

need not quote that; but in order to show that the practice in Canada is the same as the English practice I shall quote from page 223 of Bourinot, as follows:

"We may now take up the proceedings at the stage where the Speech has been duly delivered by the Governor-General, and the Commons have returned to their Chamber. The Speaker of the Senate, after the retirement of His Excellency and the introduction of a bill *pro formâ*, will report the Speech, which will be ordered to be taken into consideration immediately, or on a future day, the day following, should it be a sitting day, being generally chosen."

The Bill *pro formâ* was regularly introduced by the hon. gentleman this Session, but, as I contend, subsequent proceedings were not regular. We have the practice in the House of Commons as to the consideration of the Speech given at page 231 of Bourinot; and in a note Mr. Bourinot gives the same resolution which I read from May, the resolution passed by the English House of Commons in March, 1603, that one Bill and no more receives a first reading for form's sake. At page 232 Bourinot goes on to give the practice in the Canadian Parliament:

"When the Speech has been ordered to be taken into consideration on a future day it is the practice to move the formal resolution providing for the appointment of the Select Standing Committees of the Houses, and to lay before the Houses the report of the Librarian and other papers. It is not deemed courteous to the Crown in the Canadian Houses to discuss any matter of public policy before considering the Speech. In 1878 Mr. Barthe introduced a Bill in reference to insolvency, but withdrew it in deference to the wishes of the Houses until the Address was adopted. . . . It is the usual practice in the English Commons to ask questions, move Addresses for papers, and to present petitions while the Address is under consideration; and in the Session of 1882, when the debate was prolonged, public Bills were introduced and discussed on the motion for leave, before the Address was agreed to."

I may say that in the English House of Commons the practice is to take the Queen's Speech into consideration at once. Now, I shall refer the House and the hon. gentleman opposite to an authority which, I think, he cannot help regarding as a very weighty one. I refer the hon. gentleman to pages 18 and 19 of the Canadian Commons *Hansard* of 1878. It appears that in the House of Commons Mr. Barthe moved for leave to introduce a Bill to repeal the insolvency law then in force in the Dominion. This was before the Speech of His Excellency had been disposed of:

"Mr. SPEAKER—I would suggest to the hon. member (Mr. Barthe) not to press the Bill at present. It is contrary to our usual practice to introduce a Bill before the Speech is answered."

Sir JOHN A. MACDONALD said the motion which was always made was to protect the right of the House to introduce Bills if they choose, but even then it was considered not exactly respectful to the Crown, and therefore the motion for the second reading was not made. He would suggest that the hon. gentleman should allow his motion to stand until after the Address. It would be considered that the motion was not made, and that it was still on the Paper.

"The motion, with leave of the House, was withdrawn."

So that we have what hon. gentlemen opposite must regard as the very highest authority for thinking that the practice proposed to be adopted by the leader of this House is an objectionable one. I am satisfied that no precedent to justify it can be found in the Journals of either House. I am prepared to go further, and state my own belief that no precedent is to be found in the proceedings of any legislative body in British North America for the course taken by the hon. gentleman; and I think that we in this House should be more conservative and more careful to follow precedents than any other House in the Dominion. We are, or ought to be, the most conservative body in this respect in Canada, and I feel sorry that the leader of this House should be the first to break through a time-honored practice like that to which I have referred. I think it was said by one hon. gentleman here: "Oh, it is true there is no precedent for the hon. gentleman's action, or the practice has been the other way; but that is not of much consequence; it does not violate the constitution." But I think the essence of our parliamentary practice is that we are governed by the custom of Parliament, not merely by laws and by rules, but by uniform practice and long established custom. On that point I shall refer to page 72 of May:

"The law of Parliament is thus defined by two eminent authorities (Coke and Blackstone): As every court of justice hath laws and customs for its direction, some the civil and canon, some the common law, others their own peculiar laws and customs, so the High Court of Parliament hath also its own peculiar law, called the '*lex et Consuetudo Parliamenti*.' This law of Parliament is admitted to be part of the unwritten law of the land, and as such is only to be collected, according to the word of Sir Edward Coke, out of the rolls of Parliament and other records, and by precedents and continued experience, to which it is added