

but, like all parliamentary procedure, it is based on common sense, and in case of great public necessity we might rescind the former vote and thus make it possible to bring up the same question again. But there is no such public situation as that, and there is no reason why the ordinary useful and sensible parliamentary practice should not be followed with regard to this Bill. Mr. Speaker, I ask your ruling.

The Hon. the SPEAKER: Honourable gentlemen, in my opinion the Bill now before us contains exactly the same terms that were contained in the Railway Bill and were strongly objected to by this House. As has been stated by the honourable member from Middleton, it is provided by rule 25, paragraph u:

No question or amendment shall be proposed, which is the same in substance as any question or amendment which during the same session has been resolved in the affirmative or negative, unless the rule, resolution or vote on such question or amendment has been rescinded.

I find also in Bourinot, at page 328:

It is, however, an ancient rule of parliament that "no question or motion can regularly be offered if it is substantially the same with one on which the judgment of the House has already been expressed during the current session."

Also on page 329:

Consequently, if a question or Bill is rejected in the Senate or Commons it cannot be regularly revived in the same House during the current session.

I find also, at page 545:

It has been shown that it is a well established rule of parliamentary practice that no question or motion can regularly be offered upon which the judgment of the House has been expressed during the current session.

As I said at the beginning of my remarks, I consider that the Bill contains exactly the same provisions that were in the Railway Act and were strongly objected to by this House. Therefore I think that the point of order is well taken.

SERVICE IN THE WAR.

RESOLUTION OF THANKS TO THE MEN AND WOMEN OF ALL RANKS AND SERVICES, AND OF TRIBUTE TO THE DEAD.

Hon. Sir JAMES LOUGHEED moved:

That the thanks of the Senate be given to the general officer commanding, to the officers, non-commissioned officers and men of the Canadian Army Corps and to the other Canadian military forces, and also to the women in the Canadian medical services and the services auxiliary thereto, for the unflinching courage, the steadfastness, and the skill with which

throughout the war they served the cause of their country and Empire in circumstances of unexampled hardship, and for their splendid contribution to the final victory of right and liberty.

That the thanks of the Senate be given to the officers, petty officers and men of the Royal Canadian Naval Service and the Royal Canadian Naval Air Service for their services in guarding the shores of Canada and in preserving the sea communications upon which the commerce of the Dominion and the maintenance of the forces in the field depended.

That the thanks of the Senate be accorded to those Canadians who served in other than Canadian units, whether in the British Naval, Military or Air Forces, or elsewhere, for the determination and fortitude with which they thus upheld their Empire's cause with such credit to their country's name.

That the Senate doth acknowledge with deep gratitude the valour and devotion of those who laid down their lives in the service of their country and Empire, and offers its sympathies to their relatives and friends in the sorrows they have sustained.

He said: A resolution similar to this has been adopted by the House of Commons.

Hon. HEWITT BOSTOCK: At this stage of the Session the most impressive way in which we can express our thanks is to allow this motion to pass as it is. On this subject it is exceedingly difficult to express fully our appreciation of the splendid work that these men and women have done for their country and our gratitude to them.

The motion was agreed to.

The Senate adjourned until 2.45 p.m.

Second Sitting.

The Senate met at 2.45 p.m., the Speaker in the Chair.

PROROGATION OF PARLIAMENT.

The Hon. the SPEAKER read a communication from the Governor General's secretary announcing that His Excellency would proceed to the Senate Chamber at Three o'clock p.m., this day, for the purpose of proroguing the present session of Parliament.

SEXUAL OFFENCES BILL.

THE HOUSE OF COMMONS INSISTS UPON ITS DISAGREEMENT.

The Hon. the SPEAKER read a message from the House of Commons, as follows:

That a message be sent to the Senate to acquaint their Honours that this House doth insist on its disagreement to clause 5 of the fourth amendment to Bill No. 78, intituled an Act to amend the Criminal Code.