

that, 'whatever matter arises concerning either House of Parliament ought to be discussed and adjudged in that House to which it relates, and not elsewhere.'

At page 192 May begins his second book on the practice and proceedings in Parliament with this declaration :

"The proceedings of Parliament are regulated chiefly by ancient usage or by the settled practice of modern times, apart from distinct orders and rules, but usage has frequently been declared and explained by both Houses, and new rules have been established by positive orders and resolutions. Ancient usage, when not otherwise declared, is collected from the Journals, from history and early treatises, and from the continued experience of practised members. Modern practice is often undefined in any written form. It is not recorded in the Journals. It is not to be traced in the published debates. Nor is it known in any certain manner but by personal experience, and by the daily practice of Parliament in conducting its various descriptions of business."

I find that Bourinot, our Canadian authority, lays down a similar doctrine. It will be found at page 210 and page 216. I shall read from page 216 :

"An express rule or order of the House, whether standing or occasional, supercedes every mere usage or precedent. But in the absence of any express rule or order, what can or ought to be done by either House of Parliament is best known by the custom and proceedings of Parliament. The unwritten law of Parliament in such a case has as much effect as any standing order. It must also be borne in mind that in the interpretation of the rules or standing orders the House is generally guided not so much by the literal construction of the orders themselves as by the consideration of what has been the practice of the House with respect to them."

Now, we have amongst our standing orders one which provides for the introduction of a Bill *pro formâ*. I think the fact that the introduction of that Bill is provided for is a clear indication that the introduction of any other Bill is not contemplated. Our first rule provides for the introduction of a Bill *pro formâ*; and a manual prepared by a former clerk of this House, at page 20 refers to the Bill *pro formâ*; and at page 28 I find the following :—

"Should any member offer to present any petitions or returns before the adjournment, they ought not to be refused—"

That is before the adjournment previous to the debate on the Address :

"though it is more respectful to transact no business before the Address is adopted."

So that the practice in this House has been, judging by this manual prepared by

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an officer of great experience in the Legislative Council of Canada and in this Senate, that it is not strictly proper to receive petitions before we deal with the Speech of His Excellency. Now, I think that the hon. gentleman who spoke about the absence of precedents as not being a very serious matter misconceives altogether the spirit of English parliamentary law and practice. I hardly venture to quote the well-known lines of Tennyson as to England, that she is :

"A land of just and old renown,
Where freedom broadens slowly down
From precedent to precedent."

It has been our practice in Parliament to be guided by precedent, and if there is no precedent it is assumed that the thing that is proposed to be done is wrong—that is, provided that similar cases have arisen before. Of course, if an unprecedented case occurs Parliament has no precedent to guide it; but this is not a case of that sort. This is a case that arises every Session. There are a number of measures which members are anxious to push through, and if the doors are open in the way the hon. gentleman seems to believe, we should have numbers of precedents of the introduction of Bills before the House had dealt with the Speech from the Throne; so that it is perfectly clear that the practice and the rule of Parliament have been against it. I have no interest in this matter adverse to the measures that have been introduced. They are measures which I hope to be able cordially to support, and I am not influenced in the slightest degree by the fact that the hon. gentleman who introduced those measures is a gentleman whose politics differ from my own. My sole desire is that the practice of this House should be kept as it ought to be kept, and that our Journals, when they go abroad and are handed down to future parliamentarians, shall be models of what such Journals ought to be. It is largely because I feel that the action of the hon. gentleman, if drawn into a precedent, would cause a complete change in the character of our Journals that I thought it well to call the attention of the House to the matter, and to give the hon. gentleman an opportunity, if he should think well of it, to take such steps as may be best calculated to keep our Journals in accordance