

politician, and a great constitutional lawyer", made an amazing speech in which he asked this strange question:

Do you think that ministers of the crown will be able to continue under the increasing pressure and speed of modern conditions to do their work as ministers, and to sit in the legislature as well?

As I was invited to speak immediately after him, I gave my answer to the question, and it was as follows:

There is the alternative of suppressing either one or the other. If we suppress the cabinet the situation would be the same, because every member of parliament will be a cabinet minister and we shall have anarchy. If parliament is suppressed we shall have fascism, which Mr. Dillon hates and Mr. Lansbury detests.

The subject matter of the discussion being, "The future of parliamentary government", I spoke of the parliamentary procedure of the British empire.

The first standing order was passed in 1707, and there were only four in 1821. I made a comparison with the Quebec legislature, which has 688 rules, and I expressed the view that the rules of the various legislative bodies of the British empire were much more complete and to the point than those of Westminster. A New Zealand delegate said that he could conceive of a parliament being conducted without any standing orders at all. "I do not think", said he, "that the question of standing orders has very much weight so far as parliamentary institutions are concerned. If you have a Speaker who is a fair and just man, if you have tolerance in the chamber so that you listen to what others have to say, and if you follow the Speaker's ruling, I do not think it matters very much whether there are written standing orders or not."

He expressed the view that we should rely on the spirit of fairness of the Speaker and the spirit of tolerance of our fellow members, as I do now.

Sir Thomas Erskine May, who has been acknowledged as the main authority on the law, privilege, proceedings and usage of parliament, was born in London in 1815, the year of Waterloo. He was only sixteen when, in 1831, the Speaker of the House of Commons nominated him to the post of assistant librarian. At the time of his appointment there were only four standing orders, but countless were the precedents of every description.

In 1818 Hatsell had published a book entitled "Precedents of Proceedings in the House of Commons." May decided to do better, and he was given "the kind assistance of many gentlemen" to write a book which he filled with all the precedents he could gather,

without using proper discernment. He included even those that were, according to his own description, "grotesquely irrelevant", and he went so far as to fabricate precedent. He was only twenty-nine when his illegible book was published. Twenty-seven years later he was appointed clerk of the House of Commons. He was raised to the peerage in 1886, under the title of Baron Farnborough of Farnborough, in the county of Southampton, a few days before his death.

He was born a collector, and his so-called treatise would be compared to the house which the Collyer brothers, who died not long ago in downtown New York, had filled with junk. The editors sell the revised fourteenth edition of the book for only \$30.

The main portion of the report of the committee on standing orders reads as follows:

Authorities on parliamentary procedure and practice, which are binding on the house under standing order 68, are unanimous in declaring: (1) that all petitions should commence with the superscription: "To the Honourable the House of Commons in Parliament assembled"; (2) that the conclusion should be the prayer, without which no petition is in order.

The only way to check up the authorities in the matter of precedents is to find out the first precedent. To my great surprise I discovered that Bourinot, 4th edition, pages 234 to 235, referred to May, page 525; and to my greater surprise I found out that May, 13th edition, 1924, page 610 and 14th edition, 1946, page 795, had no ruling to quote to support his contention that petitions to the House of Commons should be superscribed, "To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in parliament assembled." In fact he quoted no ruling whatever for his suggestion of an antiquated form of petition to the House of Commons, which has been reverently followed by all the authors on parliamentary practice for over a century.

Standing order 68 mentions only "a petition to the house". What is "the house" if it is not "Mr. Speaker and Messrs. the members of the House of Commons"? I have the evidence of *Hansard* to show that the petitions were tabled when the house was assembled. Why should we be bound to use nowadays the formula which May took upon himself to suggest 103 years ago? Is it not musty, rancid, decayed and out of date?

Now I come to the prayer. May says, at pages 795 and 796 that—

Without a prayer a document will not be taken as a petition.

He gives two references, namely *Commons Journal*, 1651-59, page 427 and *Commons*