

such lapsed balances remaining unexpended at the end of three months from that date, together with a statement of all amounts carried forward by Orders in Council from 1st July, 1867, showing the sums actually expended in each case, and the Parliamentary authority sanctioning the same.

## APPOINTMENT OF SENATORS.

### MOTION FOR CORRESPONDENCE.

Mr. MASSON moved for copies of all correspondence between the Dominion and the Imperial Governments from the month of October, 1873, to 31st December, 1874, relating to the appointment of Senators for the Dominion. He said his intention in making this motion was to draw the attention of the House to a very serious matter which had created no small excitement and surprise in the country. It was well known that during His Excellency the Governor-General's visit to British Columbia last summer there existed in that Province a deep-felt sentiment of dissatisfaction and bad feeling towards Canada on account of some alleged bad faith. That discontent had assumed such proportions that his Excellency thought it proper to interfere; and he most generously exposed himself to misunderstandings in order to allay the dissatisfaction which was threatening to become serious. They all knew that his Excellency's intention was to put Canada right with British Columbia.

Mr. SPEAKER: The hon. gentleman will be careful in that connection.

Mr. MASSON said he would be careful, and Mr. Speaker would have no reason to call him to order. His Excellency could evidently not remove the ill-feeling which existed without pledging himself as to the good faith of his own Ministers, hoping no doubt that, if British Columbians, on account of some extraordinary or unaccountable circumstances, could not extend full confidence to the Ministers, they would place confidence in himself. The great difficulty which stood in the way of those who pretended the Government was guiltless in this matter was the Esquimalt and Nanaimo Bill in the Senate. The general impression in the Province was that the Government had not done what they could to carry that

measure, which the hon. the Premier himself had proposed as an equivalent or compensation for delays in the construction of the Pacific Railway. His Excellency evidently desired to remove that feeling, and he did so by an unexpected declaration, which, having been printed in every paper in the Dominion, had become public property, and which, according to the rules of Parliament and constitutional rules, he was entitled to read to the House. Referring to the defeat of the Bill, His Excellency said:

"I saw Mr. Mackenzie the next day, and I have seldom seen a man more annoyed or disconcerted than he was. Indeed he was driven in that interview to protest with more warmth than he has ever used against the decision of the English Government which had refused, on the opinion of the law officers of the Crown, to allow him to add to the numbers of the Senate. When, soon after his accession to office, Prince Edward Island had entered Confederation, 'Had I been permitted,' he said to me, 'to have exercised my right in that respect this would not have happened, but how could these mischances be prevented in a body, the majority of which, having been nominated by my political opponents, is naturally hostile to me.'"

His intention in making the motion was also to obtain the reasons which induced the Government to make this extraordinary demand for more Senators. When he made use of those words "extraordinary demand," he was employing a mild expression, for it was a most unprecedented, a most unaccountable demand to ask power to increase the Senate at a time when it was not required. He also wanted to know what could have been the motives of the Imperial Government in refusing to accede to the request, whether it was considered in England that the hon. the Prime Minister had no right to make the demand, or whether it was thought that the request was improper and should not be granted. If they admitted the right, which, according to the law, they must, of the hon. the Premier to ask an increase in the number of Senators on his own responsibility, it was surprising that the requisite authority should not have been conferred upon him, unless the reasons he had suggested had actuated the Home Office in their refusal. In England, increasing the number of Peers was a serious question, and statesmen, even in times

of great difficulty, were always chary about elevating persons to the House of Lords; they found it preferable to forego their right of adding to the numbers of that House in times of emergency, and they would rather have their proposed legislation fall through than do anything which would be contrary to the dignity or independence of the House of Peers. If that reluctance existed in England, where the constitution allowed the number to be increased to an unlimited extent, there was more reason for it to be displayed in Canada, since the Act of Confederation limited the increase of Senators to six. The intention of the legislators was that, in cases of great crises, the Crown would, under the recommendation of their constitutional advisers, appoint no more than six Senators; and, at the time of the passage of the Act of Confederation, it was contended the Crown should not have the right to swamp the Senate or to reverse its decision by appointing a number of men in accord with the House of Commons. No less an authority than the hon. the President of the Council had written an able book on that subject, in which he upheld the position that the provision of the law was a wise one, inasmuch as it prevented the Government of the day from increasing the number of the Senate to bring it in accord with their views. That hon. gentleman said in his work:

“ On nous répondra sans doute : mais le nombre des pairs n'est pas fixé et le souverain peut l'augmenter à volonté. Cela est vrai en théorie, mais ne l'est pas également dans la pratique. Le souverain fait monter à la Chambre des Pairs les hommes qui, pour des services rendus à la nation, ont mérité des récompenses exceptionnelles, et non pour y submerger la volonté de la majorité, paralyser la libre action et anéantir la dignité et l'utilité de ce corps si important et si nécessaire dans la constitution.”

What reason had the hon. Premier to suppose that he should require an increase in the Senate? What reason had he to believe that the Senate would be hostile to him? The fact that the hon. gentleman had deemed it necessary to apply for such power was a slight on that hon. body. The hon. gentleman should have known that the Senate was composed of men who knew their duty towards their country

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and would not offer any factious opposition to measures calculated to benefit the Dominion. Yet the hon. gentleman tried, by his action in this regard, to make the people believe that the Government could not expect fair play from the other House. Complaint was made by the hon. gentleman that the Senate was chiefly composed of his political opponents. That was a consequence of the Constitution which the hon. gentleman and his friends accepted; but he would remark that the Constitution practically carried with it the remedy for that evil. Those who framed the Constitution saw very well that on account of appointments or death the Senate would be continually renewed, and that no political party could be in the majority any considerable time unless it altered the membership of the Chamber according to its wishes. Since Confederation, 40 members had been appointed, and since the hon. Premier had been in power, only three years, from twelve to fourteen of this number had entered the Chamber. The hon. gentleman should have remembered that, in the natural course of events, he would have had a chance to renew the Senators in accordance with his views and opinions. The hon. gentlemen said that, if he had been allowed to increase the number of Senators, that unfortunate event, the defeat of the Nanaimo and Esquimalt Railway Bill, would not have occurred. He thought the hon. gentleman was mistaken. If he had received the authority for which he applied, he would probably have appointed men holding the views of the hon. the Ministers of Justice and the Interior, and they would have helped to throw out the Bill. Did the hon. gentleman think if he could not control those hon. members in the House he would be able to do it in the Senate, where it was admitted the Government had not so much power as in this House? There was no ground at all for the hon. the Premier to reproach the Imperial Government and say that the Carnarvon terms would have been accepted had they granted his request. It was impossible for the hon. gentleman to pre-judge in such a matter. When it was not necessary to augment the number of Senators, when there

was no important question before the country in regard to which it was necessary to have the two Houses in accord, the increase was asked for; but when it was the duty of the Government, in order to preserve the Carnarvon terms, in order to allay the dissatisfaction in British Columbia, in order to have carried out those measure which would have brought peace and tranquility to the Dominion, the hon. gentleman failed in his duty by not asking for the increase. He thought the hon. gentleman had an account to render to the country in this respect.

MR. MACKENZIE: I have no objection to the adoption of the motion. I will not follow the example of the hon. gentleman and discuss the speech to which he refers, nor do I care a great deal when he asserts in a dogmatic manner what was or what was not my duty. The hon. gentleman has his opinion as to what my duty was, and he has expressed it, but I am not bound to act on it or accept it. I conceive it to be my duty to make this remark—that what I did was within the limits of the law upon my responsibility as a Minister. I accept the responsibility, and am quite willing to render the account to the country or to the House, which the hon gentleman says I must do.

MR. TUPPER: I have no intention of prolonging this debate, but I take this opportunity to ask the First Minister whether the speech of His Excellency in British Columbia was not reported incorrectly in relation to a very important point, because there is an evident anachronism that requires to be explained. The report of the speech as it appeared, I think, in all the leading journals of the Dominion was to this effect,—that the First Minister had expressed very great annoyance at what had taken place in regard to the rejection of the Esquimalt and Nanaimo Railway Bill; that he had stated on that occasion that if he had been permitted to add to the number of the Senate, as he was entitled to do upon the admission of Prince Edward Island into the Union, this would not have happened. As Prince Edward Island was admitted into the Union and the Senators of

that Island were appointed previous to the hon. gentleman coming into power it was quite impossible he could have been deprived of the exercise of that power in connection with the Senatorial appointments which had been made at a previous time in accordance with the terms of Union. I direct the Premier's attention to what seems to be an inaccuracy, and give him the opportunity to explain.

MR. MACKENZIE: Surely the hon. member for Cumberland does not expect me to explain the speech to which he has referred. I have no cognizance of the correctness or incorrectness of the report, and am not responsible for anything in it. I have no explanation to give respecting it, and until the hon. gentleman mentioned it I had no recollection of the matter referred to. I am unable to say anything in regard to it. It is quite clear, however, there is an inaccuracy.

SIR JOHN A. MACDONALD: I concur with the hon. gentleman that he cannot be responsible for the speech of another individual when he does not know of it. He is, however, responsible for every utterance of the Governor-General, except when that illustrious individual expressly states that what he states he says as an Imperial officer by Imperial command. It is important that that principle should be laid down if we are to be a free country. If responsible government is to be maintained, this principle should be strictly upheld, and I am surprised to hear an hon. gentleman, occupying the position of Premier of this Dominion, who boasts that not only is the country under responsible government, but that its Constitution is moulded after the same plan, and on the same line as the British Constitution, should aver that he is not responsible for the language of the illustrious individual who so worthily represents the Crown in this country. I remember when the doctrine was propounded long ago by the old Tories of Upper Canada, it was denounced by the whole of the Liberal party of Lower Canada, and it was after a long and severe battle fought by the Baldwin Reformers of those days that constitu-

tional and responsible government was obtained. There have been a great many fights between the old Tory party before it took the name of Conservative, and the Reform party, comprising the Liberals of Upper Canada, as to which deserved most merit for very many great reforms and changes; but there is one question in which the old Tory party has no right to claim any share, viz., the victory won by the Baldwin Reformers over the Crown Colony system. That victory was consummated under Lord Sydenham, in September, 1841, when it was decided that thereafter the Government of Canada was to be a responsible Government, and that everything connected with the public welfare, whether legislative or administrative, should be done only on the advice of responsible Ministers and advisers. This is the first occasion since 1841 that I have heard this doctrine denied and repudiated by the leader of what was the great Reform party. The representatives of the Crown can have no more rights in Canada than the Crown itself, and the Crown could not make any utterances on public affairs for which some Minister would not be responsible. Some Minister must be responsible for every announcement, every statement, every opinion expressed by the Sovereign, and, if that principle is once abandoned, then we shall return to the old system so much decried, and for which the old official party, both in Upper and Lower Canada, were attacked, and properly attacked.

Mr. MILLS: In November, 1873, a despatch came here which the right hon. gentleman repudiated.

Sir JOHN A. MACDONALD: What despatch do you mean?

Mr. MILLS: The despatch of His Excellency the Governor General to the Colonial Secretary.

Sir JOHN A. MACDONALD: Oh, yes; but the hon. gentleman cannot make any comparison between that case and this. The Governor General in the capacity of an Imperial officer can write to the Colonial Office what he pleases; he can carry on a confidential or a private correspondence.

Mr. MILLS: But that despatch was brought before Parliament.

Sir JOHN A. MACDONALD: He can communicate to the Colonial office what he pleases. The Ministry cannot know, and have no right to ask, what the Governor-General may write to Lord Carnarvon; but there are no utterances and no action in relation to the Government of this country which can be said or done except under the responsible advice of his Ministers. It will be remembered, for it is a matter of recent occurrence, that Mr. Lowe, a Privy Councillor, an ex-Member of the Ministry, took occasion to say that Mr. Disraeli had yielded to the personal request of the Sovereign in carrying the Bill declaring her to be Empress of India, when two previous Prime Ministers had refused to introduce the Bill. It will be remembered that Her Majesty, in order to vindicate the personal honour and position of Mr. Disraeli, now Lord Beaconsfield, was obliged to give him authority to state that the statement was utterly untrue, and one of the grave charges brought against Mr. Lowe by the press and in Parliament was this, that the Sovereign had been forced, in consequence of the charge he made, to speak personally, to remove the veil that hung between her and her people as regards her personal opinion, and to force her to make a declaration which was not on the personal responsibility of the Ministry and which was bringing her in person before the public. I therefore say that the statement of the hon. the Premier is an infraction of the great principle of responsible government. I hold that the Governor-General can write to the Imperial Government as an Imperial officer what he pleases; can send to the House what he pleases, if he takes the position of an Imperial officer under instructions from the Home Government. As a dependency of the British Empire, we have to hear what he says and pay respect to his utterances when he announces them as coming from the Imperial Government; but we are not bound by them; we may dispute them or we may yield to them. We may concede all that is

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asked, or we may refuse. We may disagree with Her Majesty's Government, or we may meet the requirements of the Government in regard to a matter of policy. But that is very different to the statement that hon. gentlemen opposite are not responsible for the utterances of the Governor General in his capacity as a constitutional Governor. So much are Her Majesty's Ministers in England responsible for the utterances of the Sovereign, that a member of her Cabinet is always with her, whether she goes to Balmoral, France, or the Isle of Wight, so that no question affecting the public weal, or the exercise of her power or prerogative as a Sovereign could be answered by her, except on the responsibility of one of her advisers. That is the principle which we acknowledge. We boast that our Constitution is based on the British Constitution, and that we have the same constitutional privileges, and that we are as free as our fellow-subjects in England. We have the right to believe that every utterance on public matters by the Governor General is held to be, and must be held to be, an utterance for which the Ministers are responsible, and we have no right to say or believe that any such utterance is made by him except upon the advice of his Ministers. If it should happen that the representative of the Sovereign should do here what the Sovereign would never do in England, namely, make a declaration for which his Minister were not responsible, then they had a plain duty to perform, to state that they would not be responsible for the statement, that they did not sanction it, and that it was made without their advice and they must take the constitutional privilege of relieving themselves of the responsibility. I will not say a word with respect to the motion, which is one for papers. I have no doubt that the papers when brought down will disclose the reason why the hon. the Premier urged that additions should be made to the Senate. It is rather a strong measure and it may be justified in the papers, though I have exercised my ingenuity to find a justification for it and have failed. I understand that in another place these papers have been promised, so that we will get

them down in a few days, and then we will be able to judge whether there were sufficient grounds to take that strong measure, which, at the first blush, appears to be an attempt to affect the independence of a co-ordinate branch of the Legislature.

Mr. MACKENZIE: The right hon. member for Kingston has entered with some warmth into the defence of the principle which he has spent his life in denouncing, and he has grown earnest in vindicating a principle which is not violated. The right hon. gentleman ventures to attack me because I said I was not responsible for the accuracy or inaccuracy of the statement in that speech. Does the right hon. gentleman intend that I must be held responsible for what the hon. member for Cumberland has called an anachronism? I admit the responsibility of the Ministers for every utterance made by the Governor-General respecting public affairs, or which has any bearing on public affairs, but I do not believe that either Her Majesty in England or her Representative here, is bound in every word or sentiment uttered to consult the Ministers or to have the Ministers at hand always to consult. I do not admit that. It is stretching the doctrine far beyond what any Reformer ever ventured to state. The Ministers are responsible for everything that affects the conduct of public affairs just as the right hon. member for Kingston was responsible for every despatch he brought down by order of His Excellency. It was the duty of the hon. gentleman to bring the despatches down, and, if he thought they should not have been brought down to Parliament, he should have resigned rather than have done so. But, having brought these messages down, he made himself responsible for the Act. The statement I made was that I was responsible for any inaccuracies in the Governor General's speech, that I was not responsible for any utterance in it of the nature referred to by the hon. member for Cumberland.

Sir JOHN A. MACDONALD: You said "I cannot be responsible for the utterances of another individual."

Mr. MACKENZIE: I say that yet—responsible for the utterances of another

individual on matters not affecting State affairs. My statement was with reference to the anachronism which the hon. member for Cumberland has pointed out. There is a continuous effort made by hon. gentlemen opposite to strain everything and to make it appear in the worst possible light. They will accept no statement, no explanation. A false colouring must be given to every statement made. This is the constant habit of some hon. gentlemen opposite, in criticising any statement. To prevent any possible misconception, I repeat that I believe now, and have always believed, that the Ministers must necessarily be responsible for every utterance coming from the Governor General, affecting public affairs. I mentioned that I was not responsible for the inaccuracies referred to.

Sir JOHN A. MACDONALD: The hon. the Premier has made the usual attempt to say "you are another." I am surprised that he has ventured to state that I have been vindicating a principle which I have spent the principal part of my life in opposing. The hon. gentleman ought to have reflected before he made that statement, and, if he had looked at history, he would have found that the question of responsible government was settled in 1841. I entered Parliament in 1844, and took office in 1847 as the responsible adviser of the Crown, and ever since that time the principle of responsible government has never been disputed, and I think it is as safe in our hands as in those of hon. gentlemen opposite. The hon. the Premier has stated that the Government must be responsible for every Message sent to this House by the Governor General. I can fancy a case, and probably such a case as has arisen in Lower Canada, when a Minister of the Crown would feel it his duty to bring down a Message from His Excellency sending a despatch from the Colonial Office and move that the policy pointed out in that despatch was injurious to the best interests of Canada. I can quite fancy that such a course might be taken. His Excellency had the right to send to the House any communication from the Imperial Government, but the Ministry and the

Parliament must deal with it according to the best interests of the Dominion.

Mr. MACKENZIE said he presumed the hon. gentleman opposite was as responsible for his actions before he went into Parliament as he was after. He was sure there was no more zealous supporter of the usurpation by Lord Metcalfe than the hon. gentleman, both in Parliament and out.

Sir JOHN A. MACDONALD said, respecting the course Lord Metcalfe took, he believed the principles of responsible government were as much infringed upon by those who attacked his policy as by those who supported it.

Mr. MACKENZIE: Of course you do; and consistently.

Mr. BOWELL said a short time ago the Government disavowed any responsibility in connection with the repleves of those who had been convicted of a certain crime in the North-West. Judging from the despatches, they were cognizant of everything going on, but they assumed no responsibility, and throw the whole responsibility upon the Representative of Her Majesty. Yet they brought down the papers in the blue books and placed them before Parliament, and the House was now to understand that the Government avowed responsibility in the matter. If the principle was good in the case referred to by the hon. gentleman, it must be good in reference to the point under discussion. One thing was evidenced, and that was, that the policy of the Government was on this occasion, as on all others, suited to the circumstances which might arise at any time.

Motion agreed to.

## QUEBEC GRAVING DOCK.

### MOTION FOR RETURN.

Mr. BLANCHET moved for the Report of Engineers and other documents relating to the proposed Graving-dock at Quebec. He said his object was to ascertain what progress had been made in the selection of the site. He hoped that the Minister of Public Works would not blame him for making the motion, as the Graving-dock was not only of interest to Quebec, but