

Hon. Sir MACKENZIE BOWELL—Who is to have the appointment of the Clerk, the Sergeant at Arms, and the Usher of the Black Rod in future? In the past it has been done by the government. Will the appointments in future be in the hands of the government or relegated to the Senate?

Hon. Mr. SCOTT—The practice in the future will be as it has been in the past. The Clerk of the Senate is outside of the commission, just as the deputy head is. He ranks as a deputy head, and so far as the Black Rod is concerned, although he would be appointed by the government if a vacancy were to occur, that would go under the recommendation of the commission, subject, of course, to the approval of the Senate.

Hon. Mr. FERGUSON—The amendment suggested by the hon. senator from De Salaberry may cover the ground; but I am not sure of the effect the word 'precedence' will have.

Hon. Mr. BEIQUE—My suggestion is that the words used should be 'rank and precedence.'

Hon. Mr. FERGUSON—I doubt whether we have any order as to precedence, and if we have not, that word would not have a very distinct meaning.

Hon. Mr. SCOTT—There is an unwritten meaning.

Hon. Mr. FERGUSON—The whole thing turns on clause 35, but I am not sure. We ought to get a very good opinion on that point.

Hon. Mr. SCOTT—We will have a full report, I hope, before the House rises.

Hon. Mr. FERGUSON—My suggestion is not so much as to what the Contingencies Committee will do, but that we should get good legal opinion to know where our officers stand?

Hon. Mr. LANDRY—Get an opinion from the Minister of Justice.

Hon. Mr. FERGUSON—He will tell us that we know ourselves.

Hon. Mr. POWER—Our own law clerk has studied the matter carefully, and the

committee would be guided by his opinion. I wish to direct attention to the latter part of this clause. It says:

And with respect to the officers, clerks and employees of the library of parliament, and to such other officers, clerks and employees as are under the joint control of both Houses of parliament, shall be taken by both Houses of parliament by resolution.

That applies to the joint Committees on Printing and on the Library. It seems there, that you must get the two Houses to pass a resolution, and it might be rather difficult to get that. I do not move an amendment, but I suggest an amendment that I think would meet the case. When parliament is in session, if a reasonable proposition is made, you can get a resolution of both Houses; but if parliament is not sitting, and it is necessary to deal with the staff of the Library or the Printing Bureau there does not seem to me to be any means under the Bill as it stands now to deal with them, and I suggest to add at the end of the clause: 'Or if such action is required during the recess of Parliament by the Governor in Council, subject to the ratification of the two Houses at the next ensuing session.'

Hon. Mr. SCOTT—I do not apprehend any difficulty.

Hon. Sir MACKENZIE BOWELL—Would not that be in direct conflict with the object of this clause? As I understand it, this clause is inserted in the Bill for the purpose of continuing in the Senate and in the House of Commons all the powers and authorities they had in the past to deal with questions of this kind, and with questions affecting the Committee on Printing and the Library, there must be joint action. If they come to the conclusion that they cannot agree, the Governor in Council should act; but I do not think that any conflict has ever occurred in connection with either of these committees, and, consequently, I can see no possible object in the suggested amendment. On the contrary, I should think it inadvisable to adopt any clause which would take from the Senate any of its powers and authority that it has exercised in the past.

Hon. Mr. POWER—Having been on the Library Committee for some 30 years, I