

Hon. Mr. Connolly (Ottawa West): Honourable senators, speaking to the point of order, the notice was given pursuant to Rule 24 (j). I canvassed this situation carefully before deciding that the appropriate action to be taken at this time was the action that I took a few moments ago. The honourable senator from Ottawa East (Hon. Mr. Choquette) mentioned Rule 25, which states that no notice is required. He and I agree on that point.

I think there is nothing in Rule 23, which requires two days' notice, to help us here.

Upon reading Rule 24, however—and I do not want to repeat all its sections—paragraph (i) says:

For an adjournment of the Senate, other than the ordinary daily adjournment or that under Rule 14, 25 or 44.

This requires one day's notice. So does Rule 24(j).

Rule 24(j) states:

For any purpose to which neither the next preceding nor the next succeeding rule applies.

And, of course, the next succeeding rule is Rule 25, which does not cover this procedure.

I submit that Rule 23 does not apply, and that the appropriate action in the circumstances is governed by Rule 24(j).

May I say also that in following the course I did, I had the idea of meeting the convenience of the Senate. After the Senate rises tonight, the Banking and Commerce Committee is to meet. An unexpected development occurred during the course of the day which has taken up the time of the chamber more than could have been anticipated a few days ago.

I believe honourable senators will agree that throughout this somewhat difficult fall session I have tried to suit the convenience of the entire Senate when calling the senators together in the chamber, and in trying to arrange the business in such a way as to be the least inconvenient to all members of the house. This is the consideration which prompted me to move as I did, and I submit, honourable senators, that I am fortified by Rule 24(j).

The Hon. the Speaker: Honourable senators, after hearing Senator Choquette and Senator Connolly (Ottawa West), I think that in the circumstances Rule 24(j) should apply. Rule 24(j) states:

For any purpose to which neither the next preceding nor the next succeeding rule applies;

I agree with the honourable Senator Connolly that in the circumstances notice of one day is justified.

Hon. Mr. Choquette: I appeal the decision, and call for a vote on the ruling.

The Hon. the Speaker: Call in all the senators.

Honourable senators, the honourable Senator Choquette having raised the question of the sufficiency of one day's notice given by the honourable Senator Connolly (Ottawa West) of a motion respecting the designation of a National Flag of Canada, and I having ruled that one day's notice only was required under the rules, and the honourable Senator Choquette having appealed my decision, the question now is: Shall the Speaker's ruling be sustained?

Those in favour of sustaining the Speaker's ruling will please rise.

The ruling of His Honour the Speaker was sustained on the following division:

CONTENTS

Honourable Senators

Aird	Gouin
Baird	Grant
Beaubien	Hayden
(Provencher)	Hugessen
Boucher	Inman
Bourque	Isnor
Burchill	Kinley
Cameron	Lambert
Connolly (Halifax)	Lang
(North)	Leonard
Connolly (Ottawa)	Macdonald
(West)	(Brantford)
Crerar	Molson
Croll	Paterson
Davies	Pouliot
Denis	Power
Dessureault	Rattenbury
Dupuis	Roebuck
Fergusson	Smith (Kamloops)
Fournier (De)	Stambaugh
Lanaudière)	Vaillancourt
Gelinas	Veniot
Gershaw	Vien—41.

NON-CONTENTS

Honourable Senators

Aseltine	MacDonald (Queens)
Beaubien (Bedford)	McCutcheon
Blois	Méthot
Brooks	Monette
Buchanan	O'Leary (Antigonish-Guysborough)
Choquette	O'Leary (Carleton)
Gladstone	Pearson
Grosart	Phillips
Haig	Quart
Hnatyshyn	Robertson (Kenora-Rainy River)
Irvine	Sullivan
Macdonald (Cape Breton)	