

press is always well informed as to the movements of the right hon. gentleman—that he was to leave for Georgia for his health, but that he would stay for a day at Washington. In twenty-four hours a trade agreement is made with the United States, and upon returning to Canada, after a session with the cabinet lasting a couple of hours on Armistice morning, all is over. Let me say, Mr. Speaker, that it is no wonder men smile. Either one of two things had been done; either the agreement in its essential terms and details had been done before, or it is an improvident one—one or the other. No man, however great he may be, can in twenty-four hours, forty-eight hours or seventy-two hours complete a trade agreement with the United States. And if he does—or did—it would have only one result, that he has been properly trimmed. I think the latter alternative will be the one which history will show fits the case.

Then there is the settlement with Japan. I am going to say only a few words in that connection, and they are these: We have not the papers before us, and therefore I shall reserve any lengthy observations until later, but if press reports are accurate, two years from now whoever lives that long will see the most humiliated government, if this government still survives, that there has ever been in this country. I say that with respect to the agreement. That is all. I have made a prophecy, an ordinary prophecy,—and you may mark it down.

These observations are merely of a preliminary nature before proceeding to deal with the speech from the throne as a whole. The document is wonderful, in one sense: it is going to restore responsible government for which our grandfathers died. It will bring to the people of Canada a freedom which they have never possessed, and parliament is once more to emerge in all its past power and greatness. Could anything, Mr. Speaker, be sillier than that? No wonder that intelligent men who have read that paragraph in the speech from the throne are asking themselves why any prime minister could ask a representative of the crown to make a statement of that kind. Does any one for a single moment say that at any time there has been enacted in Canada by order in council any legislation which had not been warranted by parliamentary action?

An hon. MEMBER: Yes, the loan to the Canadian Pacific Railway Company.

Mr. BENNETT: Does any one say that this parliament—the Senate, the House of Commons and the Crown—have not agreed [Mr. Bennett.]

in enacting laws to enable any executive action which was taken by the late government? If so, name it. What was it? Wherein has the executive ever acted, except it had parliamentary power and authority given it to warrant the action taken? Name it. Here is the sentence:

It is proposed to restore to parliament its control over taxation and expenditure by ending all measures which have deprived members of the House of Commons of this control, and which have served to invest the executive with unwarranted arbitrary powers.

Is that fair? It is proposed “to restore to parliament” its power—when, sir, since October this very government has been carrying on by executive action, sanctions, extensions of power, great extensions and alterations in our fiscal system, as declared by the Prime Minister himself. All these things have been done by executive action. Why? Because it is said there was parliamentary sanction for the action taken; because it was stated parliament had given power to the executive to do it. I ask again: Name a single instance in which the late executive passed any order which parliament had not given it power to pass.

I have no doubt that at the moment there may pass in the mind of the Minister of National Revenue (Mr. Ilesley) the thought that the court has held as invalid an order in council in connection with dumping duties imposed upon certain importations from England. The court did hold that that was improper, and I am glad to say that the minister has taken an appeal. Why? Because once parliament confers upon an executive the right to pass an order in council upon any subject, and that order in council is passed, then the action thus taken is in many instances changeable or alterable only by parliament itself.

Mr. ILSLEY: The appeal is not on that ground at all.

Mr. BENNETT: Well, it should be. At any rate that is one of the points upon which the appeal should be made. For instance we will say that a minister issues a proclamation stating that a certain act shall go into force on proclamation by order in council, that the order in council is passed and the statute comes into being: do you mean to say that by cancelling the order in council the statute ceases to be and is repealed? No one would suggest for a moment that that is so. And so when action is taken which imposes a given duty or price upon a certain commodity, under authority granted by parliament, the mere repeal of the statute cannot affect that item which has become an item in the tariff or one to be dealt