

lating the internal economy of the House. Therefore, he found it exceedingly difficult to obtain any assistance in the determination of this question from anything to be found either in the Statutes or books usually referred to in the settlement of matters of this kind. But in England, as with us, the Commissioners of Internal Economy had no power, no actual existence, they could do nothing, without the presence of the Speaker. So, without the Speaker, except in the case of his death or absence from the country, there could be no sitting of the Commissioners, and they could exercise no authority whatever. The Speaker, on the other hand, continued to exist after the dissolution of Parliament. In 1833 there was a discussion on the subject in the Imperial Parliament at the time of the re-election of Mr. Manners-Sutton as Speaker. The question arose incidentally. Objection was made to his re-election by some gentlemen who alleged that he was then actually a pensioner. He had acquired the right to a pension by length of service, and would become a pensioner after he ceased to be Speaker. The contention on the other side was that he had not ceased to be Speaker, but must continue Speaker for certain purposes until a new Parliament had assembled and a new Speaker had been elected; and one of the facts adduced in proof of this view was that in the case of the demise of the Sovereign before the assembling of a new Parliament, or the day appointed for its assembling, the old Parliament must assemble and, with its Speaker, continue to exist for six months. So it could not be held that the Speaker had ceased to be Speaker, even if no such Act as the Internal Economy Act had ever been passed. In Canada, however, they were compelled to argue from their own Statutes, rules and practice as to what was the duty, and what were the rights of the Speaker *ad interim*. The Canadian Statute of 1868 was exceedingly fragmentary. It was passed, probably, with a view to some special circumstances of the time, and not for the purpose of laying down any general broad principle or creating any special system for the management of the internal economy of the House for all time. There were no special provisions for the period between the dissolution of one

Parliament and the assembling of a new House, save this:—

“For the purposes of this Act, the person who shall fill the office of Speaker at the time of any dissolution of Parliament, shall be deemed to be the Speaker until a Speaker shall be chosen by the new Parliament; and in the event of the death, or disability, or absence from Canada of the Speaker, during any dissolution or prorogation of Parliament, any three of the Commissioners may execute any of the purposes of this Act.”

The Speaker might continue to act independently of the Commissioners altogether, but the Commissioners, without the presence of the Speaker, had no power to act, in any matter—had no authority whatever. The whole of the purposes of the Act, it was not very easy to discover. One section provided that an accountant might be appointed by the Speaker. Why it was necessary to make such a provision he had failed to discover. Unquestionably, while the House was in existence, under the Canadian rules and practice, the Speaker had the power to appoint all officers necessary to the proper discharge of the duties of his Department. One portion of the 9th section provided that the Speaker, not merely during the interim, but at any time, might suspend or dismiss any of the clerks or officers of the House appointed by the Speaker, and suspend any of the officers appointed by commission. He was merely required in that case to inform the Governor-General that he had suspended such commissioned officer. He did not require to give any reason for the suspension, and no one but the Speaker had the right to cancel such suspension. Looking for a moment at the Statute mentioned, it seemed clear that the right to dismiss must imply the right to appoint. If this were not so, it was evident that very serious injury to the public service might be the consequence. There were officers in the employment of the House of Commons whose duties it was of the highest importance should be properly discharged. If he had occasion, after the dissolution of the House, to dismiss one of these officers, he would ask if it could be supposed that this office must remain vacant—that the public business must be brought to a stand-still, because no one had authority to appoint another officer to do that work. If the Speaker had no right to fill that office, it could not be filled. That could