

Act is not a private bill even though it is introduced by a private member; but a bill relating to a private interest or affecting a private Act is a private bill.

Hon. Mr. McMEANS: A public bill in the Senate becomes a private bill in the other House, even if it affects the public interest.

Right Hon. Mr. MEIGHEN: Every bill is of public interest. I think the line I have drawn is fairly clear and correct, though I do not wish to say with finality that I am absolutely right.

Hon. Mr. DANDURAND: I do not think anybody will object to the statement of my right honourable friend as now qualified. A private bill concerns private matters, and any private member may further a public bill, even if it affects a general Act.

Right Hon. Mr. MEIGHEN: Oh, yes.

Hon. Mr. DANDURAND: I do not suppose that any objection can be taken to the motion of my right honourable friend, because even if there were no action in the other House we could dispense with the part of rule 114 which it is proposed to delete. As my right honourable friend has stated, the more important part of the change is the increase in the fee by the House of Commons.

I rose only to express surprise that this motion to amend one of our rules should be made without previous and special notice to each of the members of the Senate. But I am told that rule 29, to which I refer, applies not in the case of an amendment, but in the making of a new rule. Rule 29 says:

No motion for making a standing rule or order can be adopted, unless two days' notice in writing has been given thereof, and the senators in attendance on the session have been summoned to consider the same.

I do not remember whether that clause has been in our rules from their inception. I think it has been. In 1906 or 1907, when we revised the rules of the Senate, we retained this one, and, in order to give more solemnity to our rules, enacted that no change in any rule or no new rule should be brought in without the senators being specially summoned to examine the motion. As a matter of fact, when a rule was to be moved, we were generally called to the Senate half an hour before the official meeting time by a special notice, for the purpose of taking cognizance of the motion and passing upon it. I was wondering whether an amendment to the rules would not fall under rule 29, because some amendments may so vary a

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rule as to constitute a new rule. I have an open mind on the question, and as the proposed amendment is not of any great importance, I do not press the point.

Right Hon. Mr. MEIGHEN: Notice, of course, was given, and very amply given, on Thursday last. Rule 29, to which the honourable senator refers, goes on to say:—and the senators in attendance on the session have been summoned to consider the same.

I do not know what that can mean except such procedure as has been followed. If a notice is given of a motion to be put before the House and considered to-day, are not senators summoned to consider it? And how are you to summon them more solemnly than by saying that on Tuesday, the 17th of April, this motion will be presented for consideration? The Senate is summoned to meet on this day. I do not think the summoning is any more emphatic or carries any more prestige because senators are summoned half and hour earlier than usual.

Hon. Mr. DANDURAND: I am not discussing the value of the rule; I only mention it. This rule may not be applicable to an amendment. Nevertheless I would draw the attention of my right honourable friend to the fact that rule 29 provides:

No motion for making a standing rule or order can be adopted, unless two days' notice in writing has been given thereof—

My right honourable friend has complied with that part of the Rule.

—and the senators in attendance on the session have been summoned to consider the same.

Right Hon. Mr. MEIGHEN: Are we not summoned?

Hon. Mr. DANDURAND: But not specially. Ever since I came to this House it has been the practice to send to all the senators in attendance a special printed notice of any motion for a new rule, and a summons for a certain day and hour. At first it was customary to meet for the consideration of such motions half an hour before the usual time of opening, but this was considered to be inconvenient, and later we were specially convened at three o'clock. I would point out to my right honourable friend that the intention of the Senate, as expressed by the rules, has been that they should not be changed by a new rule, or the repeal or amendment of an existing one, unless honourable members were specially notified of the motion for the proposed change.

Right Hon. Mr. MEIGHEN: How were they specially notified? Through the mail?

Hon. Mr. DANDURAND: I think we have always received the notice through the mail.

The Hon. the SPEAKER: There are two rules respecting notice of motion concerning the Rules and Orders. Rule 23 says:

Two days' notice must be given of a motion for any of the following purposes:

(a) To make a new rule or standing order, or to repeal or amend an existing rule or standing order.

This I think applies to the present motion, which is to amend a rule. Then rule 29 reads:

No motion for making a standing rule or order can be adopted, unless two days' notice in writing has been given thereof, and the senators in attendance on the session have been summoned to consider the same.

This rule, which means that each senator in attendance on the session must receive a written notice of the motion for making a new standing rule or order, does not apply to an amendment.

Right Hon. Mr. MEIGHEN: May I ask, Mr. Speaker, where is the rule which says that before the Senate is summoned to consider any motion each senator must receive a written notice? Is that in the rules?

The Hon. the SPEAKER: It is the practice under rule 29.

Right Hon. Mr. MEIGHEN: Rule 29 does not say there must be a written notice to each senator. It simply says that two days' notice of the motion must be given in writing, and that the senators must be summoned to consider it. Surely the Senate is summoned to meet to-day to consider this motion.

Hon. Mr. LYNCH-STAUNTON: Is this case not similar to that which arises when a matter out of the ordinary comes up before a company meeting? In such instances a special notice is always given and the company's shareholders are usually summoned to meet half an hour earlier than the regular hour.

Right Hon. Mr. MEIGHEN: Certainly special notice is given in such a case, but it is not more specific than the notice I gave of this motion.

Hon. Mr. DANDURAND: But our coming here to-day was to attend to the general Orders of the Day.

Hon. Mr. LYNCH-STAUNTON: We come without a summons when we meet ordinarily.

Right Hon. Mr. MEIGHEN: We cannot have any stronger summons than we have for our meeting on any day.

Hon. Mr. LYNCH-STAUNTON: Does the word "summoned" there mean the giving of a notice?

Right Hon. Mr. MEIGHEN: There has been notice. The idea that each senator must be notified in writing is certainly not borne out by any rule which has been drawn to my attention. If it is something that is a result of hoary tradition, it seems to me it will soon be fit for burial.

Hon. Mr. LYNCH-STAUNTON: Must we not give some special interpretation to the words in the rule?

Right Hon. Mr. MEIGHEN: I should say that the only special interpretation required is what the words say: the senators in attendance on the session must be summoned to consider the motion.

Hon. Mr. LYNCH-STAUNTON: Why are those words there?

Right Hon. Mr. MEIGHEN: I do not think they are very useful, but I cannot see anything in them requiring the Clerk to send out a special letter to each senator. I hope the practice of sending letters in such cases has not been followed to such an extent as to make it a binding obligation for the future.

Hon. Mr. DANDURAND: It has always been the practice during my time.

The Hon. the SPEAKER: I am informed that it has been the practice for the past twenty-five years. Bourinot says:

That a motion for a new rule cannot be adopted unless two days' notice is given, and the senators have been specially summoned to consider the same.

The use of the word "specially" might justify the practice of sending out written notices.

Right Hon. Mr. MEIGHEN: That is an additional word which Bourinot put in without authority.

Hon. Mr. DANDURAND: At all events His Honour the Speaker declares that this amendment can be made without special convocation, under rule 23, and that rule 29 deals only with motions for new rules and orders.

The motion for the amendment of rule 114 was agreed to.