

Hon. Mr. STEVENS: Standing order 99:

(1) The Chief Clerk of private bills shall be the examiner of petitions for private bills.

(2) Petitions for private bills, when received by the house, are to be taken into consideration by the examiner, who shall report to the house in each case . . .

Again I pause to state that this proposed bill has not gone through that procedure and is not in accordance with the rules of the house.

. . . the extent to which the requirements of the standing orders regarding notice have been complied with; and in every case where the notice is reported by the examiner to have been insufficient or otherwise defective, or if reports that there is any doubt as to the sufficiency of the notice as published, the petition, together with the report of the examiner thereon, shall be taken into consideration, without special reference by the Committee on Standing Orders. . . .

This, as far as I know, has not been before the examiner or before the committee on standing orders. Now, Mr. Chairman, I further quote from standing order 107:—

It is the duty of the committee to which any private bill may be referred by the house, to call the attention of the house specially to any provision inserted in such bill that does not appear to have been contemplated in the notice or petition for the same, * * *

And then it says further under Beauchesne's note, 872:—

The amendments made to a private bill ought not to be so extensive as to constitute a different bill from that which has been read a second time.

Now, Mr. Chairman, with all due deference to those who are pressing for the acceptance of this, can it possibly by the widest stretch of the imagination be argued that the striking out of a bill that passed the Senate and is referred to this committee by the House of Commons, of what is in effect twelve sections—four sections of the bill, which involves twelve sections—I say, can it be argued that the striking out of those is a mere matter of amending the bill in committee? It is substituting for this bill that passed the Senate and is referred to this committee by the House of Commons, something else entirely. I am going to leave the question of order at that point and reserve, as I said this morning in another case, the right to discuss the merits of the case and the comparison of the two to a later time. But I submit that, Mr. Chairman—and very earnestly, too—with the reference in the rules, it is the duty of this committee, and therefore unfortunately I must point out to you that it is your duty, to very carefully consider whether or not this bill or this proposal is properly before the committee. I would like to add one other thing. This may be of very much greater importance to the company itself. In the case of a bill which may pass through the house, if subsequently it is found that it has not conformed to the rules of parliament, it may have some effect upon the constitutionality of the bill or act if it should pass and become law. For these reasons I raise that question of order.

The CHAIRMAN: Before I make any comment, I should like to have the benefit of the advice of Mr. Finlayson.

Mr. FINLAYSON: Mr. Chairman, I am afraid my advice would not be of very great value on a point of this kind, as to the rules of the house and the rules of the committee.