole provision, and, if such a provision as this, given for such purposes as these, illustrated by such an example as the statute illustrates, is to be admitted by the House of Commons of Canada as a reason to justify the expenditure of two millions of money on the principles on which that expenditure has been justified, then I do not think that, whatever may have been the expectations of the people of Canada as to the action of this House of Commons newly elected, those expectations will be at all realised.

Mr. THOMPSON. In this discussion it seems a little difficult to ascertain precisely what the point is that hon. gentlemen opposite desire to make against the Government