

of the statute that these words might be cut down by the operation of the very well recognized principle of legal interpretation, which is called the rule *ejusdem generis*. That is to say, explaining it simply, that where you have words of wide import, words that are apparently so wide in their import that they can gather into themselves all possible circumstances, all possible facts, if you have in front of those words, words of a particular import, the words of particular import will cut down, or tend to cut down, the width and application of the general words following. What are the words that immediately precede these words of wide application? They are these: "words directing a minister." That is telling him what his duties are. Secondly, "words empowering a minister," that is telling him what his powers are. Those are the two essential things a minister wants to know: he wants to know first, what are my duties; secondly, what powers reside in me to enable me to carry out those duties. That is what the act provides. The duties that pertain to the minister are the same as those that pertain to the acting minister, and the powers of the minister to enable him to carry on those duties are also the powers of the acting minister who stands in his shoes and carries out his duties for the time being. Following those specific and particular words we have the big wide words, "or otherwise applying to him by his name of office." I have stated that those words are very wide, and they must be very wide indeed to include the profit and enjoyment of the minister's salary. They must be very wide indeed before we can understand them to mean that the acting temporary minister is to have the same salary as the minister who is in the office, in occupation of the office and in possession of its powers. But those wide words are cut down by the preceding specific and narrow words, and are to be taken to refer merely to what pertains to his duties and his powers, and not to go the length of the salary.

What is there to strengthen this position? Because after all it is only an inference based on a rule of legal interpretation. In point of fact no salary, so far as we have been informed in the House by those members who have spoken to-day, is ever attached, except by some express enactment, to the office of acting minister. We have had case after case cited in regard to that, and we have been told there was no salary attached to it. The hon. member for Quebec East (Mr. Lapointe) stated that unless some express words to the contrary were incorporated in the order in council appointing a minister, the acting min-

[Mr. Bury.]

ister would receive a minister's salary. We have had many acting ministers, and no case has been cited to this House where an acting minister had a salary attached to his position merely because he was an acting minister; but we have had case after case cited in this House where acting ministers have been appointed, have held office and acted for weeks and months under an order in council which contained no such excepting clause, or no such excepting words as those suggested, which merely appointed a member as acting minister of the crown, and did not go on to say, "without salary" or "without emolument." Therefore we have, in the first place, a general principle of interpretation which is in favour of the limitation of the width of the application of those words in the Interpretation Act. We have next the fact of long continued usage under which acting ministers did not enjoy salaries simply because they were acting ministers, and we have in the third place instances of appointments—and three of them were mentioned; the appointment of the then Minister of Defence, the hon. member for Antigonish-Guysborough (Mr. Macdonald) the appointment of Senator Dandurand, and the case of another acting minister—three acting ministers appointed by orders in council, in which orders these words "without salary" do not occur. These ministers were appointed by the late government, by the very members who have been raising this argument to-day. The saving words "without salary" were not in their orders in council; yet they sat and acted. They are not disqualified, the heavens do not fall, the British constitution is not changed. There is no outrage perpetrated on the fair name of Canada, and no attempt made to curtail the liberty of the subject. Magna Charta stands unimpaired, and the Bill of Rights, but the moment the same thing which has been done three times over by the last government is done by this government, the very foundations of justice rock, and the temple of justice, like the temple of Dagon, comes down. Surely it did not need all this to show that this is nothing but a political gesture, just as much a political gesture as was the motion of yesterday. I may tell the hon. member for Bow River (Mr. Garland) that there is not a single fact, so far as the facts go, which were not known to him when he voted on the motion which was defeated yesterday. He or some speaker from that part of the House yesterday denounced that motion as a political gesture and no more. Everyone knows that it contained at its end or right through its body the sting of the tariff, of what was