

“Being a particular proviso in a matter already provided for generally in the Bill;

“Being a transposition of a proviso in a Bill;

“Sometimes Bills which originate in the Lords, and require money clauses, pass through the House omitting all the money provisions, which are added by the Commons, when the Bill is in Committee, and afterwards agreed to by the Lords. Thus the subject of privilege is avoided.”

If we now consider our own jurisprudence in the matter, we will find it laid down in the decisions given by the different Speakers of this Senate. The question which I am now called upon to decide has already been submitted to more than one of my predecessors, and in no more forcible way was it presented to the Senate than in 1885, when the late Senator Trudel, having framed an amendment to a money Bill, said in support of his contention:—

.....“If I understand the doctrine, it is this:—The Senate has no right to amend a money Bill; it has the right to reject a money Bill. Supposing instead of having put three, four, five and six money grants on the same sheet of paper, the Government had presented them separately, then it would be evident that the Senate would have the right to reject any of those Bills. Would the Senate lose its right by the accident of coupling them together or by the action of the Government in putting the subjects of those different Bills into one—that is, on a single piece of paper—which might deprive the Senate of its right? I do not think it. What I propose is to strike out the whole money grant of that railway and then it amounts to the rejection of the whole Bill which would be proposed to give a money grant to this Company. This is not contrary to the doctrine which has been mentioned by the Speaker. I respectfully suggest that my amendment is in order.”—
(Vide Debates of the Senate, Session of 1885, Vol. II, page 1418.)

The Speaker ruled:—

“The Speaker (Hon. Mr. Miller):—

“I must say that the same process of reasoning which the Hon. Member for De Salaberry has just presented to the House has been revolving in my own mind, and that I entertained some doubts as to whether the House might not have the power of striking out an independent section of a Bill which, of itself, might have constituted a separate and independent Bill, and which would leave the Bill, after it was struck out, a perfect Bill with regard to the subjects which it controls; and a further reason why my mind was somewhat in doubt on that point was that the Government by a system of taking on, which has been alluded to, might introduce and pass an obnoxious grant through Parliament in connection with one that had the general support of Parliament. But on mature reflection, I have come to the conclusion arrived at by the Hon. Member for Montarville. I consider this is a money Bill which you cannot alter, and if it contains any obnoxious feature, the only means by which this House can assert its rights to deal with such a feature, is by rejecting the Bill as a whole.” (Vide *ibid.* page 1419; also Journals of the Senate, Session of 1885, pages 416 and 417.)

In 1898, the then Speaker of this House (Hon. M. Pelletier) ruled as follows. (Vide Debates of the Senate, Session 1898, page 1123):—

“It has been maintained, during the discussion of the point of order, that the Senate had no right to interfere with Bills which increase the expenditure of money, but would have a right to amend such Bills in order to decrease or prevent the expenditure of money. I admit that, at first sight, I was of that opinion, but the authority of May, cited by the Hon. Secretary of State, at page 542, after saying that the House of Lords is excluded, not only from the power of initiating or amending Bills dealing with public expenditure or revenue, but also from initiating public Bills which would create a charge upon the people or which would deal with the administration or employment of those charges, adds:—