

*Election of Speaker*

time in the public press the statement has appeared that Mr. Casgrain was to be elected Speaker of this house. That was known. It has been the custom that that should, in a general sense be known, and I do not think that the first minister or any person connected with the government made any statement to that effect. Rather it was accepted as indicating what was to happen, because the first minister would not undertake to pledge the judgment of this House of Commons, which is the judgment of the whole house, with respect to something which is not a party matter but is one for the house itself to consider.

Under these circumstances I find it necessary to direct attention to the fact that there is a statute dealing with the position of Speaker in this chamber. It is not as though this were a matter not covered by law. It is not as though it were a matter in which the high privilege of parliament must be left to chance, to the imagination or to vain reachings after. They are known; they are provided for. And in every case where thanks have been given to a retiring Speaker of the British House of Commons they have always been thanks for maintaining the privileges of the house. It is my unfortunate duty to ask leave to refer to what was said by the late Sir Wilfrid Laurier when in 1888 he had to deal with a somewhat similar situation. It is an unpleasant duty, but one which I must discharge in fairness to myself and fairness to those with whom I am associated. Those hon. members associated with me, although a small minority, have a right in this chamber to look for that measure of justice and that measure of impartiality which successive generations have declared to be the supreme test of fitness for any man to hold the high office of Speaker.

I find that in 1868 the parliament of Canada thought it necessary at once to deal with a situation which would arise in connection with employees of the House of Commons. The House of Commons is not, shall I say, a mere appendage of the government. Hon. members will realize that it is something more than a mere assembly. We are members of the highest court in the land, the high court of parliament, and it is our obligation to maintain intact the privileges of this court and to guard them from encroachment or attack, from whatever sources they may come.

I find that in chapter 27 of the statutes of 1868 a provision was passed respecting the internal economy of the House of Commons, and for other purposes. It provides for estimates, it provides for duties of the sergeant-at-arms, it provides for duties of the clerk, under certain circumstances, and indicates how

[Mr. Bennett.]

moneys are to be dealt with. Then it proceeds to deal with the conduct of the administration of the House of Commons itself. In that connection section 9 is as follows:

If any complaint or representation shall at any time be made to the speaker for the time being, of the misconduct or unfitness of any clerk, officer, messenger or other person attendant on the House of Commons, now or hereafter to be appointed, it shall be lawful for the said speaker to cause an inquiry to be made into the conduct or fitness of such person; and if thereupon it shall appear to the speaker that such person has been guilty of misconduct or is unfit to hold his situation, the speaker may, if such clerk, officer, messenger or other person has been appointed by the crown, suspend him and report such suspension to the governor, and if he has not been appointed by the crown then the speaker may suspend or remove such person, as the case may be, and such person shall be so suspended or removed, as the case may be, accordingly.

That you will find in the revised statutes of Canada, chapter 145, a later statute, the terms of which provide for the appointment of a commission of internal economy, to consist of four members of the King's Privy Council who are members of the House of Commons, and the Speaker. They constitute the commission of internal economy for which provision is made in sections 15 and 16 of Chapter 145, which deal with the House of Commons. The commission of internal economy has to deal with problems of administration in connection with the house. I shall content myself simply by pointing out that the sergeant-at-arms has certain obligations and that the Speaker has certain other obligations with respect to matters of expenditure and provision for payment to those who may be engaged for the purpose of conducting the business of the house.

Now, what do we find? We find this, that after the statement was made in the press that Mr. Casgrain was to be made Speaker of the House of Commons, on January 28, 1936 there was sent by the sergeant-at-arms to upwards of 120 employees of this House of Commons a notice reading as follows:

I am instructed to inform you that it will be impossible to continue your employment on the staff of the House of Commons after January 31st next.

Yours faithfully,

This document is signed by M. F. Gregg, sergeant-at-arms, and the name of the person to whom the notice was sent is written in. Those instructions came from Mr. Casgrain. He had the same right to give them as the youngest or most humble member of this house. He undertook to dismiss from the public service by his order permanent officials of this house—I say permanent officials,