

THE SENATE

Friday, November 22, 1867

THE PARLIAMENTARY PRACTICE
IN REGARD TO MAKING
INQUIRIES FROM
THE GOVERNMENT

Hon. Mr. McCully rose to move an adjournment. (This motion was made for the purpose of bringing up the question as to the practice to be observed in making inquiries from the Government.) The honourable member stated that it would be advantageous to the House generally to know whether in proposing questions to the Government, the party submitting them was at liberty to preface such enquiries with explanations and reasons, or to follow them with such remarks as he might deem necessary to put the Government and the House in possession of the true merits. He brought this subject up in consequence of the question of order which was raised, and he had no doubt honourable members generally would be glad to have a clear and definite understanding of what was the correct practice. For this purpose he thought that, as this House professed to be to a great extent guided by the customs and usages of the Imperial Parliament, the best way would be to refer to the course usually pursued in both the Lords and Commons. He would, however, take the liberty to say that in a matter of this kind, it was expedient to look rather to the practice obtaining than to the letter of the Rules. Now he found in the London *TIMES* for the year 1857—he had not been careful to select any particular year—that instead of the cast-iron system which some honourable members of this Senate seemed desirous of following, the exact reverse was the case in the House of Lords, and that not only in asking questions, but in presenting petitions, the members referred to the merits of the subjects, stated the contents and gave collateral reasons. Nor was this liberty confined to matters which touched the personal interest of the speakers, but to things of general public importance, things affecting the welfare of the realm. There he also found that in replying to such inquiries the Ministers did not confine themselves to brief forms, but went largely into particulars, and in fact answered in the most liberal manner, always excepting of course, when to do so would in their opinion be prejudicial to the interests of the State. Nor did the questions and replies end there, for other members regarded themselves as at perfect liberty to

state their opinions, and it not unfrequently happened that the debates were continued until the subjects were fully exhausted. Turning over the volume of the *TIMES* which was before him, the honourable member said, there was a debate upon the conduct of the Earl of Cardigan during the Crimean war which lasted for some time. On the 11th May, the Earl of Albermarle presents a petition and accompanies it by half a column of explanations. On the 18th of the same month, the subject of St. James' Park was brought up on a simple question of the Earl of Malmesbury, and two or three other noble Lords expressed their views. But he (Mr. McCully) had a case yet much more in point. On the 28th of May Lord Dungannon called the attention of the Bishop of London to the practice of preaching in Exeter Hall, which had been recently introduced, and asked that prelate whether it was intended to continue these services. His Lordship replied that although the inquiry was not in order, he would very readily answer it, and then proceeded to speak a quarter of a column, Lord Kennan and the Archbishop of Canterbury then spoke, but some exception being taken to the regularity of the proceeding, Lord Campbell moved that the Archbishop be allowed to speak, and then the matter more fully discussed. Now, he (Mr. Campbell) thought it was unnecessary for him to produce any more instances, but the reports in the *TIMES* were full of them, and he could multiply them *ad infinitum*. Now, he would be sorry that this House should adopt a more stringent rule in respect to their proceedings, than was followed in the Chamber to which this House was generally supposed to look as a model for its own guidance. If the liberty or license allowed in that place were not regarded as objectionable, he hardly thought it should be considered objectionable here. He would now move that this House do now adjourn.

Hon. Mr. Bureau, in French, said that in point of fact the practice of the House of Lords as indicated by the remarks of the honourable member who had just sat down, was very much that which has obtained in the Legislative Council of Canada in past times. If the Government were disposed to answer the questions of which notice had been given they took counsel together, and came prepared to do so. If a discussion was desired, it was for the House to say whether or not it should be allowed, and if then it proceeded too far any honourable member was quite at liberty to ask an application of the rule. He had, however, at