

took as to the insufficiency of notice of the resolution to the House. Rule 40 says that:

Two days' notice shall be given of a motion for leave to present a Bill, resolution or address,

There is a comma at this point and I may stop here because this is the portion of the rule which I invoke in this particular instance. I submit to you, Mr. Speaker, in the first instance, that this notice was not laid on the table of the House before five o'clock on the afternoon of Monday last. Even if it had, I do not think that the Government or the Prime Minister would have been justified in moving his motion on Wednesday as it would not have afforded the House the notice required by this particular rule.

Mr. ROGERS: I am sure that my hon. friend the junior member for Halifax (Mr. Maclean) is much too old a parliamentarian, much too experienced in the rules of this House, to be really serious in the suggestion which he makes in respect to the resolution not having appeared the necessary time upon the Order Paper before it was presented to the House. It is only necessary for me, Mr. Speaker, to draw your attention to the fact that this resolution has followed the same form that every other resolution of a similar character has followed in this Parliament for forty years or more. I am sure that this in itself is sufficient to satisfy even my hon. friend the junior member for Halifax and the members of this House that the Government in presenting this resolution, has followed the practice that has always been followed in presenting a measure of this kind. My hon. friend will agree with me that he is not at all serious in his contention.

Mr. MACLEAN: I rise first to assure my hon. friend that I am very serious indeed. He has not given to the House any reason whatever in answer to the point of order which I have taken. I do not know what has been the practice of this House for the last forty years; I know what has been the practice of the House for forty years in respect to amending the rules, that is, to appoint a committee. I read in the rules of the House that two days' notice is required for leave to introduce a resolution, and I simply say that as a matter of fact that rule has not been observed.

Mr. GRAHAM: The excuse given by the leader of the House (Mr. Rogers) is not a very good one, inasmuch as in the present session many of the practices and usages of Parliament have been thrown to the winds. I could give a good many instances. This is simply a case of the letter of the

law. An old rule was invoked here the other day of which most people did not know the existence; but hon. gentlemen opposite insisted, against all practice in this House, and against all usages, on refuting your judgment, Mr. Speaker, and pinned their faith to the pound of flesh named in a rule never used in this House before to my recollection. The question under discussion, moved by the Minister of Marine and Fisheries (Mr. Hazen) is something absolutely new in this House, and contrary to practice so far as revision of the rules is concerned. If that is the only argument against the point raised by my hon. friend from Halifax, it could not for a moment carry any weight. If under the strict interpretation of that rule the notice was not properly given, I submit, Mr. Speaker, that there is nothing for you to do, no matter what the usage or practice may be, but to rule in conformity with the point raised by the junior member for Halifax.

Mr. SPEAKER: I have only to say that my understanding has always been that the notice is intended to be given to the members of Parliament for a specific purpose, namely, that they may not be taken unawares, but may have an opportunity to prepare for the motion. The two days' notice, as I have always understood it—and I have discussed this question with the clerk previous to the present one, and with the one before him—means that the notice must appear on the official paper of the day twice, first on the day after it is given, in the Votes and Proceedings, and then, on the day following that, the day that it might be considered, on the Order Paper of the House. I am told that the usual practice has been followed in this case.

With regard to the exact time at which the notice should be laid on the table of the House, my information always has been that that is for the convenience of the officials who prepare the Votes and Proceedings for to-morrow, and the Order Paper for the following day, and for the convenience of the Printing Bureau. Therefore it was provided that the notice should be laid on the table of the House before five o'clock. I had occasion some years ago to make inquiry with regard to the time when these notices were laid on the table of the House, and I found that in many cases it was done as late as eleven or twelve o'clock, and sometimes after twelve o'clock at night. The first clerk whom I sat under, Mr. Patrick, when I applied to him gave me the explanation that the exact time at which they were laid on the table did not matter so much but the essence of the rule was that they should appear on the official papers twice—first in the Votes and Proceedings, so that the members might have full notice,